

# The new sexualised childhood: a case of corporate creep

By Barbara Biggins and Elizabeth Handsley

**When the Australian Law Reform Commission (ALRC) and the Human Rights and Equal Opportunity Commission (HREOC) published their joint report *Seen and Heard: Priority for Children in the Legal Process*<sup>1</sup> just over ten years ago, there was no mention of any problems regarding the sexualisation of children and young people in the media.**

The chapter that resulted from the brief to inquire into 'the appropriateness and effectiveness of the legal process in protecting children and young people as consumers' covered topical issues, but this was not one of them.

And it's not surprising. This form of exploitation of children had barely begun. Gradually over the past ten years, sexualised marketing to the young has become common practice—and we have barely seemed to notice. If we had been confronted then with what is all around us now, we would have been shocked—but it has crept up on us.

Because it has been recognised so recently, sexualised marketing to children is difficult to pin down. Sometimes it is mistakenly interpreted as being a matter of adult sexual attraction towards children. One leading sceptic has said 'if you see a little girl in bikini and find it sexual, you are the one with the problem'.

But to understand the issue, we need to imagine that the bikini is black, high cut and studded with rhinestones, with a certain 'bunny' logo across the seat, and padded cups in the top (this doesn't necessarily describe a bikini we've seen, but it incorporates elements in clothing marketed to young children in recent

years). This is not the kind of thing that normal people would see as 'sexual' in the sense of sexually attractive, but it is the kind of thing that many find inappropriate on a little girl. Why? It is because the bikini described uses emblems that our culture associates with adult sexuality. The adults who designed and marketed it to the little girl (and those who bought it for her) have encouraged her to associate these elements with the things she wants—to be noticed, to be cool and popular, to be loved and accepted.

In this sense, sexualised marketing to children sends a message that the happiness of children (often of very tender years) depends on being 'sexy', and 'sexy' equates with how you look, what you wear, what you listen to—in short, what you consume. The message that links sexual attractiveness to commercial behaviours and to emotional security imbues our whole society. The issue is whether it serves the interests of little children to be roped into this world view before they get a chance to explore the alternatives.

As the Australian Psychological Society (APS) put it in its recent submission to the Senate Committee on Environment, Communications and the Arts Inquiry into the Sexualisation of Children in Contemporary Media:

The values implicit in sexualised images are that physical appearance and beauty are intrinsic to self esteem and social worth, and that sexual attractiveness is a part of childhood experience.<sup>2</sup>

Referring to the cognitive effects of exposure to an array of sexualising messages, the APS stated:

Girls learn to see and think of their bodies as objects of others' desire, to be looked at and evaluated for their appearance.<sup>3</sup>



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They found that research links sexualisation to three of the most common mental health problems of girls and women: eating disorders, low self-esteem, and depression or depressed mood.<sup>4</sup>

For those of us who have longstanding concerns about children's well-being and the media, it is ironic that the recent closing of a Bill Henson art exhibition that included photographs of naked 13 year old girls received so much media attention. The community has been questioning the capacity of minors to give informed consent to being photographed in that way, the possible use of the images by paedophiles, the legality of such portrayals (given the prohibition in the Classification Guidelines for Publications<sup>5</sup> of 'sexualised nudity involving minors'), and their artistic merit.

However, Henson's photos are just the work of one individual, and it is far easier to take on an art gallery than the massive retailing and other corporations who are marketing to children. The possible harm caused to the girls who posed for the photographs is a legitimate concern, but what about the harm to thousands and possibly millions of even younger children affected by sexualised marketing?

The Senate Inquiry mentioned above accepted written submissions up until 18 April 2008 and held public hearings on 29 and 30 April 2008. Its establishment has been a major step forward in raising awareness and debate about the issue, and we look forward to the report, which was due to be delivered in the Senate on 23 June 2008.

Prominent among the many community groups and individuals who figured in the list of 163 submissions received is Julie Gale of *Kf2bK: Kids Free 2b kids*. Her submission cites examples from family-style stores around Melbourne; magazines aimed at six to twelve year-olds; TV music video programs in General viewing time and Parental Guidance viewing time; and advertising in a range of media—including billboards.<sup>6</sup> She also cited relevant complaints rejected by the Advertising Standards Board. The submission builds up a convincing picture of pervasive sexualisation in all these media—both in the images and information to which children are subjected when they inevitably encounter 'adult' media—and in the way the media represent children to themselves. Moreover, the discussion of

the outcomes of complaints makes it very clear that the rules being applied were not well-adapted to recognising the issues that the Inquiry is seeking to address. The rulings seem more concerned with whether a nipple is showing in an advertisement than with the overall message the advertisement sends about sexual attractiveness and the role this should play in children's lives.

A wide range of children's professionals provided evidence of harm, with many referring to the 2007 report of the American Psychological Association Working Party on the sexualisation of girls in media and advertising.<sup>7</sup>

In addition to the submission from the Australian Psychological Society mentioned above, Joe Tucci of the Australian Childhood Foundation<sup>8</sup> tabled ongoing research on children's stresses and anxieties. Many children felt the adult world was intruding too much into their lives, leaving them concerned and worried. The Foundation's view was that the preponderance of sexualised messages is contributing to an increase in the number of children that are engaging in problem sexual behaviour with other children.

Industry groups also made submissions to the Inquiry, indicating scepticism as to the issue's existence, coupled with the view that existing regulation was sufficient. Perhaps more significantly, just two days before submissions closed, the Australian Association of National Advertisers (AANA) released a revised Code for Advertising & Marketing Communications to Children.<sup>9</sup> This attempted to address community concerns about the sexualisation of children. Young Media Australia (YMA), in a submission to the AANA's review of its Code,<sup>10</sup> had argued that, firstly, children should not be carelessly exposed to sexual material; secondly, children should not be presented in sexualised ways; and thirdly, there should be a range of measures to identify the problems—train key stakeholders—and pilot different approaches. We also submitted that the definition of advertising to children should be broadened to cover that advertising to which children are likely to be exposed. The current narrow definition requires the advertising to be such that it appears to be aimed at children, and to be for a product of primary appeal to children.

The AANA Revised Code contains the following provisions on sexualisation:

*Advertising or Marketing Communications to Children:*

(a) must not include sexual imagery in contravention of Prevailing Community Standards;

(b) must not state or imply that children are sexual beings and that ownership or enjoyment of a product will enhance their sexuality.

The AANA has been unable to identify any actual advertising to children that would be caught by these tests, especially considering that the 'Product' in paragraph (b) must be one of primary appeal to children. Moreover, the provisions miss the point of concern about sexualised images of children, which has nothing to do with whether children are presented as 'sexual beings'. Rather, as discussed above, it is about the way the trappings of adult sexuality are linked to the things that children desire.

Additionally, the AANA Revised Code does not deal with general advertising in places where children are bound to be exposed to it. Because the narrow definition of advertising to children remains, the sexualisation provisions, like the rest of the Revised Code, apply only to a very small proportion of the advertisements that children see.

The release of the Revised Code so soon before the close of submissions to the Senate Inquiry made it difficult for interested parties to provide comment. Further, it deprived the AANA

of the benefits of the exploration of the issues that emerged.

Despite some community urging, the AANA did not avail itself of the benefits of consulting with the Australian Competition and Consumer Commission (ACCC) before and during its code review process. As a matter of legal structure there is much to be said for the ACCC taking on a 'backstop' role in advertising to children, similar to that which the Australian Communications and Media Authority plays in relation to children's television. The television industry has developed its own code of practice, which is then registered by the regulator under the *Broadcasting Services Act 1992* (Cth). The industry essentially runs its own complaints, but consumers who are dissatisfied with the outcome of this system can take their concerns to the regulator. We see no reason why a similar balance between industry and government could not be struck, and there is much potential for sharpening up the regulatory tools in such a process.

It's interesting to note here Recommendations 63, 65 and 66 from the ALRC and HREOC joint report<sup>11</sup> which, if they had been implemented, might have prevented not only problems evident in 1997 but some of the above. These called for research on media and advertising impacts on children at different stages of development to determine what is harmful to child consumers. Further, the joint report recommended that a summary of this research be distributed to legislators and regulators and media, and be used to support the development of best practice guidelines for advertisers. Further, the Advertising Standards Board should take into account the needs of the child consumer when considering complaints about advertising.

Young Media Australia's submission to the Senate Inquiry<sup>12</sup> emphasised the need for careful definition of which sort of portrayals and experiences constitute 'the sexualisation of children', and for education of the industry about these issues. YMA also urged a review of all of Australia's regulatory systems to assess if they adequately provided protection of children from harm.

Further, YMA strongly supported the Australia Institute's recommendation in its 2006 report 'Letting children be children' that:

As different media (print, radio and television) become less distinct due to technological advances, it will become increasingly desirable to bring all media regulation together in one statutory system. At this point a new opportunity to stop children's premature sexualisation will emerge. An all-encompassing office of media regulation could include a division with the primary responsibility of protecting children's interests in the contemporary media environment. With oversight of all media modes, the children's division would be well aware of the wide range of sexualising material to which children are exposed on a daily basis. The case-by-case approach currently used by media regulators is inadequate. Children rarely suffer harm as a result of exposure to a single case of sexualising material. Rather, harm is caused by cumulative exposure to sexualising material from a range of sources. Ideally, the children's division would be partly staffed by experts in areas relevant to the potential harms caused by the premature sexualisation of children, for example, child psychology, paediatrics, primary teaching, and criminology.<sup>13</sup>

Marketing to children is immoral because children can't understand or counter-argue the persuasive intent behind it. It harnesses massive resources to prime children to see their happiness and self-worth as depending on consumption and products, before they have a chance of encountering other viewpoints.

Using sex to sell to adults is questionable as it preys on some of people's deepest insecurities, and peddles a superficial and selfish view of acts that are best understood in a mutually respectful environment.

Using sex to sell to children simply needs to be stopped. It's as simple as that.

#### Endnotes

1. Australian Law Reform Commission and Human Rights and Equal Opportunity Commission *Seen and Heard: Priority for Children in the Legal Process*. ALRC 84 (1997).
2. Australian Psychological Society *Submission to the Senate Committee on Environment, Communications and the Arts Inquiry into the Sexualisation of Children in Contemporary Media* (2008), p 3.
3. *Ibid.* p 3.
4. *Ibid.* p 3.
5. Australia. Office of Film and Literature Classification, *Guidelines for the Classification of Publications* (2005). p 15.
6. Gale, Julie *Submission to the Senate Committee on Environment, Communications and the Arts Inquiry into the Sexualisation of Children in Contemporary Media* (2008). pp 5-11.
7. American Psychological Association—task force. *Report on the Sexualisation of Girls in Media and Advertising*, APA (2007).
8. Australian Childhood Foundation *Submission to the Senate Committee on Environment, Communications and the Arts Inquiry into the Sexualisation of Children in Contemporary Media* (2008). p 2.
9. Australian Association of National Advertisers *Code for Advertising & Marketing Communications to Children* (2008).
10. Young Media Australia *Submission to the AANA on the review of the Code of Advertising to Children* (2007), p 11.
11. Australian Law Reform Commission and Human Rights and Equal Opportunity Commission *Seen and Heard: Priority Children in the Legal Process ALRC 84 (1997)*, Recs 63, 65 and 66. See 1, above.
12. *Young Media Australia Submission to the Senate Committee on Environment, Communications and the Arts Inquiry into the Sexualisation of Children in Contemporary Media* (2008), p 9.
13. E Rush, Emma and A La Nauze, *Letting Children be Children: Stopping the Sexualisation of Children in Australia* (2006).