

REPORT OF PROCEEDINGS BEFORE

COMMITTEE ON CHILDREN AND YOUNG PEOPLE

INQUIRY INTO SEXUALISATION OF CHILDREN AND YOUNG PEOPLE

At Sydney on Friday 8 April 2016

The Committee met at 9.30 a.m.

PRESENT

Ms M. R. Gibbons (Chair)

Legislative Council

The Hon. G. J. Donnelly
The Hon. P. Green
The Hon. B. Taylor

Legislative Assembly

Ms J. E. Harrison
Mr M. J. Johnsen
Mr D. F. Tudehope (Deputy Chair)

ANDREW JOHNSON, Office of the New South Wales Advocate for Children and Young People, and

GREGOR MACFIE, Director, Office of the New South Wales Advocate for Children and Young People., affirmed and examined:

CHAIR: I declare the hearing open. Thank you for attending the second day of public hearings for the inquiry into the sexualisation of children and young people. Today the Committee will be taking evidence from government agencies, researchers and groups and individuals representing families. These witnesses share a concern about the safety and well-being of children and young people. Before proceedings begin may I remind everyone to switch their mobile phones to silent. For the benefit of the gallery I note the Committee earlier resolved to authorise the media to broadcast sound and video excerpts of the public proceedings and copies of the guidelines gathering coverage of the proceedings are available. I welcome Mr Andrew Johnson and Mr Gregor Macfie from the Office of the New South Wales Advocate for Children and Young People. Thank you for appearing today and for your submission. Do you have any questions concerning the procedural information sent to you in relation to witnesses and the hearing process?

Mr JOHNSON: No.

CHAIR: Do you have an opening statement you would like to make?

Mr JOHNSON: Yes. I would like to thank the Committee for the invitation to appear before this inquiry into the important issue of the sexualisation of children and young people. I would also like to thank the Committee, on behalf of the NSW Youth Advisory Council for the invitation to appear today. The council is keen to assist the Committee in any way and will be having their first substantive meeting this Sunday at which they will discuss how they could assist the Committee. Taking the Committee's lead, my office commissioned a literature review on the sexualisation of children and young people, with a particular focus on the impacts of pornography on children and young people under the age of 18 years.

To date, there is no agreed standard definition of the term "sexualisation of children", which was covered in the literature review. We support the definition referred to in the New South Wales Government submission. Turning to exposure to pornography, according to the Australian Communications and Media Authority [ACMA] in 2015, internet and mobile devices are now thoroughly entwined in the lives of children and young people. There are many statistics. One exemplar is: around 90 per cent of 14- to 17-year-olds have their own mobile phone and 50 per cent have access to the internet on their phone. The level of access children and young people have to the internet and mobile devices has profoundly changed access to pornography, with the figures we quote in our submission pointing to the widespread exposure of a generation of children and young people to pornography before they turn 18.

Figures vary according to survey methods but one of the more recent studies found that 100 per cent of males and 81 per cent of females aged 15 to 29 years have been exposed to pornography. On average, males first see pornography at 13 years, and females at 16 years. Young people aged 15 to 29 years most commonly view pornography by streaming or downloading on a computer, at 47 per cent, or viewing on a phone, 33 per cent. On average young Australians are exposed to pornography two to three years before their first sexual encounter. In relation to the harms of pornography, while there is still the need for more research, there is good evidence and expert opinion that the exposure of children and young people to pornography is associated with a wide range of potential harms including, mental health problems, body image problems, relationship dissatisfaction, impact on development of future healthy relationships and sexual relationships in adulthood, risky sexual behaviours which can result in contraction of sexually transmitted infections [STI] and unwanted pregnancy, and possible addiction.

The influence of pornography on an individual person will of course depend on a range of factors, including the viewer's gender, age, level of understanding, identification with the material and existing ideas, the content of the pornography viewed, frequency of viewing, and personality traits. That said, pornography is an adult product that is not intended for anyone under the age of 18 years. This is reflected in the National Classification Scheme and associated State and national legislation, which are rightly designed to protect children and young people from viewing material that may be harmful to them. At the same time, we need to acknowledge that many young people are viewing pornography before the age of 18. So there is a big problem here but there is also a lot that is already being done. It is also critically important that there is informed public discussion about what more could be done, which is why the inquiry is so welcome at this time.

So what is being done? There are essentially two ways in which to try and tackle exposure to pornography among young people. First, filtering harmful internet content. Secondly, education and skills training for children and young people, parents and guardians, and other adults who work with children and young people. In relation to internet filtering: there are many internet filtering products on the market and some good examples here in Australia at a service provider level, which provide a content filter and social network protection. A key area is to ensure that we are equipping parents and guardians with key up-to-date ways to use internet filters, amongst other strategies, to reduce children's exposure to pornography. While filters will not prevent access to those who are determined to view pornography, they can make it more difficult for children and young people to view it unintentionally or who are not particularly intent on viewing it—and thereby reduce exposure at a population level.

The expert in this area is the National Children's eSafety Commissioner and we congratulate him and his office for their work in this area. We are in discussions with the commissioner about opportunities to work with his office on strategies to reduce children and young people's exposure to online pornography, and ensuring greater education for both parents and guardians and children and young people about what they can do to reduce harm, specifically around the removal of harmful content about themselves. In this context, I would also note the submission by the Digital Industry Group Incorporated, which details very extensive policies and tools to protect minors from harm, including prohibitions on the sharing of pornography that presents children in a sexual manner. In relation to education: education and support are widely considered to be of prime importance in reducing the negative impacts of pornography on children and young people. In the Department of Education there is strong commitment to focus on reduction of harms and many resources have been developed and more are in the planning stage to deal with the harm of pornography, sexting.

Some of this is happening under the Personal Development, Health and Physical Education [PDHPE] curriculum. It is important to note that New South Wales is alone among Australian States and Territories in outlining specific qualification requirements for teachers who will specialise in health and physical education and refers to sexual health in this context. These resources are taught in an age-appropriate way within the broader context of growth and development, interpersonal relationships, safe living and individual and community health. There are other resources and opportunities for students to develop media literacy skills, which are essential to help them understand, interpret and evaluate media messages and imagery, and resources developed around digital citizenship to help teachers engage with students on the topics of staying safe and healthy while using digital technologies.

We also draw your attention to ThinkUKnow, currently delivered by the NSW Police Force, which is a cyber safety program for children and young people and has resources for parents and guardians. In a recent poll conducted by our office, children and young people raised that one of their greatest fears was that there was too much technology, contrary to what many of us believe, including social media and smartphones. This suggests that children and young people are more likely to be receptive to education and other strategies that help them manage their use of, and access to, technology. There are also a range of credible online resources for parents and guardians, as well as those aimed to inform young people about keeping themselves safe from the harms of pornography and sexting. Education about guarding against access to pornography and education about its dangers must be done in an age-appropriate way. For younger children, it is important for them to know that when they see something they do not like or understand, they can talk to their parents, carers or another trusted adult. For older children, it may be appropriate to talk about pornography explicitly, explain that it can be harmful, and that it does not reflect reality.

What more needs to be done and what are the next steps? There is definitely a need for further research in a number of areas including but not limited to: research into the effectiveness of education programs in relation to reducing exposure to, and the harms from, pornography for children and young people; developing a common set of indicators to assess the quality of education programs including, but not limited to, best interests of the child and safety of children are paramount, delivered in age-appropriate ways in safe and supportive environments, not based on shame or fear, respectful of diversity and delivered in a variety of languages, styles and formats, parents informed where possible, and importantly, it is informed by input from children and young people.

Turning briefly to the issue of sexting. In a recent study, *Sexting and Children and Young People* (2015), with which the former commission was involved, over 2,200 young people aged 13 years and over, with the primary target group being young people aged 13 to 18 years, the study found that 40 per cent to 50 per cent of young people aged 13 to 18 had sent a sexual picture or video via communication technology and between

60 per cent and 70 per cent had received a sexual picture or video. Most sexting occurred between partners in committed relationships.

The non-consensual redistribution of sexts can cause significant harm to the victim, affecting the young person's wellbeing, health, school, employment, and family and peer relationships. Young people may find themselves the victims of humiliation, bullying, harassment, threat, punishment and potential criminalisation. As noted in our submission, we think there is a case for New South Wales considering reforms similar to that in Victoria about offences for maliciously distributing or threatening to distribute intimate images of another person. But in looking at these laws it is important to ensure that young people who engage in non-exploitative sexting do not end up with a criminal record or on the sex offenders register by introducing certain exemptions. In this context I would also like to note the submission from the office of the NSW Privacy Commissioner referring the Committee to the recent Californian legislation.

In conclusion, we recommend the following: Continued research to fill the gap in Australian knowledge about young people's attitudes and responses to sexualised media, including pornography; promotion of credible and evidence-based websites and materials to educate and assist children and young people and parents and guardians; strengthening the effectiveness and implementation of educational materials and programs aimed at equipping children and young people with the skills and knowledge to develop healthy attitudes to sexuality, including pornography and sexting; and collaborating with the national Children's eSafety Commissioner to explore opportunities to reduce children and young people's exposure to online pornography. There is so much good work and emerging work to draw on in moving forward in the critically important area of the sexualisation of children and young people. My office is more than happy to play whatever role it can to lead, promote or collaborate with others to ensure the safety, welfare and wellbeing of children and young people.

The Hon. PAUL GREEN: You mentioned the Californian model. Can you elaborate on that?

Mr JOHNSON: What we know is that young people can have images about them or things written about them that they may write or other people may write about them. The idea is that you can apply to have that record on the internet expunged, so to speak. So if something happened when you were 14 or 15 and you want to ensure some of those things are not at school or when you are getting a job, you can apply to have those images taken down.

The Hon. PAUL GREEN: That is a good point. We heard some evidence yesterday about sexting. You also said that children, certainly young people, should be able to learn how to remove material harmful to them. I think that is pretty critical. Is it something that is taught in our schools or could there be something that could help kids learn how to manage their profile given the fact that it is damaging in cyberspace?

Mr JOHNSON: I think lots of work is already being done, but we have got to remember, as you are hearing and as you know, this is an ever fast-changing environment. We were watching many things over the internet but now, just in the last year and a half here in Australia, we have many streaming services. How we consume things is different.

The Hon. PAUL GREEN: We have not even begun to go down the road of this year's virtual reality screens in front of our eyes; we have not even gone down that road in terms of the technology that is going to come out there in sexualisation. It rolls so quickly.

Mr JOHNSON: I think the important thing is, as we said, to look at what is out there—and there is lots of good material out there—and how we can make it more readily available for children and young people and for parents and guardians. We hear from children and young people that they want more information; equally, we are hearing from parents and guardians that they want more access to information. But on your point about bringing down, it is important to recognise the powers and the great work of the eSafety Commissioner. Great work is being done with service providers in Australia—we have actually met with service providers in Australia. We are working with that office to ensure that we are helping to get the message out so that both children and young people, but importantly parents and guardians, know that there is the capacity for them to have an application to draw down material. So that exists. We need to do all we can to ensure that information is in the hands of the people who need it.

The Hon. PAUL GREEN: You talk about age-appropriate—you mentioned it several times in your opening statement. We just had the Safe Schools review and there were obviously different views about that

particular system, but many parents have been quite concerned once they were made aware of some of the content being probably not age-appropriate. Have you reviewed that review and have you got any concerns with the level of information that is available to kids of all ages—information that has been Australia-wide? We heard yesterday that New South Wales has been pretty considered to a large degree, but really it is Australia-wide.

Mr JOHNSON: In terms of the Safe Schools program, we think it plays an important part in helping prevent bullying towards gay and lesbian and transgender youth. There is absolutely no place for bullying of any kind in our community and the protection of vulnerable young people must always be first and foremost. We agree with the findings of the Commonwealth review, the Loudon review: some of the Safe Schools activities need to be reviewed for their suitability, there needs to be more transparency for parents, and the link to external resources should be limited to government-funded organisations. I think it was an important discussion about what we need to do in a changing world, but I think we need to bear in mind that any of this discussion does not make young people feel further discrimination.

The Hon. PAUL GREEN: On that very point, one thing we talked about yesterday was school culture. Some would be of the view that that whole program is to change school culture so far that you have Wear It Purple Day, Paint Rainbows or something and a few other things. Would your view be that it is not very healthy if that is suddenly going to discriminate against other people within the school? How do you address that where you are trying to do something that is healthy to recognise a group but you want to then not discriminate against a whole bunch of people—say, for instance, a conservative group or Muslim people—that may have a different world view? How do we not discriminate against them when you do have such a change in the whole school culture?

Mr JOHNSON: I think there are many great programs both run in schools and out in the community about tackling racism, talking about diversity and those kinds of things. I think the issue about Safe Schools was pointing to a particular problem that we perceive of the mental health issues in relation to suicide in relation to a population group that we know of—gay and lesbian and transgender youth—that that was an area that we had a focus on, and quite rightly so, that they need to be given the support that every other young person has.

The Hon. PAUL GREEN: Can I put on the record, because it is very important, that there should be no higher motivation for us on that point alone, that it is unacceptable to have any suicides on any matter, and that should be the point of compassion that we start at.

Mr JOHNSON: Yes, we completely agree with you.

The Hon. PAUL GREEN: I think many would, but I just wanted to put on the record that I think we should work from that, not a level below that. That is a comment I wanted to put on the record because, having seen suicide in schools, it is just disastrous and terrible and a great loss to whoever the parents are.

Mr MICHAEL JOHNSEN: Thank you for your submission and your opening statement. In your submission you mention the Victorian Government introducing legislation in 2014 in terms of threatening to distribute material and all those sorts of things. You make a comment in your submission that New South Wales might consider similar reforms. Do you think it would be, for young people in particular, potentially a little too intimidating for an individual to want to report and therefore have these laws enacted on an individual?

Mr JOHNSON: You are talking about if an individual is maliciously—

Mr MICHAEL JOHNSEN: Do you think a 15-year-old would necessarily feel comfortable reporting it and therefore having these laws effectively enacted or the charges followed through, if you like, on another individual?

Mr JOHNSON: I could be getting the question wrong but I will take it in two parts. Certainly children and young people, more than anyone else in the community, understand the devastating effect malicious sexting can have. It has been part of their lived reality in growing up, in the sense of being digital natives—this is what they have known in a way that those of us who are much older have not seen or experienced throughout our development. So I think for them it is a really important issue; it is a big issue for them because they know at a very detailed level where they have seen harm being done so extensively, and you heard yesterday stories of young people having to move from school to school to school because it keeps on following them. So I think young people are pretty aware.

I think we need to do more if changes like this are enacted so young people are aware what the ramifications are if this kind of activity happens. But we also need to ensure that there are exemptions under this legislation for young people if they are sexting but not malicious sexting. I think there has got to be appropriate action taken even for a young person, but in terms of sexting between two young people, you do not want them to be caught up in this, so there should be an exemption in those circumstances or an age differential.

Mr MICHAEL JOHNSEN: Can I take that a little further? Yesterday we discussed take-down orders. The intent was to give the police the power to issue a take-down order. We all make mistakes; a 13-year-old, 15-year-old, 16-year-old or 18-year-old might get involved in sexting or some other activity where clearly they regret it and it is having an effect on their future. Do you think it would be reasonable for legislation to be introduced to possibly support, say, the Victorian situation, and, if we take that further, to give the power back to the individual and create a level of compulsion on their request, whether it be the individual's request, the parent or guardian's request and/or the police request—a level of compulsion for ISPs, for example, to have to take that down?

Mr JOHNSON: Yes, and I refer you again to the powers of the eSafety Commissioner. I do not want to speak on his behalf or on his office's behalf, but reading from his public material so I can get it perfectly correct: On seeing the complaint, if the commissioner is satisfied that it is cyberbullying, which sexting would be, the commissioner may issue a formal removal request. So there are those powers for the eSafety Commissioner. We are working on how we can get that information more solidly out there within the New South Wales community. Are there more things that we can do? Yes, but I think we need to be starting from the point that parents and guardians and young people can use the powers that the Children's eSafety Commissioner has.

Mr MICHAEL JOHNSEN: Images can be taken down?

Mr JOHNSON: Yes.

Mr MICHAEL JOHNSEN: If that is the case, if we do not know about that, and clearly advocate groups do not necessarily know about that—you are the first one that I can see that has actually brought that to the table—is there a process problem more than anything else?

Mr JOHNSON: I think that is dependent upon us ensuring that we are getting the message out. It is a very new position. Although we know the eSafety Commissioner is very keen to work with as many people as possible, and he is doing a great job, I think there is more onus on the rest of us, to be honest, to make sure that the message is getting out, which is, once again, why it is great that we are having this inquiry here today: it is another opportunity to talk about it. Certainly we will be working with his office to ensure that we are promoting this as far and wide as we can, and also working with the other New South Wales government departments to do so.

Mr MICHAEL JOHNSEN: Through you, Madam Chair, and with the indulgence of the Committee, could you provide any advice as to how you think we might be able to assist in that process or strengthen the process to occur, through education or any other reforms, regulation, whatever the case may be; please let us know?

Mr JOHNSON: We will.

The Hon. BRONNIE TAYLOR: One of my absolute passions since I have come into this Parliament is service coordination, as the Hon. Greg Donnelly would know, and this strikes me as relating to that, listening to you talking about working together; you talked about collaborating with the eCommissioner and you talked about the need to work with the eCommissioner. I also note the recommendations from an upper House inquiry that we held last year into remedies for the serious invasion of privacy in New South Wales. Recommendation six of that inquiry clearly points to this direction of take-down orders and cease and desist orders. Mr Michael Johnsen alluded to it in his question when he referred to how comfortable children and young people feel going to the police. It is actually a very big step.

One of the recommendations was to work with the Privacy Commissioner who is doing some really impressive work. Are you working with the Privacy Commissioner on this matter? You talk about e-safety but if you sext someone a photo of something because you were in a relationship that is consensual, but we saw what

happened in the famous case of Lara Bingle where her boyfriend took a photo of her in the shower and then he used it after they broke up. That is an invasion of privacy.

Mr JOHNSON: Yes.

The Hon. BRONNIE TAYLOR: I think that is what is happening; young people are sharing this information consensually then they break up and it is sent to six of their friends.

Mr JOHNSON: I agree. To answer your question directly, yes, we do work with the Privacy Commissioner. We think she is doing a fantastic job as well. So we are working on many other issues that relate to privacy and health as well. I think why we raised the e-Safety Commissioner is because when we have been doing this work it is one of the areas that we have understood that people are less aware of and we need to do more work. I think the next steps, particularly for an inquiry, start from it is a big problem, there is actually work out there but the next step is how do we better co-ordinate? How do we get good practice to common practice? I think that is why this is really timely. We will be continuing our discussions and working with the e-Safety Commissioner, the Privacy Commissioner and various different New South Wales departments.

The Hon. BRONNIE TAYLOR: Does anything exist now? We are all sitting down at the table and saying that this is an issue but how can we all work together towards it? There are all these really great groups doing really good things, some of which come from very different opinions to others, which reflects the great democracy that we live in and that is life. Surely we know this is a problem. We talk about discussions, commitment and age-appropriate things but we are all talking about the same thing and the same problem. Is there a formalised forum where you are all looking at the main issues that are occurring and what you can all do together to solve them?

Mr JOHNSON: I could be wrong in relation to this but from my understanding there is not a formal group in that sense which is why we said in our recommendations this is a really good time to do a review and a bringing together of the materials. I think that is the kind of thing that could really get more bang for the buck out of that process if you brought people together in the review about looking at the materials that exist, and maybe what materials need to be produced.

The Hon. BRONNIE TAYLOR: May I be so bold as to suggest that as a leadership, and as the Government's Advocate for New South Wales Children and Young People that perhaps we look at a leading group on this to take up some issues and work together to get some results and solutions because a lot of this has been going on for an awfully long time. I realise you are new and I am not having a go at you but I think it is really important in these inquiries that we discuss the issues and look for solutions. I think there is some great work being done but everyone is doing it in different areas.

Mr JOHNSON: I think that is where it comes to this timely side, that we took on your lead. We did not want to come into this without any evidence. Basically we did quite a big literature review. We knew the inquiry was coming up. Once again there is lots of good work in various different government departments so I think it is now time—not that we do not talk together about these things—but it is a great suggestion that now is the right time to bring people together to talk about these issues. We would be happy to work with other partners and departments on getting that done.

Mr MICHAEL JOHNSEN: Just following up that previous question and answer, is it something that the Advocate's office should be doing on a more formalised and regular basis as opposed to a review basis?

Mr JOHNSON: I think that is all possible. Certainly as you know we are in the process of developing New South Wales whole-of-government strategic plan for children and young people so we are working all the time with different agencies. I think we would like to sit down with those other groups and say what works best. Certainly we would take your advice as to what would help you and what you think would be the most appropriate way to do it. I think it should be a very easy thing to bring together because we are talking all the time across agencies about bringing people together but, importantly, non-government groups as well, of which you have heard from a few. It is really important to garner. Having had this great focus point of the inquiry I think an important next step is what to do to push forward.

CHAIR: Hopefully the Committee's report and recommendations will help guide and focus it to bring it all together.

Mr DAMIEN TUDEHOPE: I want to ask about a few areas. One of the things that I think Mr Johnsen probably was trying to elicit from you was the difficulty that young people have in making a complaint. For example, a person who has engaged in taking photographs of themselves which are now being distributed by others, to make a complaint either to the police or to some other body, including the e-Safety Commissioner, involves disclosing the content of the material. There are inherent problems in being involved in the making of the complaint process. How do I get over that? How do I make that more accessible to the person so I am not almost perpetuating the problem that they have with what they have done in the first place?

Mr JOHNSON: I think that is about having the conversation about this with children and young people at various different age-appropriate ways to their development. I think there are many different resources for parents and guardians and I have pointed them out to the Committee. What is the help we need as parents and guardians to start that conversation if something were to happen? We talked about one of the important things is looking at education materials so that it does not come from shame or fear; that young people can say "I have stuffed up. I need to come and talk to you about it." Of course, inherently, it is something very private and they have got to talk about it. Conversely though, sometimes we need to make sure that we have opened the dialogue with children and young people because everyone at the school could know but the parent or guardian does not. I think we need to assist parents as to how they start that conversation and when they start that conversation.

Once again, I think you know when other resources are there to start that conversation but it is new, it is difficult. One way to look at it is when we were doing education, when we realised we need to empower young children about the dangers of sexual assault and paedophilia in an age-appropriate way, like understanding there are certain parts of their body that should not be touched by strangers, and those kinds of things, I think we need to ensure that in the communities we are having that same thinking around pornography and sexting and those kinds of things as people get older. We need to equip young people to talk about it but importantly give the resources for parents and guardians how to start that conversation and when they start it. We had that discussion about how we raise these things for young people in relation to sexual assault, and we are fine with that now. I think this is just another version of how you keep children safe and how you start that conversation. It is difficult.

Mr DAMIEN TUDEHOPE: I think the ones that are most at risk though are the ones who cannot talk about it. They are the ones who will be suffering from anxiety and body image issues and all sorts of things and often it is because they cannot talk to anyone and do not want to disclose what they have been doing.

CHAIR: Mr Johnson you have outlined a few of the resources available to parents. Is the problem a lack of resources for parents or is it a lack of the parents knowing where to go? Are the resources there and the parents do not have access to them or do not know that they exist or is there a lack of resources to be able to provide that support?

Mr JOHNSON: I think the starting point is that we as a community—which is why this inquiry is being held—need to more openly talk about the problem, and the problem is a big one. At some level it is new in terms of the accessibility and the newness of it. I think it is about us coming together and saying that we know that there is a problem, let us come together and talk about it in all kinds of fora. I think with any kinds of programs people always say "We need access to information; it needs to be better collated" and all those kinds of things. You could say that about any education program. I think this is new. I think this is timely to start being more targeted about how we get it out there. We do know there are many different groups, in terms of within education, both State run and independently run, and that information is there but it is new.

I think there is an anxiety. So when we ask children and young people what are their greatest fears, technology was one of them, as we said. It was also one of the fears of parents. We asked 1,000 adult parents and 1,000 young people so they are coming together on that fear. Part of it is myth busting a little so that you can actually have this conversation and assist people. It is a difficult conversation but we have had them before about other things, and we can have them about this. It is a bit like "all of the above". Yes, we need better promotion of the materials that exist, maybe looking at how we can make most materials better and more freely available. But particularly to your point, Mr Tudehope, we need to ensure that there are those materials for that young person and we are very mindful of that. If they feel shamed or they do not know where to go, where could they go in terms of resources on line to make sure that they could actually go and use the provisions within the e-Safety Commissioner and be able to write into there? Once again information is power, I think, in this domain a little.

CHAIR: There is also no department or advocate for parents as their target point. We have education predominantly for children but we would need to, I guess, be asking them to take on more the role of educating parents as well. I am not sure whose area it falls into and they are missing out because of that.

Mr MICHAEL JOHNSEN: If it is totally related why would it not be the same advocate?

CHAIR: That is right, yes. Is it an advocate for children and young people and parents? I do not know whose domain it falls under.

Mr MICHAEL JOHNSEN: Are you any good at babysitting adults?

Mr JOHNSON: I think it is like all things with children and young people, it is a community responsibility so that agencies do parts at school, Parliament does parts, but also the community itself. So it is about all of us coming together and saying, "Which parts in this jigsaw make sense? Why don't we get together and who takes the lead in particular areas?" It is important also to recognise the work being done on the Wellbeing Framework for Schools and how that works into that, and a lot of good work on wellbeing in mental health, and this is very much all a part of this.

CHAIR: There is definitely a gap there and that might be something that will be addressed when all those groups are brought together in the one room, which may help identify who covers those gaps.

The Hon. BRONNIE TAYLOR: It is a big jump from the incident to going to the police. That is why, as I say, one of the recommendations was to establish something within the Privacy Commissioner that could also include the e-Safety Commissioner which could then bring you all in. It is the safest base for people in the middle than it is on one end. I know because when my daughter was 17 she had an incident. She asked "Where do you go?" She was not frightened to go the police because she knows that they are really fantastic but it was such a big step as a 17-year-old because everyone was going to know about it. She was going to be the girl that went to the police. There is some really great work that we have to coordinate.

And there are no consequences. I sound like the Supernanny but I think the kids feel that someone can go and post that but no-one will be able to do anything about it. It is not just children and young people; it is like the incident when a lady had shocking photos taken of her when she was in theatre. Yes, they say they are going to come down, but they are left somewhere up in the ether. I think there has got to be a consequence so that the children and young people are informed and they say, "If you do that to me, I am seriously going to go to this body to report it." That will not fix everything, but—

Mr JOHNSON: I think there is also a point in the middle before you go to the police. People talk about wanting to be able to go to a trusted adult, whether that is a school counsellor, their PDHPE teacher or their own teacher. When you are talking about mental health issues, which is analogous, and sometimes they are not analogous, they are all wrapped up in the one problem that young people are facing, it is important that that is part of children and young people knowing that they can go to a trusted adult or guardian, and that we are ensuring that trusted adult or guardian actually has the necessary information to say this is what we can do.

CHAIR: That is the problem, whether they have the right advice.

Mr JOHNSON: They do not always necessarily have to escalate it to the police. I am not saying that one should not do that. Children and young people should be told, "If this happens you should be able to come to us" so young people know what they should be able to do in that circumstance to seek the remedy that they want to seek. That is why we have the Wellbeing Framework, school counsellors, the training of PDHPE teachers who deal with issues of sexual health and other things. It is important that we see it in the wider context so it fits into a broader system where young people can go to someone who is trusted and that trusted person has the information to assist them.

CHAIR: We need them to have the information to assist them.

Mr DAMIEN TUDEHOPE: I want to take you back to the problem of filtering. About 10 years ago the Australian Government offered to provide families with free internet filters and the take-up rate was appallingly low. Why is it going to be any different today?

Mr JOHNSON: Looking at what is happening internationally but there are also some of those things happening here—

Mr DAMIEN TUDEHOPE: The United Kingdom has moved towards an opt-in service as opposed to an opt-out service.

Mr JOHNSON: That is right.

Mr DAMIEN TUDEHOPE: Is that the model that you would support?

Mr JOHNSON: I think it is certainly something worth pursuing and is actually very important for the safety and welfare of children and young people and there are versions of that here in the Australian marketplace. I think once again it also gets back to education and adults knowing about what filters are available and what they can actually do. I think sometimes when people are talking about filters they either overestimate or underestimate what they are able to do, and some of the evidence suggests that it is probably a bit more effective than people think. That being said, of course, young people can get around those things but, as we said in our submission and our opening statement, at a population level some of those people unintentionally come across it.

It is also important to realise that a lot of the studies that have looked at this were before a lot of the good work that has been done by various companies across the board. So it is much harder now to come across unintentional viewing of pornography or illicit materials. But we agree with you, it is certainly something to look at about having an opt-out provision. I think that is certainly something worthwhile pursuing and it would assist. Nothing in this area is a silver bullet but it is certainly one of the suites of things that we need to be looking at. There is the technological part of that but, once again, it is also about parents and guardians and others getting information about what is available and how you use it.

Mr DAMIEN TUDEHOPE: This Committee has received significant submissions in relation to the advertising industry, the manner in which it operates and the regulations surrounding it. In your submission you have not addressed those issues in terms of the sexualisation of young people—whether it is things that they see on television, billboards or music videos or the like. Are you satisfied that the code adopted by the advertising industry is sufficient to protect children from over sexualisation?

Mr JOHNSON: You point to a really major issue about the sexualisation of children in a wider context within commercials. It is such a large topic that we did not go into that in detail. For this inquiry we just looked at—we would love to take that on notice and go back to do more work.

Mr DAMIEN TUDEHOPE: I would like you to do that because it was a bit of a focus in yesterday's hearing and falls within the ambit of this inquiry, which appears to be reasonably far reaching in terms of sexualisation generally. It was raised by a number of the people who appeared before the Committee yesterday, some of whom suggested that there ought to be more regulation surrounding the code that applies to advertisers.

Mr JOHNSON: In this space we also spoke in the very beginning of our statement about the ever-changing world in terms of digital natives about how much content is now streamed—and that is not in a location that we are used to—whether it is commercial television or cable television there are now lots of streaming services. So there is another area. If we are really looking at children and young people sometimes we forget to ask: What are their viewing habits? How are they actually getting content?

That is evolving very quickly so we need to ensure that when we are looking at the issues of sexualisation of children and young people in the media, which we think certainly needs to be looked at and there are some disturbing examples of that, we need to ensure that they are actually with games, streaming content and other things. Those of us who use old streaming media—which I probably do more—have got to remember that the viewing habits are not in the traditional formats that we have been used to. So we take on your suggestion heartily and we would add that we also need to add in a specific element about what is available streaming and what are people downloading on their phones or tablets as well.

The Hon. GREG DONNELLY: I am struggling with the notion of children and young people consenting or agreeing to matters. I raised this issue yesterday with a couple of the witnesses, but I am interested in your thoughts about the ability to establish that consent being exercised by a child in regard to an action like sexting. Obviously we know that they can do it; they are very savvy when it comes to the technology. How do

we look at consent as we understand it as an adult and then look across at a child and attempt to transpose that thinking when, in fact, we know as far as brain development goes it is highly undeveloped—not just a little bit undeveloped but in those very young years highly undeveloped—that part of the brain, the prefrontal lobe, which enables one to make judgements, consideration of circumstances and impacts of actions on future effects? It does trouble me that in your submission and in others the term gets used I think without qualification—in other words, we are assuming that consent can be made—but do we seriously believe that consent is being exercised by children when they are doing these things? We know they are doing it.

Mr JOHNSON: Yes.

The Hon. GREG DONNELLY: But I am talking about being able to judge that consent has been made.

Mr JOHNSON: We completely agree with you and we will take it on board that we have got to be clearer about that.

The Hon. GREG DONNELLY: I am not having a go at you.

Mr JOHNSON: No, I did not take it that way.

The Hon. GREG DONNELLY: The word gets used a lot but I am just wondering what we mean by that for a child?

Mr JOHNSON: First of all, how does that play out? That is why we are very strongly saying that whatever provisions there are about sharing explicit sexual material that is produced by a young person there should be exemptions around this because we agree with you, for the many reasons you outlined about the development and you talked about the brain science, but also too remembering that if somebody wants to do something in the impulse of the moment it is actually much easier and quicker now if you have got your mobile phone in your hand. So all of those things that you have talked about and then you add on the immediacy of the technology.

One of the issues that has been raised is about the criminality potential of a young person sexting, because under the Crimes Act it is the receiving or holding or sending of child abuse material, I think we need to be clear that our understanding—and I could be proved wrong in relation to this—is that there is not a spate of cases about charging 14-year-olds with sexting but I think it is an area that we need to look at in regards to cleaning up. We need to ensure that within that particular provision there are exemptions for young people who may be sexting that are not unnecessarily caught up in very important provisions about stopping adults from the production and distribution of child abuse material.

The Hon. GREG DONNELLY: I make probably more of a comment than a question but I welcome your reflection. Your thoughts would be particularly interesting to me because in some sense you are at the very cutting edge of this. It is also a paradox that I cannot easily resolve. The Committee spent a lot of time yesterday and again this morning looking at the issue of pornography, particularly with young people. I think the evidence is coming through, and you are correct that further work needs to be done, but there is a growing consensus about the impact of pornography. We have this rather bizarre situation emerging, that is, we are acknowledging the issue of pornography as having potentially quite a deleterious effect on children but then we have got children looking at adults.

Those adults are saying, "Once you hit 18 years of age you are an adult and you can view this." I am being a bit of a devil's advocate here but the point I am making is that children may well form the conclusion: What is going on here? There is this perverse argument that there is something wrong with pornography when I am a child—and people are jumping up and down and offering caution and concern about that—but once you are an adult there is not an issue about pornography. It just strikes me that kids are starting to wake up to this, and will continue to do this, that there is this perversion of an idea that there is something acceptable about pornography when you reach your eighteenth birthday—that is, society acknowledges the legality of it—but before that it is certainly a no-go issue.

I am just raising it because I think if we are going to continue to engage with children and young people about it we have to come to terms with the issue of pornography at large. The children will start to ask: Why is it being put to us that it is dangerous or has potential effects but when you are an adult it does not much

matter and does not affect you or you are capable of making decisions? The truth of the matter is, for those who sort of want to go searching for this—and it is not new information—that there are real serious problems with respect to adult consumption of pornography, even to the point where you have got the likes of the American Psychiatric Association actively debating whether or not pornography addiction should be placed as an item in the Diagnostic and Statistical Manual of Mental Disorders [DSM] as a treatable addiction. You are dealing with the children and on behalf of the adult community and parts of government and as an agency we have to start to look at what I think is a glaring, almost omission of a discourse about the effect of pornography.

Mr MICHAEL JOHNSEN: I will take that as a statement.

The Hon. GREG DONNELLY: We can choose not to talk about pornography and say—

CHAIR: I do not think that is why we are here.

The Hon. GREG DONNELLY: Hang on.

CHAIR: We could be looking at alcohol and the fact that you cannot drink alcohol before turning 18 years old.

The Hon. GREG DONNELLY: No.

The Hon. BRONNIE TAYLOR: I understand and respect that everyone has their own views but that is another issue. We need to really concentrate on what we are meant to be doing here—namely, this is an inquiry into the sexualisation of children and young people and the NSW Children's Advocate is here to be asked questions.

The Hon. GREG DONNELLY: People might not like to confront this and I understand it is a sensitive issue but—

CHAIR: I do not think this Committee is the body to be confronting that.

Mr DAMIEN TUDEHOPE: Is there a problem that you would perceive in relation to a societal attitude that treats pornography for children as something evil but that seems to be accepting pornography for adults as something that is available and acceptable for them to access? Is that a problem?

Mr JOHNSON: I think what we are seeing and what we are saying is—and to pick up on your point—there is no strident academic research yet to prove certain things are working; that does not mean we should not act. I think you point to that and I think that is sometimes part of the stalemate. So we have got to do more research but that does not mean that we do not act now. In relation to the wider society issues, you have often heard the term "pornification of"—

Mr DAMIEN TUDEHOPE: Yes.

Mr JOHNSON: What we are saying is that with evolving capacities, which you have talked about, such as age-appropriate materials, do young people have the capacity to understand what they are viewing in its context? We are saying they do not and because of those factors, and many others, they are unable to make correct choices about how that reflects on how they behave towards others or how they think about themselves. That is why having the discussion with children and young people about it in age-appropriate ways goes some way for adults to say: "Maybe I don't talk about it in that particular way" or "Maybe I don't use slang terms" as you know some people say, "That was good" and they will say, "That was porn."

It is part of the general discussion that Mr Tudehope talked about of a wider sexualisation in media and other places. I think this is a clarion call a little bit for those of us over the age of 18 to say, "Look, we know it is not age appropriate and it can have some deleterious effects for young people. Let's make sure that when we are talking about it, we are talking about it in a sensible fashion", because I think sometimes people slip into another mode. Of course, young people think, watch and see how it is portrayed.

Mr DAMIEN TUDEHOPE: They know when we are fake.

The Hon. GREG DONNELLY: That is the point I make and that is why it is not a matter of being quite separate from this; in fact, at the end of the day the children are observing the adults and taking the lead from the adults. The children very much can start to see through the hypocrisy if we say one thing out of one side of the mouth and another thing out of the other side of the mouth.

Ms JODIE HARRISON: I have a question about your consultations with young people. At least one of the submissions talked about older children stating that they are concerned about sexualisation of children who are younger than them, in particular the wearing of lipstick, the short skirts and those kinds of things. Was that something that came up through your consultations and, if so, did the young people you spoke with have any solutions?

Mr JOHNSON: You are making reference to the 4,000 feedback that we got in the strategic plan. It did not come up because these were top-of-mind awareness issues specifically around the plan. That is not to say that it was not an issue. We specifically did not lead any children and young people in any different direction. Certainly when we commissioned to get the literature review done, we specifically asked for all available materials that were done with children and young people themselves, whether that is Sweden, America or here in Australia. The literature review, which we will provide for the write-up of your findings, as you can imagine has quite a lot of material that we were really interested in around that. I think it is an area of further work.

A lot of times we are very much of the view to come before you and say, "We don't know because we have not spoken to young people about those specific issues." When you are doing that some of them can be sensitive issues and that is where it has got to be age appropriate; that is where you have to engage schools and parents to say, "Here is what we are going to talk about." In moving forward, in doing reviews, in getting people together in adviser groups, task groups or whatever the recommendation may be, I think part of that has got to be a deliberate process of finding out where young people are at.

We have research from different agencies that is more or less saying the same thing but I think it is a process of: What are they saying? Now what is the bit that we don't know? If we are targeting things that they are worried about—I think we know already that there is wide access to pornography and there is lots of sexting going on—well, let us just move on from that rather than having a picture perfect research project. Now that we know that, what is the next bit of work we need to do and what do we need to get from children and young people to ensure that our education programs clue parents about engaging with children and young people on this issue? They have to tell us their lived reality. I also refer you to the sexting report that the former Commission for Children and Young People was a part of, with many others. That is a very big study, talking to lots of children, which we referred to both in the submission but also in the opening statement. That is another very good piece of work and a good starting point in this area.

Mr DAMIEN TUDEHOPE: On the issue that Ms Harrison raised, we had a very impressive submission yesterday from a lady from Collective Shout—I thought it was impressive—that dealt with some of the material about the ordinary behaviours which appeared to be, in media, imposed upon kids or kids are adopting. One of the interesting suggestions she made was that branding is a particular problem even with what young kids take to school, whether it is a backpack, a lunch box or whatever. In some ways it can be preparing them for becoming some objects that advertisers are advertising and it gives rise to the padded bras eventually and lipsticks for five year olds or whatever. I thought that was an impressive contribution.

Mr JOHNSON: And I think it is really important in body dysmorphic issues, particularly for children and young people. We have known about it and women have suffered for millennia in relation to these issues. I think one of the body dysmorphic issues for young boys is also an area that is increasing at an exponential rate, so when we are talking about these things we need to be sure of what are the expectations that are now being placed on young boys. Often we look at gender with adults, which is incredibly important and then tells the story, but we are talking about children and young people. With many of the issues that young girls are facing there is an allied or another version of that problem that young boys are facing or sometimes they are exactly the same. We have learnt that in terms of sexual assault. I think in terms of body dysmorphic issues we need to be doing more for women and girls, full stop. We are way behind on that issue but I think we have to be mindful of the emerging issues and trends in relation to young boys in our society and the pressures they are under as well.

The Hon. GREG DONNELLY: I raise the issue of new technology and virtual reality games, which are on the cusp of being available and virtual reality games one can play in cyberspace by entering into a game and playing, as well as the Avatar games that are on the cusp of being available. Has any thought been given to

those and the potential impact of those? There are arguments that those types of games and activities have a deeper and quicker bite because you are actually in the game itself, participating and doing what you do as opposed to being a third party just watching and observing it play out. Is any early discussion going on amongst children's advocates about these sorts of games? Obviously we are talking about sexualisation but the whole area of violence is also worthy of discussion, but for another time. Do you have any reflections on that at this stage?

Mr JOHNSON: I would like to come back to the violence issue but it is interesting that you should ask this. We have been doing a lot of work on just understanding what is virtual reality and what is augmented reality and now that augmented reality is merging with augmented reality technologies what does that mean? We have been looking at that for a lot of reasons. First, how do we take advantage of those technologies for good? How do we ensure that children and young people here in New South Wales have access to emerging job opportunities in these areas? To be honest, we have not taken it that far yet because we are still trying to grapple with what are the potentials. Of course it is in our mind, given that we are here today and the work that we do already, but we are still coming to terms with what are the potential risks. Equally, we are looking at what is the potential good—

The Hon. GREG DONNELLY: Absolutely.

Mr JOHNSON: —that we can use with virtual reality and augmented reality as we are learning and the combination of the two as one suite of technology experiences.

The Hon. GREG DONNELLY: Do not waste this opportunity to deal with violence and sexualisation because there is an overlap?

Mr JOHNSON: I think first and foremost when we are talking about violence in the general community, it is great to see that we are tackling violence against women very seriously and doing more and more. We also need to be aware of the enormous problem of violence against children, both boys and girls, but as it relates to this inquiry itself, this is one of the things when you look at the literature review; it is there but it is not causal. Can you prove it? One of the things we do not understand is: Are young people learning violent sexual behaviours by watching pornography? That is a risk. It is not proven. The research there is not saying if young people are watching this, then that happens.

Mr DAMIEN TUDEHOPE: It is pretty close though, isn't it?

Mr JOHNSON: All of us around here today can say, "Well, certainly that's a really important thing to be looking at and be mindful of." That does not mean we do not address the problem. We say, "This is a potential problem." That does not mean we do not get out ahead of it and say, "Well, if young people are being exposed to pornography then that could include violent behaviours of a sexual nature or a general nature—both." Then that needs to be part of the discussion with young people about pornography, saying, "This is not acceptable. This is actually not on", because they could be seeing it. With the wide access it means that we need to be talking about violence as one of the issues that they may be exposed to in watching pornography, and be very explicit about that and about saying there is zero tolerance about having violence in that kind of situation.

The Hon. GREG DONNELLY: This annoyance about the precautionary principle being used at large in society when it comes to matters to do with environmental and related issues is that if you bring up the precautionary principle in this area of social policy, which almost invites one to take that position because we are dealing with basically minors, I observed that there is a lack of inclination to rely on that principle and utilise it to take on some of these things. These sorts of issues invite people in positions of authority and power to take the precautionary principle and say, "Well listen, we may not be sure, in an absolute sense—it appears to be a correlational but maybe not causal; we do not know for certain but the verdict is treated as in." For heaven's sake we should be precautionary about this and err on the side of caution.

Mr JOHNSON: I think that is why it was important, when we drew the Committee's attention to when you are looking at these things, to ask: Is it in the best interests? As child rights advocates we would always say, to go back to that golden principle, that it is age appropriate but very importantly in this area that it is not about shame. When we are doing these things there should be certain principles that we can all attest to. I would also point to the fact that it is not stopping people or the New South Wales Government producing materials talking about these particular issues. Sometimes in this debate it is a very serious problem; yes, we agree, but we should not think that things are not being done. Can we get better? Yes. Can it be better collated? Yes. But I think the

notion that that may be stopping resources being done, teachers being informed, parents getting access to information; I do not think that is true.

We have to be mindful of it and we are very glad that you pointed that out but equally, that being said, in moving forward one of the things we have got to do is an evidence-based program to make sure that when we are doing something we are making sure it is working and that we engaging people in the process. That does not stop us acting but we have to be sure that we are going from an evidence-based approach. Lastly, which is the other golden rule with children and young people, is to ensure that we do no harm with any intervention. As long as those things are in people's minds we should be able to move forward.

The Hon. BRONNIE TAYLOR: This is all moving so quickly. You talk a lot about research on quality and safety but would it be fair to say that we do actually have a substantial amount of research and evidence that we have looked at already but we really need to get the actions started and have more frequent reviews?

Mr JOHNSON: Certainly that is one good way to approach it. There is evidence enough for us to be doing something about it and it is being done. There are enough programs for us to be looking at them and collating that research. There is enough evidence to say that it is a problem. Having looked at the very big literature review that was done, there are probably still some things that we would say, "Here are the priorities for research" or "Here are the areas that we need to go into." I think your suggestion about bringing people together would be a great starting point. What are the things we need to know to move forward in particular areas? With it being so new, in some senses to make the programs as targeted as they could be, there are some things we don't know what we don't know maybe in some areas and we have to be mindful of that as well because, as you pointed out, it is ever evolving; it is very quick. But what we do know and what we pointed to is that there are inherent risks around mental health, body image and all those other areas, so we can start addressing those.

The Hon. BRONNIE TAYLOR: I refer to a group that we saw out at Mount Druitt that is doing incredible work. Do you think that we need to look at the issue of, say, access to internet porn? Maybe you as the NSW Children's Advocate needs to pick the issues that you feel are really important based on your evidence and research and get everybody together. We talk about programs but my argument is there are a lot of programs out there. A lot of funding is going out and a lot of different things. I do not want to use the word "silo", but everyone is doing their thing. Why do we not change our thinking, take the issue and get everyone around the table and ask, "What does this group do? How will you steer that as the leader on behalf of the Government?" Do you think that is the solution?

Mr JOHNSON: It is. It is an encouraging point. A lot of that has been done already and there are other processes where it has been done on other issues. Also, what are we delivering and doing already are good programs where these messages can be incorporated. That is one thing. There are lots of good programs, but where is the low-hanging, easy win where we are talking to young people in this particular area? All this fits in. If we are giving messages on issues that touch on this we need to ensure that sexting and access to pornography is included. Your point about bringing people together is very important for the next step.

The Hon. BRONNIE TAYLOR: We heard evidence about good programs yesterday. For instance, teenage pregnancies are reducing but chlamydia is on the rise, so we have a problem. There is an issue.

Mr JOHNSON: It is about maximising our effort. There is large agreement across the community that there is a problem. There is large agreement that there are processes and programs out there. There are a lot of resources in the Education department. It is about getting the maximum benefit from what is being produced and coming together and working together on the gaps.

The Hon. BRONNIE TAYLOR: In respect of education in schools, we talk about age appropriateness. What do you do in a classroom when you have students with 18 months to two years age difference? When you are 12 or 14, two years can be like five years. How do you manage that?

Mr JOHNSON: That is a more technical issue that you would ask greater experts than me who are educators. It is important to think about age appropriateness and also when we are looking at children, we have to consider evolving capacities. One 12-year-old is not the same as another 12-year-old. When we are looking at ages—12 or 14—we may find that even if they have gone through the same experiences developmentally and the same classes, when considering age appropriateness, they are in the same lot. It is something we should be

forever concerned about, but rest assured our educators and the department understands this. Those of us who work outside the system need to remember that taking someone's age is not necessarily the only single determiner about how we talk to them or what we talk to them about.

Mr MICHAEL JOHNSEN: Following up on the previous question, if I can put it in my way, I would agree with Bronnie in so much as having well-meaning individuals and well-intended organisations does not always equate to effectiveness. How do we then turn those well-meaning individuals and organisations into something that is effective? How do we measure it? It seems to me that with all the evidence that is being given at the moment, there are lots of statistics, but there do not seem to be a lot of effective outcomes. It could be that it is not being communicated. Possibly it is as simple as that, but I always fear that good intentions do not equate to effectiveness. What we are seeing points to that.

Mr JOHNSON: To answer that question, there is a long list of resources that was in the Government submission and we are quite happy to give you our long list of those, what is happening, what is already out there and being done by the Government of New South Wales. Part of this research angle and the thing we point to, there are programs and a lot of them are very new. Is there an evidence base yet? Have the programs been running for a 10-year period? The answer is no. You will hear there is no evidence base. Well, they are running and are being measured along the way. We can talk to people. Some programs, and particularly in some areas of this issue of sexualisation of children, are so new that we do not have the four- or five- or 10-year period to say here is what we did across the world and it worked and here is the seven years of evidence.

There is enough evidence we can draw from other educational programs. Sometimes the debate can get caught up that there is no evidence because there has not been enough time to do studied academic research on it. It is not only goodwill. It is beyond goodwill. Great things are being done. It is now being prioritised across departments and across other agencies. We keep on coming back to this suggestion that now is the time and we will be doing this great important work and we will be very much looking forward to the outcomes in a collated and larger way to take us to the next step, which is what is the next action point of moving from best practice to common practice in this area?

Mr MICHAEL JOHNSEN: You are saying there is a degree of evidence. Do you think we would be holding this inquiry if we were not reflecting the community's attitude that they do not believe that practical outcomes are being achieved?

Mr JOHNSON: Yes, and you know how excited we have been about the Committee taking this issue on. One of the important things is the missing element in this, which we have talked about a little bit around the edges, and that is there needs to be a whole societal conversation about this, which is beyond government departments, beyond Parliament. It is up to local communities to say there is an issue. Our job is to ensure they are not scared by that, that they can say, "If I need to talk to young people, here is how I do it." If you are a young person you can say, "I am worried about this, where can I go?" That is why it is so important. A big part of this is ensuring that there is a general consensus that there is a problem, that there are things that we can do, and we all want to move together to ensure that first and foremost in this we are all working towards the safety, welfare and wellbeing of children and young people.

Mr MICHAEL JOHNSEN: If I have one required outcome of this inquiry it would be that the Parliament takes the lead to open up that discussion on a greater societal level, because you are right, that is where it needs to occur, not just in the Parliament.

Ms JODIE HARRISON: One of the other submissions states that the website for the New South Wales Advocate for Children and Young People promotes homosexuality and transsexuality by advertising a number of websites, including Minus18. I could not find it. Could you clarify if that is the case?

Mr JOHNSON: As you know, we have been moving and changing the digital platforms that we have in the office. I think you are aware of us moving from our old website to our new website. There was a long list of websites listed on our website when we started in the office. Minus18 could have been one of those. We have gone through a complete review unrelated to all of these other issues to identify which are the websites. We are actually going through them for each of the issues. On the website there were resources for all different areas, including refugee children, lesbian and transgender issues, as a policy organisation. I am sure that could have been on that long list, but we do not have that long list available anymore on the website because we wanted to do a review of all of them. That decision was made some time ago, and we will be looking at a plan nearing its completion. That is one of our big priority areas, which very much relates to the inquiry and one of the reasons

we waited for the inquiry was to do a review so we have a considered approach to other resources that we can publicly promote for people to access.

CHAIR: Thank you, gentlemen, for appearing before the Committee today. The Committee may wish to send you some additional questions in writing, the replies to which will form part of your evidence and be made public. Would you be happy to provide a written reply to any further questions?

Mr JOHNSON: Very happy to.

(The witness withdrew)

(Short adjournment)

CHARMAINE MOLDRICH, Chief Executive Officer, Outdoor Media Association, and

TESS PHILLIPS, Senior Policy Adviser, Outdoor Media Association, affirmed and examined:

CHAIR: Thank you for appearing before the Committee today. Do you have any questions concerning the procedural information sent to you in relation to witnesses and the hearing process?

Ms MOLDRICH: No.

CHAIR: Before we commence with questions, would you like to make an opening statement?

Ms MOLDRICH: Yes, I would. Good morning and thank you for this opportunity to provide evidence to this inquiry. The Outdoor Media Association [OMA] is the peak industry body representing 90 per cent of Australia's outdoor media display companies, production facilities and some asset owners. The OMA does not represent businesses that display on-premise signs or first party advertising. On-premise signs are advertisements that are displayed at premises where the goods or services are provided—things like retailers, pubs and clubs. Our members advertise third party products on billboards, freestanding advertising panels, buses, trams, taxis, pedestrian bridges and street furniture as well as at bus and train stations, at shopping centres and in university and airport precincts. Our members do not create the advertisements that are posted; rather, they sell space for advertisers to advertise their products and services.

Outdoor advertising is designed as an at-a-glance medium. We are aware that most people have very little time to look as they go past signs. In fact, our research shows that the majority of people look for less than two seconds. In both outdoor and other advertising the vast majority of advertisements are not complained about. Last year only two advertisements posted by OMA members were found in breach of the Australian Association of National Advertisers [AANA] code. Examples of these are found in appendix 2 of our submission. One breach was under 2.1 of the code, discrimination and vilification. The other was under 2.6 of the code, health and safety. If you look at these advertisements you will see that they are quite benign. I wondered why they were in breach.

Considering that our members display roughly 30,000 campaigns nationally of which approximately 12,000 were in New South Wales, having two advertisements breach in one year represents less than 0.01 per cent. That is, close to 100 per cent of the advertisements that we post are not in breach of the AANA code. I believe that this is a record of a mature industry that takes its social responsibility seriously and understands the role it plays in the public domain. The allegation sometimes made about outdoor advertising is that it is dominated by sexual imagery. I believe that this is simply unfounded in the Australian context. While you may argue, like the representative of Collective Shout did yesterday, that this is solely a demonstration of desensitisation, I disagree because this belies the work that we do in the industry to educate our members about what is appropriate advertising.

Since the 2010 Federal Government inquiry into the regulation of outdoor advertising, I personally as the CEO of the Outdoor Media Association took responsibility for ensuring that my members were aware of and understood all the codes that they were signatories to. To address this we established an education program. We conduct a regular program of content training for our members in conjunction with the Communications Council, the Advertising Standards Board [ASB] and the AANA. The education provides members with clear guidance about the 15 self-regulatory industry codes and how best to comply with them. We have also developed a content review policy including a copy advice service that sees members seeking advice on advertisements from the OMA. Members send us around 50 pieces of creative each quarter. We also provide a concept advisory service, which is available for advertisers and creative agencies at the early stages of a campaign's development to help them to understand the extra requirements needed for outdoor advertising.

We are aware that outdoor advertising differs from other mediums because it cannot be switched off. As part of our content training and our content review process we consistently and constantly remind members and advertisers that outdoor has a broad audience which includes children. The OMA is committed to only endorse the display of advertising that is in line with community standards. The OMA is concerned about the impact of any new regulatory system on our members and the broader New South Wales business community. We believe that, given the success of the self-regulatory system, public resources would be more effectively spent on, for example, education programs into media literacy which could address the broader media

influences, the influence of the internet and the music industries as well as significant non-media influences such as peers, parents and teachers.

Todd Sampson, who you all might know from the *Gruen Transfer* on ABC television once said that we cannot childproof the world, we have to world-proof our children. This excellent point I think is also supported by the American Psychological Association. It acknowledges that in fact societal messages that contribute to the sexualisation of young people come not only from media and merchandise but also through young people's interpersonal relationships with parents, friends and teachers. While State regulation for the advertising industry may feel like a good quick fix, it is isolating one part in a complex socio-cultural mix.

Finally, I would like to correct the record in our submission on page 5 regarding the number of complaints made to the ASB. We stated that the number of cases relating to out-of-home advertising was 501 when in fact the correct number is 81. It also implied in our submission that 80 advertisements in the outdoor category were found to breach, when in fact 80 advertisements relate to the breaches across all media channels. For your information, there were only 13 cases upheld in the outdoor category. Out of those 13 only two were posted by OMA members. Of the other eleven, 10 were related to on-premise signs—that is, signs in shop windows—including two Honey Birdette advertisements. The other one was on a fence. Once again, I thank you for the opportunity to respond to this inquiry and I am happy to answer any questions you might have.

Mr DAMIEN TUDEHOPE: The fact that there are so few complaints would probably be indicative, would it not, that the complaint process is too difficult?

Ms MOLDRICH: I think that is very subjective.

Mr DAMIEN TUDEHOPE: That is because the code is subjective, isn't it?

Ms MOLDRICH: The code is subjective and you will find the code for the classification that is a government bureau is subjective. You are talking about subjective subjects and then trying to balance natural justice in a capitalist democracy. Those concepts have been taken into consideration both by the code and Advertising Standards Bureau. Ms Jolly gave evidence yesterday that the code is world's best practice and the Advertising Standards Bureau—

Mr DAMIEN TUDEHOPE: I do not think she said it was world's best practice.

The Hon. GREG DONNELLY: I do not think she said that. That is a level of recognition beyond the station.

Ms MOLDRICH: Hyperbole? What you will find is the code stacks up to whatever is going on in the rest of the world. Advertising codes are self-regulatory. I am not the expert in the codes. What we do is we interpret the codes for our members. We look at every case that is upheld and we educate our members on it.

Mr DAMIEN TUDEHOPE: If the code was stronger, in terms of potentially suggesting that objectification was something that should be taken into consideration, would you anticipate that the number of complaints would increase?

Ms MOLDRICH: According to my understanding of the code the guidelines that go with the code talk very much about objectification and in the cases of ads that we get that we pre-vet for our members we absolutely look at objectification. I do not think you can look at sexualisation in the modern paradigm without looking at the objectification of women.

Mr DAMIEN TUDEHOPE: Certainly as part of the Australian Association of National Advertisers [AANA] code, objectification does not appear in the code?

Ms MOLDRICH: It appears in the guidelines.

Ms PHILLIPS: In the practice notes.

Ms MOLDRICH: It appears in the practice notes we follow. It might not appear in the code itself but it appears in the practice notes.

Mr DAMIEN TUDEHOPE: When the ASB applies the code in assessing a complaint it does not apply the code in accordance with the guidelines, does it?

Ms MOLDRICH: I would say so, but I would have to take that question on notice. We work with the practice notes as well as the code. The code gives us the broad overview, the big picture, and when we are looking at ads we refer back to the practice notes to ensure they are in line with the code. I can certainly look into that and ask the ASB and take that question on notice. In my understanding, yes, it does.

Ms PHILLIPS: The other element to that question is that we provide the pre-vetting service for our members and perhaps if an ad did get posted it may not be found to breach by the ASB. We might say to our members, even though it may not technically be a breach we do not want you to put it up because it is not in line with community standards.

Mr DAMIEN TUDEHOPE: How many ads did you pre-vet last year?

Ms MOLDRICH: We pre-vet about 50 per quarter, so we pre-vetted around 200 last year.

Ms PHILLIPS: Just under 200 last year.

Mr DAMIEN TUDEHOPE: Of 12,000?

Ms MOLDRICH: Yes.

Ms PHILLIPS: The other part to the question that you did not ask is that based on the education we have been doing with our members our members are doing that pre-vetting themselves. They have relationships with the advertisers who use their services and they will say, before it gets to us, no way is that going to go. What they will send to us is where they have a question and they think it may breach but they are not certain; then we will do the pre-vetting.

Ms MOLDRICH: You will find that while you say it is 200 ads out of 12,000, most of those 12,000 ads would be benign. They would be for government messaging, for Coles ads, they would be for a series of ads that do not get close to falling within the remit of the code. We pre-vet the ads where our members think this might fall within the remit of the code and that is when we come in.

Ms JODIE HARRISON: Thank you for your submission. Can I take you to page 18 of your written submission? There is an ad for Poison.

Ms MOLDRICH: Yes.

Ms JODIE HARRISON: The "before" is before you vetted it?

Ms MOLDRICH: Yes.

Ms JODIE HARRISON: And "after" is after you made changes and the advertiser had included those changes?

Ms MOLDRICH: It is more for conversation than we pre-vet. We would have been sent this Dior ad by one of our members saying, I do not feel comfortable this is within the code, using the objectification. We would have the conversation, does that woman need to have her top open? Does that have anything to do with the perfume other than occasionally I would put perfume on my chest? We would say why is that top open? This ad probably would not have breached under the code as it is because there is no nudity and she is not necessarily in an overly sexualised pose.

The Hon. GREG DONNELLY: You have to be joking.

Ms JODIE HARRISON: That is what I am getting to.

The Hon. BRONNIE TAYLOR: It may float your boat but it may not be what others think.

Ms MOLDRICH: We have to consider that we are dealing to a broad audience and that broad audience needs to be interpreted in different ways, not just about children or people who might find that sexualised. What we do is say, it would be much better if she was clothed. Why have her top open? This ad would have come from France, I would say.

Ms JODIE HARRISON: Right.

Ms MOLDRICH: Instead of reshooting the whole ad you can find ways to make that ad less sexualised and overtly saying "Look at me".

Ms JODIE HARRISON: Do you know if the second ad got a run?

Ms MOLDRICH: The "before" she had a lot of boob showing, overt amounts of boob. Again, does Desigual clothe people?

Ms JODIE HARRISON: The Dior Poison ad?

Ms MOLDRICH: Yes.

Ms JODIE HARRISON: It got a run?

Ms PHILLIPS: I will say that the original version was shown inside Myer. I noticed because I was part of that pre-vetting process. We do not have any jurisdiction over what Myer might show inside their shopping centre. The original, without her top on, was shown there. On our member's outside panels she had her top on.

Ms MOLDRICH: Her top was buttoned.

Ms PHILLIPS: It was a black singlet.

Ms MOLDRICH: We work with advertisers quite a lot and usually we do talk about being in the public domain and it has a broad audience and the fact that our members sent that to us means it is a warning to us to see what the issues are around the ad.

Ms JODIE HARRISON: I am working through it. The image is for a product called Poison Girl and the model looks like—

CHAIR: Not like a girl, like a woman.

Ms JODIE HARRISON: —a young woman.

Ms MOLDRICH: You have to work within the codes and I think our job is to interpret the codes both to be fair on the advertiser and also on prevailing community standards. We are not experts in psychology or how people will read this or what they will feel or think about it. We have to understand that we live in a society where people are used to more than 3,500 advertising messages each day and they understand that there are ways in which you read them. I cannot comment on the wording and "girl" and the juxtaposition of all of that. As far as I can see it is a perfume ad.

Ms JODIE HARRISON: You talk about the benefit that your industry provides to the New South Wales economy. In particular, provision of bus shelters, \$275 million worth across the country. Do you know how much that would be in New South Wales?

Ms MOLDRICH: We do not have a break down for New South Wales.

Ms PHILLIPS: We are in the final processes of a more up-to-date economic modelling project. We did not have the figures to provide in this submission but we can provide it to the Committee in the next week or two.

Ms MOLDRICH: We are updating our Deloitte's access report at the moment and we have asked for a breakdown of each State this time.

Ms JODIE HARRISON: The \$22 million you refer to supporting charities such as Camp Quality, RSPCA, Royal Flying Doctor Service is it actual dollars or in-kind advertising?

Ms MOLDRICH: Some of it is dollars but most of it is free of charge advertising. It is contra.

The Hon. GREG DONNELLY: The phrases "community standards" and "prevailing community standards" have been used a couple of times in your testimony; do you have a definition of what that means?

Ms MOLDRICH: Yes. That comes from our understanding and reading of the codes and the Advertising Standards Bureau. The ASB takes into consideration prevailing community standards. It is what they research on to see whether the standards within the code and the way the bureau is making the decisions are in line with prevailing community standards.

The Hon. GREG DONNELLY: Forgive me for my ignorance, I have not familiarised myself with the code that deeply: is there a definition of what "prevailing community standards" is as a notion inside the code?

Ms MOLDRICH: I think there is, we can send it to you.

Ms PHILLIPS: The other point is what we do if we see an ad that a member would like to post: we go through previous case reports and determine what kind of history the ASB has for finding whether or not something is in breach of the codes. It is then based on the discussion that has been made that day by the board about their standards based on the type of advertising.

The Hon. GREG DONNELLY: When you are providing some gratis advice to members about your thoughts about the possibility of whether something may or may not be judged in breach of the code, and you are looking at the prevailing community standards notion, when you explain that to clients are you explaining to clients that children are part of the community?

Ms MOLDRICH: Yes. This is the extra code we talk about and I spoke of in my opening address. Part of our education is that we know that the board when they look at submissions from out-of-home look at a broader audience. They are aware that there are children in that broader audience. We are aware that is an extra consideration by the board when they look at out-of-home.

The Hon. PAUL GREEN: We had the child advocate giving evidence earlier. Would you embrace them having a role in your organisation?

Ms MOLDRICH: I would have to look at that in detail as to what that role is.

The Hon. PAUL GREEN: We had a member talking about where children come into it, I guess there is no better voice for children than the child's advocate.

Ms MOLDRICH: I am sure that is something that the Advertising Standards Bureau would consider. In our pre-vetting process, because it is not a formal process and because it is usually when an ad is about to be posted, I do not think we would have something formal, but we would have someone like that talk to our board and at our training processes. The more information we can give our members the better.

The Hon. BRONNIE TAYLOR: Do you have anyone on your board that has expertise in children and young people?

Ms MOLDRICH: No. Our board is made up of our members. We are an outdoor media association board. The fact that we pre-vet is just an added service. We are not a pre-vetting service, we are a media association. What we do have is that every quarter Ms Phillips gives the board a report of all of the ads sent to us for pre-vetting, which of those ads we said no to, which of the ads we talked to the advertiser to modify, and which of those ads we said yes to. The board has a standing agenda item to talk about content.

The Hon. BRONNIE TAYLOR: The board is made up of people from your industry?

Ms MOLDRICH: Yes.

The Hon. BRONNIE TAYLOR: There are no external members?

Ms MOLDRICH: No.

The Hon. GREG DONNELLY: Just out of interest, do you as an organisation have people ring you up and complain about something they have seen?

Ms MOLDRICH: Yes.

The Hon. GREG DONNELLY: How often does that happen?

Ms MOLDRICH: It goes in waves. We might have a few complaints over a period of time and then none for a while. We always direct people to the ASB and we also train our members to direct them to the ASB. So we try and formalise that complaint process. Because we cannot formalise it we give them the numbers, give them the website—it is all on our website. I really welcome the complaints process because I think that is how we learn and how we change the way the industry operates. If you look at what we had six years ago before the 2010 parliamentary inquiry, we had eight breaches in the area of sex, sexuality and nudity and that kind of gave me a warning signal that as a female CEO of an organisation that was not a great track record and I had to really look at what we were doing. I realised that we were not training our members on the codes. Since we have trained our members, since 2011 we have not had one breach in the area of sex, sexuality and nudity and the number of complaints and the number of breaches have dropped.

The Hon. GREG DONNELLY: On notice, would you be able to provide the Committee with data on an annual basis of complaints for the calendar years 2015, 2014, 2013, 2012, 2011 and 2010?

Ms MOLDRICH: In outdoor advertising?

The Hon. GREG DONNELLY: Yes, complaints to you, because you obviously log those when they come through.

Mr DAMIEN TUDEHOPE: It is in the report already.

The Hon. GREG DONNELLY: I missed that. I apologise.

Ms MOLDRICH: We do not log complaints; we send the complaints to the ASB. We do not get very many complaints ourselves.

The Hon. GREG DONNELLY: That is not what you said in the first part of your statement. You said it varies from time to time.

Ms MOLDRICH: Yes, it varies from time to time but it is never a lot.

The Hon. GREG DONNELLY: How many in a year, roughly?

Ms MOLDRICH: Three or four in a year.

Ms PHILLIPS: For example, there was an ad about all religious text should be treated in the same way so no-one should be afraid to flush the Koran down the toilet and we said no to this advertisement being shown. I spent a lot of time on the phone about that—I probably got six phone calls about that particular ad from people who were either upset that religious advertising is allowed to be put up but that the ad was not allowed to be put up for the fact that that was a limitation of free speech. I had to have that kind of in-depth conversation about why we determined that that was not an appropriate ad to go up even if perhaps it may not have breached the ASB code. It would have breached the code about discrimination but we did not allow it to get to that point; we just said no.

Ms MOLDRICH: Tess is very right; it is usually about things that we say no to. For instance, there was an ad about a horse before the Melbourne Cup and it was on the side of a building and it was about cruelty to animals. We said that ad was fine to run. The landlord of that building asked for that ad to be pulled down because there were so many protests around that building and we then got complaints saying, "Why are your members discriminating against a particular ad?" So sometimes it works in reverse; it is about the ads that we

say no to more than the ads that we say yes to. But what we can do, if it helps you, is give you a record for the last two years of all the ads we have looked at in our pre-vetting process, the tables that go to our board.

The Hon. GREG DONNELLY: That would be great, thank you. It would help to inform the Committee.

Ms JODIE HARRISON: If one of your members were to be found in breach and did not remove the ad—for a start, has that ever happened?

Ms MOLDRICH: No, because they sign a code of ethics. When you join the OMA you sign a code of ethics and part of that code of ethics says that you have to abide by the decisions of the ASB and if the ASB asks you to pull down an ad you have to pull it down as fast as you can. So in my memory, in the six years that I have been with the OMA that has never happened. If it did happen, the member would be in breach of the OMA code and they could be expelled from the organisation.

Mr DAMIEN TUDEHOPE: But what about if it was pre-vetted by you?

Ms MOLDRICH: Yes, still. When we pre-vet we say, again, we are not the experts; we are more probably expert than our members' staff who are looking at this ad in as much as we read, sadly, every complaint that goes to the ASB that they publish. We are constantly keeping our prevailing community standard; we read the debate that happens on that floor so that we know why we are looking at a particular ad and saying yes or no to it. But our members know that it is subject to the ASB, that really in the end we are not 20 people in the community who are making this call, that we are two people in an office trying to make our industry cleaner.

Ms JODIE HARRISON: Are all owners of third-party advertising sites members of yours?

Ms MOLDRICH: Ninety per cent of them are.

CHAIR: Yesterday we were learning about how long it takes for an ad to be investigated. Once it is up and in place people start to complain and then it goes through the process. I do not know the cost of a billboard or what have you, but what would the imposition of, whilst it is being investigated, covering it up so that many more children do not drive past it and it has that impact?

Ms MOLDRICH: I think the relationship that we have with the ASB is that if there was an ad like that—and six years ago that might have been the case—the ASB would call us and say, "This ad is causing a great deal of consternation in the community", and we would immediately talk to our members about it. We are very aware that we are in the public domain and we are also very aware that it might have been the case 10 to 15 years ago where you could be cynical about this process and say, "Oh well, it is going to get us publicity"—if that is where you are heading.

CHAIR: Yes.

Ms MOLDRICH: You will find that most advertisers are large multinational or national companies and do not want that stain; they do not want the controversy.

CHAIR: So what is the benefit of doing an ad that does skirt the line if not for controversy?

Ms MOLDRICH: We talk about this; we talk about the moral, ethical position, about walking the line. If you walk the line you invariably will fall on either one side or the other. If you talk about advertising from a moral, ethical position where 50 per cent of your population—me—is a woman, most women make the advertising decisions to buy more than men do. Why would you skirt that line? Our training is very much around let us talk about what has happened and what the codes are, but let us talk about a different principle, about how you as an organisation want to operate. The position that we take very much is do not walk the fence. If you look at what has breached in the last three years it is certainly in the fence-walking end of the business—and we can send you that.

CHAIR: We would appreciate that.

Ms MOLDRICH: If you look at the two ads that breached last year, one was a sun tanning product. If it had come to my pre-vetting service I would have said, "What is the problem with this?" It was breached under health and safety. The other one was an ad for an electricity plug. Apparently it is a racist slur; I did not realise this.

Mr DAMIEN TUDEHOPE: We have a copy of it.

Ms MOLDRICH: They were the two that breached and neither of those came to our pre-vetting service because no-one actually thought that they would. I went: Why did those breach? I had to read it a couple of times. I have come from government and the arts and I understand that people are very cynical about advertising and there is that kind of conspiracy theory thing that advertisers are deliberately going out there to manipulate in terms of that messaging, and that is certainly not what I see within the industry. I see a lot of thought about it and they are people like us; they have children.

Mr MICHAEL JOHNSEN: I have got a philosophical question.

Ms MOLDRICH: I love those ones, as you can tell.

Mr MICHAEL JOHNSEN: You mentioned that females generally make the buying decisions and things like that and why advertisers would want to push the boundaries. Why does society believe that sex sells successfully on that basis?

Ms MOLDRICH: Why did a woman arrive in the water on the wharf yesterday, a 20-year-old woman? I lie awake at night worrying about those questions. I think it is patriarchy to some extent; it is the way our society has not considered 50 per cent of it to be equal to the other 50 per cent. It is a big question.

Mr MICHAEL JOHNSEN: But males and females both agree that females make the decisions, supposedly.

Ms MOLDRICH: I suppose we have all learnt a mechanism for doing that and I am sure that most women would say that they wear the pants in the family but they would never say that to their partner. You are talking about big issues here, about the way we have learnt to behave, and I wonder when I see girls in really high-heeled shoes. I go "What the hell? Why is that happening?" and they are getting higher. I talk about it in my office all the time. I employ nine women and I am a feminist and I do not wear really high shoes but I am still wearing a shoe higher than you—it could be because I am really short.

Mr MICHAEL JOHNSEN: I just do not know how you do it in the first place.

Ms MOLDRICH: Superhuman we are—or stupid.

The Hon. PAUL GREEN: The good Lord knew what he was making.

The Hon. GREG DONNELLY: Just for our edification, what is on the horizon for outdoor advertising in terms of products that will be made available to market for manufacturers, suppliers and producers to utilise through outdoor advertising?

Ms MOLDRICH: I think where we are heading is more towards digitisation, which also then, I think, helps in this area because digitisation allows you to daypart—that is the term in advertising language: that you can run one message at 11 o'clock in the morning and one at 11 o'clock at night that is different; so you can audience segment much better. I think data aggregation—knowing more about who is walking past that ad—will be something that is offered to advertisers. More and more advertisers want to speak to you or to me directly and knowing that information is going to be important, which is why the internet advertising business has grown so rapidly—they feel like they have a one-on-one relationship with the person on the computer.

The Hon. PAUL GREEN: You talked about the situation at Myer where there was a particular shot inside Myer. I remember it offending some little kids walking past a video store once because on the video store window on the bottom level—which was literally on the pathway where the kids would walk from their school every afternoon—there were some very inappropriate features for these little kids. It was inside the store but it was facing outwards. How does that work and how does it work with video stores or DVD stores or whatever

you want to call them, even newsagencies, pointing their advertising outside the window from within the store? How is that handled?

Ms MOLDRICH: By the ASB, not by us. To give you the example about the Poison ad: we were sent that Poison ad by a member. We said okay this is in the public domain; let us put more clothes on this model. The ASB also would look at the Poison ad with the top open inside the store—so point of sale. The ASB covers point of sale. If people had complained about the point of sale in Myer they would have looked at the point of sale ad in Myer and made a determination. I do not know whether they did or they did not, but we can find that out for you. The ASB would look at all of that and make a determination based on it.

The Hon. PAUL GREEN: The point about the difficulty of making a complaint has been raised. People do not know that your organisation looks after outside advertising and another organisation looks after inside advertising.

Ms MOLDRICH: You just ring up and make a complaint. You just say "I just saw an ad" and the ASB would say "What did you see? Where was it?" and then it would investigate it. So you, as the public, do not need to know who manages that domain.

The Hon. PAUL GREEN: Where would a parent walking down the street who sees something that is distasteful find that number?

Ms MOLDRICH: If you Google "Where do I complain?" you will find the ASB.

The Hon. PAUL GREEN: You have to be online to do that?

Ms MOLDRICH: You can do that. You can look it up in the phone book. We advertise the ASB complaints line on Out-of-home. They have a television campaign. They do everything that any general advertiser would do to get their message across to say, "Hey, we are here."

Mr MICHAEL JOHNSON: When people Google "Where do I complain?" they are sent to a member's office. Upper House members do not know about that.

The Hon. BRONNIE TAYLOR: We do not complain in the upper House, we just get on and do it.

The Hon. GREG DONNELLY: We deal with the whole State.

The Hon. PAUL GREEN: We get lots of complaints about our lower House members.

The Hon. GREG DONNELLY: Turf warfare.

Ms MOLDRICH: We are like that with television and radio.

CHAIR: The Committee may wish to send you some additional questions in writing, the replies to which will form part of your evidence and will be made public. Are you happy to provide a written reply to any further questions?

Ms MOLDRICH: Yes.

(The witnesses withdrew)

JEREMY PHILIP PRICHARD, Academic in Criminal Law and Criminology, University of Tasmania, affirmed and examined, via teleconference:

CHAIR: Do you have any questions concerning the procedural information sent to you in relation to witnesses and the hearing process?

Dr PRICHARD: No. I will keep my opening statement brief. I am grateful to the Committee for having the opportunity to comment on the terms of reference. I and my colleagues put forward a fairly short submission to the Committee and I think our views are hopefully fairly clear in what we think we can contribute to what is a very broad discussion that the Committee is having.

CHAIR: Maybe a more thorough and large submission.

Ms JODIE HARRISON: Dr Prichard you have obviously done a lot of work in the area of pornography and violence. I refer to your recommendation on page five of your submission.

Dr PRICHARD: I thought you might ask me about this.

Ms JODIE HARRISON: Why do you recommend legislative requirements for educational institutions rather than requirements in the national curriculum?

Dr PRICHARD: I asked myself that question this morning. I think in retrospect I would prefer that we left out that last paragraph. I think that we were going beyond the ambit of our area of expertise and the knowledge of the policy platforms that we really have focused on in the past few years. If it bothers you, please ignore it.

Ms JODIE HARRISON: Do you want to withdraw the paragraph that reads "To this end it is desirable that legislative requirements are imposed on educational institutions mandating their implementation of anti-bullying policies and procedures" from your submission? Is that correct?

Dr PRICHARD: Yes, please.

Ms JODIE HARRISON: Is there anything else that you think needs to be withdrawn from your submission?

Dr PRICHARD: No.

CHAIR: We can take care of that paragraph on page five.

The Hon. PAUL GREEN: Do you have regard to what the definition of sexualisation should be? The Committee has noted that different places have different expressions. What is your comment on the way this Committee should clarify that definition?

Dr PRICHARD: Part of what you are doing is working toward how to clarify what sexualisation actually means?

The Hon. PAUL GREEN: That is correct.

Dr PRICHARD: That is a good question. I think it has many dimensions, doesn't it? My sense is it is about the social construct of what childhood is and means as well, as we use that term to talk about children's behaviour and when we think that children themselves are taking on sexual behaviours which are possibly beyond their sexual maturity or their age. Those are the two main things I think of when I see the word "sexualisation": how people view children and how children themselves are behaving.

The Hon. PAUL GREEN: Of course one of the implications of trying to put a standard definition on it is the high speed at which technology is evolving and what children are exposed to at a younger age is changing the maturity level. Do you think that should affect the definition of sexualisation?

Dr PRICHARD: I have not given you a definition of what "sexualisation" means. I think possibly what you have suggested in your question is a concern that I and others certainly have that with all sorts of new technologies that have come out so far, and which we can be very confident will continue to change and develop in ways that are not predictable, that children will be exposed to material that they would never have been exposed to before and to online or offline environments which may hothouse sexual behaviours that they otherwise would not have started to exhibit until much later on in life. To put it in a nutshell all I am saying is that, yes, I think there is good reason to be concerned that all sorts of different technologies have already increased how many people in society—adults I mean—have started to view children as sexual beings. Also it has also increased sexual behaviour among children that we did not expect to see.

The Hon. PAUL GREEN: I note in your submission you have a paper entitled "The impact of pornography on gender based violence, sexual health and wellbeing". Would you make some comments on that? The Committee has heard evidence about the impact on gender based health in relation to women, and their outcomes because of exposure to pornography.

Dr PRICHARD: Would you please direct me to which part of the submission?

The Hon. PAUL GREEN: Page five, and I have referred to an article titled "The impact of pornography on gender based violence, sexual health and wellbeing. What we do know." Yesterday the Committee heard evidence that the outcomes for girls, in particular, on this matter academically certainly is at risk by their exposure.

Dr PRICHARD: I think now there is a consensus view on this point. I choose my words very carefully so that I know that I am on very safe ground here. Adolescents or adults who already have a predilection towards sexual aggression, for those people, viewing deviant forms of pornography is a risk factor for offending. There is no causal link between viewing pornography and offending that has been established but I think my last statement is not controversial. I think that it is the view of lots of people, including practitioners from all different walks of life, police to whom I have spoken, as well as academics, and so forth that in school settings, particularly in high schools, young boys, young men, if you like, can start to really get ideas about what they can draw from pornography and what they think are normal healthy, respectful relationships, sexual relationships with girls.

Also they can start to get distorted perspectives of what types of sexual activity women and girls actually enjoy. My sense is that in this country we have had similar debates to this one over the past several decades, for example, when X-rated movies were first going to be introduced into Australia. I am not quite sure of the details of who was involved in that debate at the time. I think we have to recognise that not all pornography is in the internet era. If we just divide in our minds and keep the context all about children, let's think about the pre-internet era and the post-internet era.

Obviously pre-internet, pre-digital cameras as well, young people and children could access pornography—they could get a hold of X-rated DVDs and magazines. The regulations around those things were not beyond the reach of children. I think in the post-internet era what we can say though is—we have seen the big game changer—that the volume of material is much greater and parents do not have nearly the same amount of control as they once had over protecting their children from accessing material.

I think another big contrast between the pre-internet era and what we see now is the issue of accidental exposure. I think also another contrast we have seen between these two eras is that much of it has gone through some type of regulatory process and, even though it was not fit for young people to view, it is not nearly as deviant as the material that they can be exposed to on the internet. We have touched on this in our submission—footage of actual rapes and sexual abuse and torture of children, we do not have to go on—and you can see how extreme the material is. I think also a lot of writers, maybe those writing from research psychology, talk about power of classical conditioning, particularly for adolescent boys.

So they are talking about the pairing of pornographic material with fantasy, masturbation and orgasm and what a strong psychological pairing that level of conditioning is. Unlike the pre-internet era, a young adolescent boy getting on the internet in a sexually aroused state can be looking for a certain type of material that they have in mind, but then in their sexually aroused state be exposed to much harder or more deviant material and may in that process gradually develop an interest in more and more extreme material. Those are probably some of the key points I would make in answer to the question. I am sorry for the lengthy answer.

The Hon. PAUL GREEN: That is fine because I think there is a link with more deviant crimes by people who have engaged themselves at a young age with pornography to cruelty to animals, and there can be no doubt that there is a link with the deeper involvement in pornography evolving into the way that one respects or handles women. Based on your comprehensive answer to my question, and given the stimulation of boys that you have spoken about and their interests, would you be of the view that school programs need to be very carefully monitored as to what we are activating in those young lives?

Dr PRICHARD: I think that is true. I do not have expertise, as I admitted earlier on in deleting the last paragraph of our five-page submission, so I do not feel comfortable in making comments about current policy platforms and so forth in schools or how well indeed they are being implemented and how good the practice is there. But I think there are special things, talking from a criminological perspective, about the school environment. Each school is itself a subculture. For a young person there can be two main subcultures in their lives—their home life and friends and family and their parents at home; and their school life. In the main we live in such a good country that most young people have positive experiences in both realms of their lives. What can happen, I think particularly at high school, is that boys can start to—and we see this in criminal prosecutions and there have been high-profile cases that the media have covered of where we have seen this type of dynamic—influence a school subculture.

The trigger for them influencing the school subculture has been their interest in consumption of pornography. They share it amongst themselves, and it is more readily accessible than it was in the pre-internet era, and they develop norms between themselves as to what is normal and what is desirable—possibly deviant norms where it comes to sexual abuse. If it is a co-educational school that will not stay separate from the girls. One way or another those beliefs or norms are going to come across and confront the girls. I think what many people have observed is that girls and young women can in a school subculture think: This is the real world. This is what is expected of me. This is my life. They do not realise that it just happens to be the little capsule of their school, and even the capsule of their particular peers at school, or just a period of time when things have gone very awry at an otherwise good school, for example. I really do think that schools are worth concentrating on and looking at.

Mr DAMIEN TUDEHOPE: I am interested in your expertise as a criminologist. This might be a bit out of left field, but I want to talk to you about access to chat rooms.

Dr PRICHARD: Yes.

Mr DAMIEN TUDEHOPE: I want to talk to you about access to chat rooms by young people in circumstances where they may in fact be talking to a police officer. Do you think that there are elements of entrapment associated with participation in chat rooms?

Dr PRICHARD: I do not. Years ago I used to work for the Crime and Misconduct Commission, as it was then called, in Queensland. My colleague at the time worked in a team called the "egret team" and my understanding was that they tried to work within the rules of entrapment, and they did that very well. There are very long common law traditions about entrapment and the injustices involved in entrapment. It is my understanding that the development of the law around that is centuries old. I think the idea with police officers and different types of law enforcement agencies having a presence in a chat room or other places on the internet, what they need to be very careful about, and what they are careful about, is not to propose any sexual behaviour. From what I have witnessed them doing, and from what I have read about it, they have to make sure that they are not, for example, in the chat room saying, "Hi, I am a 13-year-old girl. Who wants to talk about sexual stuff with me?" The other people have to initiate everything.

Mr DAMIEN TUDEHOPE: I accept that, but I am not sure that it is entirely correct. Let me put this proposal to you.

Dr PRICHARD: Yes.

Mr DAMIEN TUDEHOPE: A person in a chat room identifies herself as being 12 years old and invites the person to send a photograph of themselves in circumstances where that person is sending a photograph of themselves as an underage person. Is that entrapment?

Dr PRICHARD: This is getting really interesting. This is getting beyond my expertise about rules of evidence, so I am not quite sure what the exact rules would be.

Mr DAMIEN TUDEHOPE: What I am leading to is where someone perhaps charged as a result of that process should find themselves on the sex offenders register.

Dr PRICHARD: I think underlying your question is a really interesting issue and a little bit of a, if you like, contradiction that exists at criminal law. In my State of Tasmania, for example—and our criminal code is very similar to that of Queensland—it is legal for young people to consensually engage in sexual activity at the age of 12 even, provided the other partner is not more three years older than them. There are two age brackets—for 12 to 14 the other partner cannot be more than three years older than them, from memory; and for 15 to 17 the other partner cannot be more than five years older than them. So the law will permit consensual sexual relationships for adolescents.

Let us pause for a moment and imagine Romeo and Juliet, if you want to use a more kind of palatable expression, 15- and 16-year-old lovers. The law permits them to engage in sexual activity as much as they like; it has nothing to do with the criminal law. But it has always struck me as uncomfortable that as soon as one, for example, sent a picture of themselves to their lover that could—depending on what the picture showed—constitute producing and distributing child exploitation material and then accessing child exploitation material at the other end. So I think in the entrapment question you asked me, we are seeing a little bit of the same dynamic but I could not comment with more detail about the rules. I would need more context to think about what answer to give about the fairness of that particular thing.

Mr DAMIEN TUDEHOPE: In terms of young people sexting each other, which you have identified, when that relationship may no longer be Romeo and Juliet and the person who is in receipt of the photograph then starts to distribute it, what remedy should be available then?

Dr PRICHARD: I am not sure, but I think we need to have lots of tools on the table and we need to be thinking very carefully about these sorts of issues. I think that over my lifetime and over many decades it has been hard enough - and it still is hard enough - it is a very difficult job to get especially young men, but also even young women, to understand what true consent means in sexual relationships. And that is just at the physical level. There are often misunderstandings about my rights to say no, what I can consent to and so forth. That is with physical sex, but now what we are seeing with the internet and digital cameras is that we do not just have that old problem with especially young people—and it is not just young people; as you know, many adult men have a very poor understanding of what consensual sexual relationship stands for—we now have two extra layers that I can think of and maybe three.

I will use this real-life example that led to a restorative justice conference in Hobart. Two teenagers—I think they were both 14 or 15, a boy and a girl—had consensual sexual activity one night in a park. The boy decided he wanted to take a photograph of what was happening because, from what the police officer told me, he thought this was too good to be true, so he wanted a memento for himself but he did not seek her consent. Even though there was consent to the sexual activity, there was no consent given to the photograph that was taken.

She said, "What are you doing with your phone?" He said, "I'm just checking the time" and she did not realise he had taken the photograph. He held on to that photograph for many months and had no intention of showing it to anybody, but then he was talking to another girl in the same school and he said, "Oh, I've had sex with so and so" and she said, "I don't believe you." He said, "No. I'll prove it to you. Here's a photograph" and he sent her the photograph. There was another act that was not consented to, that is, to share the photograph with any other person. Then that girl who received the photo sent it all around the school, so that was another act altogether.

The young girl at the centre of it all who was in the photograph was absolutely devastated. Her parents, to use the police terminology, wanted blood on the wall. They held a restorative justice conference for both the young boy and the girl who had distributed the photograph further. The police thought the boy was remorseful and got that what he had done was wrong from the get-go, but the police thought that for the second girl particularly the conference had been really beneficial because she had begun to understand the ramifications of what she had done. The question would need a complex answer to see what avenues and options we have to deal with those types of things.

Mr DAMIEN TUDEHOPE: You have identified restorative justice as one way of resolving what is perceived criminal activity of certainly the photographer and the distributor?

Dr PRICHARD: Yes.

Mr DAMIEN TUDEHOPE: What about the circumstance where the photograph is on the internet generally and getting it removed?

Dr PRICHARD: Sorry, I am not sure what the question is.

Mr DAMIEN TUDEHOPE: The question is: What remedy should be available to young people to protect their identity or, alternatively, have material removed from the internet that they did not consent to being there?

Dr PRICHARD: I do not know. That is a great question. Just off the top of my head—I have not even thought about that particular issue—it seems to me that there ought to be remedies along those lines. What those remedies were would need to be informed by information technology [IT] experts, I suppose, about how feasible things were.

Mr MICHAEL JOHNSEN: Do you think it would be feasible for a legislative and/or support network to give the power to the individual parent and/or guardian and police, on request of any of those, to compel those images to be taken down? Do you think that would be reasonable?

Dr PRICHARD: These are really interesting questions. I really had not thought about these dimensions of it before.

Mr MICHAEL JOHNSEN: Could I put it another way?

Dr PRICHARD: No, I am willing to give an on-the-spot answer if you take it with a grain of salt. I would have thought that if there were areas of the internet that are clearly under your domain and your control, like a Facebook page, there ought to be remedies that require people to take images down. That seems fair to me. Is that the type of thing you are thinking of, Mr Johnsen?

Mr MICHAEL JOHNSEN: Should we take it seriously or with a grain of salt?

Dr PRICHARD: What do you mean?

Mr MICHAEL JOHNSEN: Well, you just said take that with a grain of salt.

Dr PRICHARD: Well, it is because I had not thought about this issue before. I had not prepared to talk to the Committee about it. If you can take it with the caveat that that is my on-the-spot response, then do; go ahead.

CHAIR: I think that is a good off-the-cuff answer.

Ms JODIE HARRISON: I have a question in relation to your paper on child exploitation material in the context of institutional child abuse. You refer to Falkvinge and Falkvinge's call for the decriminalisation of the possession of child exploitation material. What is your view on that call as a researcher and senior lecturer in criminal law and criminology?

Dr PRICHARD: Well, I do not agree. I do not think that child exploitation material should be decriminalised.

CHAIR: Any further questions? No. Thank you, Dr Pritchard, for appearing before the Committee today. The Committee may wish to send you some additional questions in writing. The replies to these questions will form part of your evidence and will be made public. Would you be happy to provide a written reply to any further questions?

Dr PRICHARD: Yes, of course I would. Do I have time to make one brief comment?

CHAIR: Of course you do.

Dr PRICHARD: It relates to the example I gave earlier about restorative justice. My Ph.D years ago was on restorative justice and I sat in on a lot of those proceedings—about 70 of them—which all involved young people of different ages, backgrounds and so forth. I saw an indecent sexual assault being processed through the conference and it was done very poorly. The conference had not been prepared properly. If you can imagine the huge scale of seriousness in sexual offences, even though what had happened was at the less serious end, it was very uncomfortable for the victim or survivor, depending on which term you prefer, and it really was not done very well.

I know that in the restorative justice literature there are a lot of very big alarm bells that people ring about using restorative justice for sexual crimes because of the special power and balance that frequently exist between offenders and perpetrators. I have also seen restorative justice used relating to distributional pornography and I have seen it used in a very effective way to contradict norms that existed at a school. In short, we need to be wary about where restorative justice can be useful. If it is used at all, it has to be done very carefully. I think that, particularly with less serious matters, there may be a good role for it to play.

CHAIR: Excellent. Thank you, Dr Pritchard, we do appreciate your time. Thank you for making yourself available via teleconferencing.

Dr PRICHARD: It is a pleasure.

(The witness withdrew)

(Luncheon adjournment)

MICHAEL WOODHOUSE, Executive Director, Department of Family and Community Services, affirmed and examined:

CHAIR: Before we proceed, do you have any questions concerning the procedural information sent to you relating to the witness process?

Mr WOODHOUSE: I am fine, thank you.

CHAIR: Before we commence with questions, do you wish to make an opening statement?

Mr WOODHOUSE: I think not. I think it will come up in conversation.

CHAIR: Feel free to make a closing statement.

Mr WOODHOUSE: There may be some points there that will be useful. That is fine.

Mr DAMIEN TUDEHOPE: In your submission you claim that the evidence base relating to the harm done by the sexualisation of children is relatively weak. Would you like to elaborate on that?

Mr WOODHOUSE: Certainly. As we looked at some of the background research in preparing for our submission, one of the matters we were investigating was the strength of the evidence and the relationship between the greater sexualisation of children and young people and the harm that it may produce. We found there was very little in the documented evidence that was showing direct cause and effect, saying that this and only this contributes to this source of harm. We found it was very likely to be one of several contributory factors to harm that is experienced by children and young people and, for that reason, this is why this would be a matter of some concern. To some extent it is an academic exercise to exactly know what proportion of potential harm is caused by exactly what factor. The conclusion we reached was that, certainly, there is good reason to be interested and actively pursue the discussions that this Committee has in its terms of reference and what are appropriate responses from Government, but it was difficult to definitively say that there were specific harms that were caused and perhaps only caused from concerns of sexualisation of children and young people.

The Hon. GREG DONNELLY: I have to say that I find that is an extraordinary statement for an officer of the department to be putting to this inquiry in an almost, if you do not mind me saying, offhand way. Nearly 10 years ago the American Psychological Association produced this report, which I presume you are familiar with?

Mr WOODHOUSE: Which we have referenced in our submission, yes.

The Hon. GREG DONNELLY: It unequivocally belled the cat. It is about the seriousness of the impact of sexualisation of children, with specific reference to girls. That is 10 years ago. You are before this inquiry this afternoon suggesting that, oh, well, there is not really strong evidence in regard to this. It could be—these are your words—relational; there is no cause and effect. A literature search, which I am sure you have done thoroughly, would reveal that there are reams and reams of international peer review articles raising serious issues about the sexualisation of children with respect to the general culture, but specifically through exposure to pornography, for example. I find it absolutely extraordinary that an officer from the department could come along today and make the statement you have just made.

Mr WOODHOUSE: If I may respond?

The Hon. GREG DONNELLY: Absolutely.

Mr WOODHOUSE: Perhaps I have not been clear. The point I was attempting to make is that many of the harms with which we would associate sexualisation of children and young people will also be connected to a number of other factors. I am by no means suggesting that there is no impact of sexualisation of children and young people that leads to harm, but simply that these things come in combination with other social concerns.

Mr DAMIEN TUDEHOPE: What are they?

The Hon. GREG DONNELLY: Yes, what are they?

Mr WOODHOUSE: To take a very specific example—I am thinking, for instance, of what we see within our own department—a number of children and young people are groomed by paedophiles and there is certainly a range of factors going on in that scenario. Certainly the strategies that paedophiles may use in respect of sexualising potential victims is one part of that, but also the vulnerability that those children may be experiencing from the families in which they have been brought up or the prevalence of disability, or a range of other factors which combine to create higher levels of risk for children and young people in that circumstance. Taking that as a specific example, I am by no means suggesting that sexualisation is not an issue. What I am suggesting is that there are also perhaps other factors that you would want to be considering simultaneously with responses for those children and young people.

The Hon. GREG DONNELLY: Do not misunderstand me. You are here representing the State Government of NSW. I am taking what you are saying as the Government's position. I have to say that I find it extraordinary with respect to the material that has been put before this inquiry, particularly through submissions—I am sure you have reviewed those submissions—but also the literature. You do not have to spend a lot of time to find significant commentary on this matter, to say nothing about the community concern about this issue, which is almost a regular occurrence in respect of media coverage of, for example, retail stores using children in a particular way that is perceived as being not appropriate. This is going on all the time.

Mr WOODHOUSE: Sorry, is there a question you would particularly like me to respond to, Mr Donnelly?

The Hon. GREG DONNELLY: No. You have clarified the Government's position and I will take it as that.

Mr WOODHOUSE: I would be loath for it to be concluded that this is not an issue that the Government is taking seriously or is concerned about.

Mr DAMIEN TUDEHOPE: Is not concerned about.

Mr WOODHOUSE: Sorry, I would be loath for it to be drawn from this conversation that there would be any conclusion that the Government is—I am using a double negative, my apologies. This is an issue of concern. As you say, Mr Donnelly, this is an issue of public concern. It is an issue and we are concerned about the impacts that it then has on children and young people. My only point would be that, as we design responses to this issue, they are often connected to other causes of risk and vulnerability for children and young people that contribute and combine to produce forms of harm.

Mr DAMIEN TUDEHOPE: In fact, in your experience with the Department of Family and Community Services primarily that risk is to children. Is that right?

Mr WOODHOUSE: Certainly that is our direct interest in this and it is one of the reasons that the Department of Family and Community Services led the development on the whole-of-government submission, but I am appearing today because it was in my area and we coordinated the whole-of-government work on this.

Mr DAMIEN TUDEHOPE: We have taken some evidence from the advertising industry in relation to the codes that they apply to the material used for advertising and the extent to which it has the potential to sexualise children. Are you satisfied that the standards applied by the Advertising Standards Bureau and the Australian Association of National Advertisers [AANA] are sufficient?

Mr WOODHOUSE: I am not coming with a full position on that. As you understand, many of these are regulatory issues that are lying within the Commonwealth and not things that are within the purview of the State Government, so I would defer to Commonwealth colleagues to provide further information about their evidence on the adequacy or otherwise of those measures.

Mr DAMIEN TUDEHOPE: This is a State issue and we could have an impact on the AANA code of ethics. Are you telling me that is wrong?

Mr WOODHOUSE: My understanding is that the primary leadership of both media and broadcasting and advertising lies with the Commonwealth, so there is leadership there being provided from the

Commonwealth. There are obviously places where there would be communication that happens between ourselves and the Commonwealth as is quite normal across the federation, but the leadership in this area lies with the Commonwealth Government.

Mr DAMIEN TUDEHOPE: We have also heard a fair bit of material in relation to sexting and images that arise as a result of sexting.

Mr WOODHOUSE: Yes.

Mr DAMIEN TUDEHOPE: There was previously an inquiry relating to the Information and Privacy Commission and that issue was raised at that inquiry. One of the positions that has exercised the minds of members of this Committee is the manner in which minors or people who have been in a relationship who find an image on the internet get it removed.

Mr WOODHOUSE: Yes.

Mr DAMIEN TUDEHOPE: Do you have any views about the appropriate methods of getting material removed from the internet?

Mr WOODHOUSE: May I clarify, an image that has fallen into the wrong hands and ended up on Facebook?

Mr DAMIEN TUDEHOPE: Perhaps at the end of a relationship or whatever and it is inappropriately used. Following from that there are issues of consent to the manner in which the photograph was taken in the first place and then disseminated. Finally, the last witness also suggested that restorative justice processes might be appropriate as a process for dealing with people involved in taking the pictures and disseminating them in circumstances where consent is an issue. That is a very broad question and it has a lot of facets but I would be interested in your views on all of those issues.

Mr WOODHOUSE: Indeed. I am certainly aware of the media discussion that has happened and the discussions of this inquiry around the pretty complex issue of sexting. One of the important points we would want to make is obviously this is an area where prevention is better than cure. Raising awareness amongst children and young people about the dangers of sexting and the perhaps naive assumptions around what may happen to images that are produced for one purpose but then end up being used in entirely another manner is a matter that is very live within one of the Government's core levers, which is what we do within education. That is within the education system and I am also aware of other programs, and I am happy to come back to them if you would like more detail, where the police are quite involved in using the authority of the police to perhaps educate children and young people about dangers to which they may not be aware.

You may or may not have received information, and I am happy to give it to you now, that the Department of Justice will be looking at some review of the criminal provisions around this as part of a broader review around laws around child sexual assault. Obviously there is a link with that and that is an opportunity to consider some of the live issues about the appropriateness or otherwise of criminal sanctions in this environment. The Department of Justice would use that process to consider that. I am not aware at the moment that the Government has adopted any position around, for instance, the application of restorative justice.

Perhaps speaking more from a matter of first principles, using opportunities such as this as educational opportunities to educate children and young people about both the dangers and also how to behave in a respectful way with one another does seem to be something that I would consider to have some merit. If restorative processes were building awareness about both the impact of distributing images on the victim and some awareness around the potential dangers of that behaviour then I can see some clear value and benefit in that. The Government has not as yet adopted any position about the actual application of restorative processes there, but certainly we could take that on notice if that was a specific question that you would like us to gain information on.

Mr DAMIEN TUDEHOPE: I think it is something we ought to consider further because I agree with you that as an educational tool the restorative justice principles may be very valuable in this area. That is because often the taking of the photograph by young people in the first place may constitute a significant problem. In fact, it may be criminal conduct in itself where a person could end up on a sex offenders register. Then the process of disseminating an image in circumstances where it is very traumatic for the victim also has a

big educational aspect in terms of restorative justice. I would be very interested in you pursuing some sort of work in relation to the benefits of that if it was available.

Mr WOODHOUSE: As I said, I would be happy to take a question on notice in that space if that would be useful to get more detailed information about the application.

The Hon. BRONNIE TAYLOR: We heard from the Children's Advocate this morning and we have heard from numerous groups. I note that you stated that the Government is concerned about this issue. I also note that you have been doing some really great work on the Central Coast with a lot of youth collaborative things particularly.

Mr WOODHOUSE: Yes.

The Hon. BRONNIE TAYLOR: You said that myriad things contribute to some fairly poor outcomes in this area. I am wondering if the department can look at championing or heading towards that service coordination model that is working so well to protect children on the Central Coast to work with some of these issues. If you have already got that framework in place and you have trialled it and it is working well as different organisations try to share information to get on top of the issue, why is that not something we can champion with the Children's Advocate and yourselves?

Mr WOODHOUSE: The very short answer is yes, perhaps we could apply that. As we were doing the work on this one of the things that occurred to me is what is the distribution of potential harm as a result of this issue? One of the groups—and perhaps this is reflected in my department of FACS—that we are particularly concerned about is the children who are vulnerable for a whole range of reasons who are probably going to be additionally vulnerable for harms associated with sexualisation as well. I particularly think of the example I was using earlier around children who for a range of circumstances are at greater risk of child sexual assault. The model that you are talking about I think is excellent work. For those who may not know, it is a long, hard effort to coordinate effort across agencies not merely in name but in terms of practice and experience.

As we are receiving, for instance, reports of significant harm we are better able to generate a joined-up response from ourselves, from health, from the police, from education and actually come a significant step closer to—I am not going to pretend like it has solved every problem—wrapping support around a vulnerable child and family. I think the link back with this work is that it actually gives us the opportunity to do work with children and families which is about building capability and capacity to deal with the risk factors that exist around that family. It does provide opportunistic chances. Much of this work needs to be opportunistic; you work with what you have got and try to take it as far as you can. You work around how a child may potentially be at risk and what are some other strategies they or their family might put in place.

The Hon. BRONNIE TAYLOR: May I be so bold as to not put words in your mouth but say that when you were answering the Hon. Greg Donnelly's question you were very much coming from the perspective of the organisation that you represent. You are dealing with some very vulnerable people who have a lot of coexisting issues that are contributing to some shocking and inexcusable outcomes.

Mr WOODHOUSE: Absolutely.

The Hon. BRONNIE TAYLOR: I think that when you say a lot of different issues are contributing to that, those are very troubled situations. What we are seeing here is that perhaps this actually is the one troubled situation that is leading to a bad outcome; the person may not be from a vulnerable or at-risk family. Please correct me if I am wrong but I think this demonstrates that you are all going about doing your business. You guys do a terrific job with some very difficult issues, and hats off to you for that. I personally would find it extremely difficult to do what your caseworkers do so well. However, I think it is a good reflection that there are different issues but sometimes the issue is singular. If everyone is not talking and working together you are thinking it is one way and you are thinking it is a whole bunch of things. On the other hand, someone in youth advocacy or Collective Shout could describe one issue where a person finding their way on to a particular pornographic site led to an adverse outcome. If you guys could start applying your Central Coast model more broadly we could have the potential to get some terrific outcomes.

Mr WOODHOUSE: I do think that a more integrated package of service delivery—I know that sounds like bureaucratic jargon, but it kind of is what we are trying to do here—gives you the opportunity to

deal with specific issues like this. For example, what is happening in this household around access to pornography?

The Hon. BRONNIE TAYLOR: It is a beast we have all created, and I can say that as an ex-health professional. It is a bureaucracy but we have to be big enough and brave enough now to say that we have to change the way we do things. This is a good start.

Mr WOODHOUSE: Indeed.

CHAIR: Your submission mentions your website that has links for parents to access further information, guidance and advice.

Mr WOODHOUSE: That is right.

CHAIR: Do you know how often they are accessed or if we need to better support and guide parents in what can be some confusing and difficult conversations for them?

Mr WOODHOUSE: I do not think I have actual hit rates in the data we have available today. We can take that on notice and we are happy to get that for you. I do not have that with me today.

CHAIR: I wish to ascertain whether we do reach those parents. A website is one thing and needs to be there, but are there better ways to approach parents? Sometimes sitting down at a computer does not happen. Perhaps we need to be involved with parents in schools, sporting groups and churches to find an approach where we can get to the parents to give them the information they need for the conversations.

Mr WOODHOUSE: I agree that using a range of opportunities to reach different groups of parents has to be a useful part of this discussion. I think certainly some of the material produced—you mentioned sexting—is giving information for children and young people and tips for parents on the same document. As a parent it becomes what many of us have experienced of things that may happen in the education system the extra value of which is the conversation that it generates at home. My own children have had some experience of recent protective behaviours work inside the education system; it was a simple gentle conversation. It generated a useful conversation around the kitchen table about what they had learnt at school.

CHAIR: The way society is changing and access to the internet is changing young people are in different situations from what their parents knew about and we are encouraging them to go to their parent, caregiver, sports teacher or counsellor. I want to make sure that person has the right answer for those children.

Mr WOODHOUSE: Yes.

CHAIR: Are there any other ways we can be helping them to receive that information?

Mr WOODHOUSE: Speaking on behalf of the Government, you have the material that we currently have available and a lot of that is using online mechanisms. Speaking as someone who has been involved in some of these wicked social problems I think what we have learnt from doing social communication work in a range of issues across government is that we need to find the opportunities where the issue is live and present in people's minds and capitalise on that to convey as much information as possible, such as key transitions in their children's lives. I think about what are the great opportunities and the excellent work we do in parent education in mothers groups. They are simple opportunities and supportive environments for mums to learn fundamental things about their babies. There are many other moments across the life course that may be useful such as transitions into school and the ways in which we get involved as children are entering adolescence. I am aware of a Commonwealth funded service called the Raising Children Network, which produces excellent information about what the evidence base says about good ways to be interacting and responding with the next developmental stage of children as they get older, one of which will be—

CHAIR: Some of these concerns?

Mr WOODHOUSE: Yes, an increasing online presence and withdrawing into their bedroom; how do you monitor and interact with that? I suspect there is always room for excellent communication strategists to work out how to apply that evidence-based knowledge into settings where more and more people are going to notice it and in a way that converts that to actions that parents are able to take.

Mr MICHAEL JOHNSEN: Mr Woodhouse, your submission refers to co-regulatory and self-regulatory arrangements and the Crimes Act. You are talking about legislation and regulation that supports prohibition of disseminating and publishing images and things like that. You also talk a lot about education.

Mr WOODHOUSE: Yes.

Mr MICHAEL JOHNSEN: I cannot see anywhere in there reference to the eSafety Commissioner?

Mr WOODHOUSE: No, I do not think we have made an explicit reference to the eSafety Commissioner, but there is information around digital citizenship and educational work we do in the online environment.

Mr MICHAEL JOHNSEN: Where I am heading to after that is, do you think that the State could play a role on a legislative and/or regulatory basis to effectively hand some sort of control over to individuals who might make a mistake and publish images? Mistakes happen.

Mr WOODHOUSE: Particularly as a young person, yes.

Mr MICHAEL JOHNSEN: We heard the term "take-down orders" and suggestions of New South Wales police being able to give orders to internet service providers [ISP] to take images down?

Mr WOODHOUSE: Yes.

Mr MICHAEL JOHNSEN: There is often a perceived barrier from young people in particular who want to be able to report and take that extra step because, as was mentioned before, they implicate themselves in something they do not want to have anyone know about.

Mr WOODHOUSE: Yes.

Mr MICHAEL JOHNSEN: Do you think the State could play a legislative or regulatory role to be able to hand over control to the individual, parent or guardian and/or authorities to be able to give take-down orders and somewhat rectify those mistakes?

Mr WOODHOUSE: It is not a remedy that I have put a huge amount of thought to. The submission we provided is largely descriptive of what the Government is currently doing in this area. Please give me a moment to think that through. One of the questions I would want to ask and understand is how this sits in the area of Commonwealth and State relations. Who does have leadership and authority? It feels to me—I am giving you a sense—on the border of what is the role of the Commonwealth as to what is the role of the States and Territories. The States and Territories largely have roles in the distribution of material, I mean physical distribution. This is from technologies that are now considered old rather than what happens in the online environment, as opposed to the broadcasting of images. There is a technical question I feel unable to answer as to whether the transmission of the images falls as broadcasting or is akin to print publication. We would need to take that on notice to understand that. Going to the spirit of your question: is there value in someone else standing in the place of an individual who has become a victim of this, either of their own making or otherwise? At first principle, it seems to me of value in having someone able to act on their behalf to circumvent the concern of which you are aware.

Mr MICHAEL JOHNSEN: Or the individual themselves. They might be 15 when they did it and then at 18 realise this is a problem.

Mr WOODHOUSE: Or, frankly, 15½.

Mr MICHAEL JOHNSEN: Yes. If you could take that on notice. We would be interested to get some sort of opinion on that.

Mr WOODHOUSE: I would be happy to give you a more considered view on notice. Yes.

Ms JODIE HARRISON: My question is a follow-on from Ms Gibbons' question and it is in relation to the ThinkUKnow program.

Mr WOODHOUSE: Yes.

Ms JODIE HARRISON: There are two aspects of ThinkUKnow; there is one for youth and children themselves and one for parents, carers and teachers?

Mr WOODHOUSE: That's right.

Ms JODIE HARRISON: I am a mum of a 16-year-old and a 13-year-old and I have never heard of it before.

Mr WOODHOUSE: Right.

Ms JODIE HARRISON: How widely is that program rolled out? How many parents have been exposed to it? How are those parents identified? How can that be better rolled out? How come I found out about it as part of this Committee?

Mr WOODHOUSE: That is an indirect way to find out about it, yes. I do not have that data as to how many parents that has reached and the mechanisms by which it happens. I am aware that it is a program run through the NSW Police Force and I will check whether that is at the discretion of local commands or is a more systemic approach. That may be part of the variance; sometimes these are aspects of community policing that connect with the local priorities of local area commands and what else they may, frankly, have on their plate. We can get you a thorough briefing on that and understanding how those questions can be answered.

The Hon. GREG DONNELLY: Can I take you to page 18 of your submission under "Further initiatives", about point four or five on the page. To elucidate these points, the first paragraph talks about the New South Wales sexual health in schools project, thereafter called the project, is a long standing partnership between the Ministry of Health and the Department of Education. Do you know much about that or are you able to enlighten us where to go to find out more about the project?

Mr WOODHOUSE: I am happy to have a go at answering further questions with more briefing. If not we can get more information from the Department of Health and the Department of Education.

The Hon. GREG DONNELLY: Tell us what you know and we can put some questions on notice if needs be. It is a body that functions and produces things. Anything you know about that would be appreciated?

Mr WOODHOUSE: Broadly this is part of the government sexual health response, as I understand it. This is connected to trying to provide age and developmentally appropriate information to children through the education system as part of our prevention of sexually transmitted infections that is best delivered connected to messages around respectful relationships and giving children and young people information that allows them to navigate these changes in their life.

The Hon. GREG DONNELLY: Who has key responsibility for that? It is a project which straddles those two departments. Where would that be coordinated, out of one of those two departments or somewhere else?

Mr WOODHOUSE: It is my understanding that it is coordinated by those two departments. My guess is they would have different perspectives and contributions to make. I am happy to take that on notice.

The Hon. GREG DONNELLY: Yes.

Mr WOODHOUSE: Absolutely.

The Hon. GREG DONNELLY: To follow on, in the next paragraph—once again I am not clear whether your department is directly involved with this or you are reporting on it—the project team described is producing some material dealing with explicit material and sexualisation of young people through media. Is that something your department is coordinating?

Mr WOODHOUSE: That is connected to the sexual health in schools projects and I am reasonably confident that information came to us through the Department of Health. I am happy to take that on notice and confirm that for you.

The Hon. GREG DONNELLY: I understand the context now.

Mr MICHAEL JOHNSEN: Clarification on that question on notice about more information about giving power back to individuals. I am not sure if I said it, but what I mean is if they request making it compulsory for ISPs to take down.

Mr WOODHOUSE: Yes, I had understood.

The Hon. BRONNIE TAYLOR: Mr Woodhouse, if you are looking at the take-down there was an inquiry into the invasion of privacy in New South Wales and one of the recommendations and a lot of evidence is contained within the report. That will save you a bit of service coordination there by sharing a bit of information.

Mr WOODHOUSE: I do appreciate that.

CHAIR: Obviously any child can be impacted by this issue at any point but in your experience are there any groups that are more likely to be vulnerable to being subject to sexualisation or being exposed to these situations than others?

Mr WOODHOUSE: In my experience I worry most about children who are vulnerable for a whole lot of reasons, not only for the exposure to the process of sexualisation but for the harm it may cause. I guess I do worry about children who are in lower income families with parents who are doing it tough for a whole range of reasons, where a whole lot of other things may be going on in the household. We know from the statistics on sexual assault that there are certain categories of kids who are more likely to be victims of child sexual assault than others. That is not to suggest it cannot happen in any household, but at the same time we are aware that it happens more commonly to children who are vulnerable for a range of reasons. I am concerned and should have ongoing concern, for instance, about children and young people with intellectual disabilities.

The rates of sexual assault for young women with intellectual disabilities have traditionally been reported as alarmingly high. I do worry about families with health concerns in the household—drug and alcohol issues—families who are under pressure for a whole stack of reasons where this issue will also come into play. They are probably households where it is less likely that access to pornography is going to be well supervised or picked up if it is actually happening. Things that may happen perhaps just a few times in some households may then become ongoing patterns. So yes those are the kinds of categories of children and young people that I would be most concerned about—of course, not to suggest that that there are not impacts on the whole population. This is always a delicate balancing act.

CHAIR: But they are the ones that maybe are more likely to be impacted?

Mr WOODHOUSE: Yes. Obviously I am particularly concerned about situations where this converts to predatory behaviour by adults. We have a royal commission that is keeping us very focused on what the lifelong impact of child sexual assault is and that is something of great concern, and this is one factor in that really alarming story.

Mr DAMIEN TUDEHOPE: There is an American TV show about beauty pageants for children. Do we have those in Australia?

Mr MICHAEL JOHNSEN: Yes. They start at literally baby level.

Mr DAMIEN TUDEHOPE: Does it occur on the same sort of basis as the American stuff?

CHAIR: It is not as over-the-top.

Mr MICHAEL JOHNSEN: I do not think it is quite as crass. However, I would encourage people to steer clear of them.

CHAIR: Are resources for parents and caregivers available in different languages? My electorate is very diverse.

Mr WOODHOUSE: Let me take that on notice. I would imagine that is the case. I would be very surprised if it is not meeting normal government standards, but I will take that on notice, particularly as to which languages it is available in.

CHAIR: Thank you for appearing in front of the Committee today. The Committee may wish to send you some additional questions in writing, the replies to which will form part of your evidence and will be made public. Would you be happy to provide a written reply to any further questions?

Mr WOODHOUSE: Absolutely, of course.

CHAIR: We will send you those follow-up questions on notice as well.

Mr WOODHOUSE: Thank you very much. We will start work on them.

(The witness withdrew)

DAVID SANDIFER, Former NSW Director, Family Voice, sworn and examined:

CHAIR: I welcome Dr David Sandifer from Family Voice. Thank you for appearing before the Committee today. What is your position in Family Voice?

Dr SANDIFER: I was until recently the New South Wales State Director and I am now part of the branch committee and helping with special projects.

CHAIR: Before we proceed, do you have any questions concerning the procedural information we sent to you in relation to witnesses or the hearing process?

Dr SANDIFER: No.

CHAIR: Before we commence with questions, would you like to make a brief opening statement?

Dr SANDIFER: I thank you for this opportunity to present testimony on behalf of Family Voice. It is our conviction that there are few issues today which are of greater concern for Australia and few issues that will have a greater impact on the wellbeing of rising generations. So again thank you for this opportunity and thank you for having this inquiry. My own background is as a historian. A couple of years ago I finished a PhD at Cambridge looking at changes in public morality in Britain in the early nineteenth century—a period sometimes known as the age of reform. One big takeaway from my research was that change is possible; history is not predetermined. If you had told an Englishman in 1790 what Britain would look like in 1830 they probably would have been filled with disbelief, so monumental were the changes. Yet change did happen and I think most would argue that it happened for the better.

Change happened in many ways against what was felt to be the grain of history at the time. I just mention this because today we are at a time of rapid social changes—some of these are good and to be celebrated and others provoke tremendous anxiety amongst many of us. In particular, the general coarsening of the tone of society and the increasing commodification of sexuality is undeniable, and its negative impact on children is also well documented. I am sure this is something that I do not need to underline further for you; you have seen my submission and those of other groups which I know have documented this very completely.

So the question is not whether our society is grossly sexualising our children but what we will do about it. The danger, I believe, is that we will be paralysed into inaction, into thinking that this is "just the way it is", that there is too much inertia, too many vested interests to make any real change. This is always the argument of those who resist social reform. It really is a question of whether we think this matters enough to put the effort into making change happen. I believe that we face a critical window right now with respect to child sexualisation. We are the inheritors of a long tradition which has viewed children as worthy of protection, as off limits to sexual contact which would harm them and corrupt their innocence.

But not every society has historically viewed children this way and this is not always the way that they have been viewed in the west. There was a time when very little concern was expressed for this and children were more or less expected to navigate the adult world unprotected. Read the *Satyricon* if you would like a picture of what that looked like in early Rome. It is not at all implausible that if no action was taken now, in a few years we will no longer be so shocked at the sexualisation of our children and will no longer be so horrified by what is happening. Our conscience does not remain tender for ever; when it is subject to constant offence it adjusts. So my fear is that it will adjust to the sexualisation of our children and before long we will accept it simply as a normal part of society. Thank you again for this opportunity to be with you and I encourage you to respond to some of the recommendations made by us and others.

The Hon. BRONNIE TAYLOR: In your opening statement you talk about a critical window at the moment. Could you elaborate a bit more on that? Do you feel that we are at the point now where we may not be able to turn back? What do you mean?

Dr SANDIFER: I think in terms of cultural mores we are at a critical window because I think there is a desensitisation which is taking place where things that we would have been shocked by some years ago in terms of exposure, things that children are being exposed to, have become more and more commonplace. My concern is that in 10 or 20 years we may just think it is just the way it is and it is normal. It is not the window will close in terms of the technical possibility of effecting change but more in terms of the cultural possibility.

The Hon. BRONNIE TAYLOR: We have had some pretty confronting evidence over the last two days so we are just trying to process all that. I was talking with a colleague this morning about this inquiry. Do you think that it is cyclical, that we have periods in our history where we have perceived things to be a bit more like, say, the sixties and that we are going through this now but now we are starting to question it and sort of pull back?

Dr SANDIFER: I think there is a lot to be said for that, that there is a cyclical component that moods change and swing and go back and forth, but I think sometimes that can be used to neutralise the fact that there is real change and things actually do happen in different ways in one period over another period. I know your inquiry is bigger than the internet, but I think 100 years from now historians will look at the ubiquity of the internet in the same way that we look at the printing press in the late fifteenth, early sixteenth century: it is a revolution for society and we are just reeling at this time, we are adjusting in real time. So I think it is a fundamental change in the way that we organise ourselves as human beings.

The Hon. BRONNIE TAYLOR: Questions came up yesterday about whether to regulate or to educate. Having two daughters myself, as I said yesterday, I thought I was so clever when I took their phone away, that I could stop what was going on. That was so ridiculously naive of me because they just went and borrowed a friend's phone. I thought I was so stern that they would not possibly defy me. In terms of trying to regulate internet and access and things like that, has that taken off? I do not say education loosely because I think sometimes we just use it as it will provide an education or will do that, but the real thing that it empowers is for people to make the right choice. We talk to children a lot about how they need to make a good choice and they need to make the right choice. Is it more about that sort of education so that they are able to make that decision, that choice, on their own so that they stick to it rather than trying to think that we are seriously going to not allow them access to a filter? They are successful but, let us be honest, relatively so, and for a short period of time before they figure out how to work around it.

Dr SANDIFER: I think there is a consensus amongst social workers in the field that you need both—you need education and regulation. So there is no question that education is important, but I think we can do a much better job. I think there can also be a defeatist attitude about what is possible. There is no question that kids are clever and they can find ways around that. The question, to me, is not what a clever 14- or 15-year-old might, with a lot of ingenuity, be able to accomplish, but simply protecting a nine-year-old or a 10-year-old from accidentally seeing things.

I think with the things that are generally available to them right now, especially on the internet, it does not actually have to be that way. I think we mentioned in our submission, and others have as well, the United Kingdom model in terms of the filtering approach. It is not perfect but I think David Cameron has shown real moral leadership in the way that he has framed this as something which is possible. There were a lot of naysayers in the UK saying it is not technically possible, it will slow down the internet, this and that, and it is not perfect but it has been a huge step in the right direction.

The Hon. BRONNIE TAYLOR: I think sometimes we can appease ourselves in thinking that we are taking the right steps too. I say that most respectfully, and it is great what David Cameron has done. I will give another example of protections. One of my daughters was in a very protected environment with very sophisticated internet filters. There was a terrible movie called the Human Centipede that was about a terrible person who did terrible things and connected people, or something like that. She was in year 6 at the time and she was absolutely traumatised by it. It was really terrible.

CHAIR: I am terrified now.

The Hon. BRONNIE TAYLOR: It was terrible and I felt for her and questioned my own judgement. We got through it. She got resilient. We were able to have a conversation, and other people were able to have a conversation with her. I would hope that she is not permanently damaged but who knows? I think she is okay. A lot of it is to build resilience in people rather than thinking that we can wrap it all up. I may be rambling but we are imperfect in life, and life is imperfect too. It is about not trying to think that we can create perfect childhoods for people by completely protecting them because realistically I do not think we can. I think we try to. I think we are culturally and socially moving towards a scene where we want to make it all okay. Maybe the best thing we can do is to say it is not okay, and there is a lot of stuff that is not okay, but you have to do what you can. I am sorry, that was not really a question.

Dr SANDIFER: Again I think we also have a social responsibility as a society, especially because I suspect your daughters are blessed with a wonderful home environment with a lot of support and so forth but it is those who socially disadvantaged at the bottom who will pay the highest price. They do not have that support structure.

The Hon. PAUL GREEN: I note in one of your recommendations about the Children's Advocate you assume that they are part of sharing information for inappropriate material. Page 16, recommendation 6, "Since the Office of the Children's Advocate is required to give paramount consideration to the safety, welfare and wellbeing of children and young people, the Children's Advocate should be instructed not to promote material that sexualises children." Would you elaborate why you have made such a recommendation?

Dr SANDIFER: I think that was a reference to material on the website.

The Hon. PAUL GREEN: On their website?

Dr SANDIFER: On their website, resources that they were linked to, some of which we felt were unhelpful and should not be there.

CHAIR: I am not sure whether the Hon. Paul Green was in the room earlier when the Children's Advocate said it was no longer on its website.

Dr SANDIFER: It was the Minus 18 one in particular I think that they were referring to.

CHAIR: Apparently they have overhauled their website and that did not make it across.

The Hon. PAUL GREEN: I am shocked with some of your content on page 17 when you talk about slogans on baby clothes and accessories. Are they sold in New South Wales? Where are these products that have such slogans, which I will not put on the record, as noted in this report?

Dr SANDIFER: They are available online and can be purchased in New South Wales. I am not sure if the seller is based in New South Wales.

The Hon. PAUL GREEN: Are these baby clothes with these slogans available online?

Dr SANDIFER: That is right.

Mr DAMIEN TUDEHOPE: Are you referring to the Cotton On ones?

The Hon. PAUL GREEN: Yes.

Mr DAMIEN TUDEHOPE: There appears to be a slogan on them.

The Hon. GREG DONNELLY: You can actually buy them in the stores.

CHAIR: I am not sure whether you still can but they were selling them in their stores.

The Hon. PAUL GREEN: I have deep concerns about some of the slogans. They are awful. Is that an indication of where the parents are at in their sexualisation?

The Hon. GREG DONNELLY: It is a good question.

The Hon. PAUL GREEN: Yes. It is not unusual, obviously with history, that hurt people hurt people. Quite often as we grow up we tend to present on others what our experiences have been. We are learning about the issues and the effect of pornography. It is sad that a parent buys clothes that really represents where they are at, their history and their understanding of sexualisation and puts them on an 18-month-old child.

Dr SANDIFER: The vast majority of parents would not do that.

The Hon. PAUL GREEN: That is right.

Dr SANDIFER: We cannot change the fact that there might be some who would, but you can change how easily available it is.

The Hon. PAUL GREEN: It is sad that a store has not gone through codification of that type of clothing for it to qualify to even be on the shelves in New South Wales. Surely that is where governments come into play when someone cannot help themselves and we are here to help them and say "Maybe that is inappropriate for a baby to wear." I am concerned by what I see there.

CHAIR: The trouble is there is a market for it.

The Hon. PAUL GREEN: There is a market for it. That is more of an indication of where some people are at in their own sexualisation. Would you comment on page 18 in 10.6 about child sexual dolls? This inquiry is making me very aware of a lot of things I was not aware of. That is quite distressing.

Dr SANDIFER: Again, I think that is online so it is more, I think, an international issue.

The Hon. PAUL GREEN: At the bottom of that report, as the article notes, such dolls normalise sexual attractions with children. The dolls may be available to buy online and thus available to Australians for purchase. With due respect, I find that totally distasteful. This inquiry has opened up our eyes about what is happening in New South Wales and Australia.

CHAIR: It is an eye opener.

The Hon. PAUL GREEN: Yes, it is pretty diverse out there in sexual appetite for that to be included.

CHAIR: I want to briefly talk about 6.3 in relation to billboards and outdoor advertising and your recommendation 3. The Committee has heard a number of witnesses talk about outdoor advertising, billboards and what is appropriate. Will you talk to us a little more about what you see as being inappropriate? They have come forward and said that they have their guidelines, and you have outlined 2.2 there. Do you have examples of ones that you would have liked not to have been displayed?

Dr SANDIFER: I do not have examples to provide you. I could provide that on notice.

CHAIR: Yes. They said to the Committee that in the past five years they have cracked down on what is put on billboards and on anything inappropriate.

Mr DAMIEN TUDEHOPE: What page is that?

CHAIR: Pages 13 and 14. Do you still see that as a concern or is it just an ongoing concern?

Dr SANDIFER: It is an ongoing concern. And our sense is that it is reasonable to apply a G-rating standard to outdoor advertising because anything outdoor can be viewed by a child so I think that seems like a very reasonable approach. That is not currently the approach, even if they have made some strides to improve.

CHAIR: They say that their guidelines dictate that they would not publish or promote anything that is not what they deem appropriate, even without a rating on it.

Dr SANDIFER: They would not claim that it is G-rated?

CHAIR: No.

Mr DAMIEN TUDEHOPE: You have made reference to Lush advertising in paragraph 4.1. I think some of those advertisements appear in store though.

Dr SANDIFER: That is right. I think that was a store front display, in the stores, that is correct.

Mr DAMIEN TUDEHOPE: Although the Advertising Standards Board found against the advertisement.

Dr SANDIFER: All of those are examples of ads in stores.

Mr DAMIEN TUDEHOPE: In stores as opposed to—

Dr SANDIFER: On billboards.

Ms JODIE HARRISON: In relation to billboards, this morning the—

The Hon. GREG DONNELLY: The Outdoor Media Association—

Ms JODIE HARRISON: They actually said they had received no complaints in the past five years on the basis of sexual images. It would be useful to the Committee, if you say that there have been billboards that have been inappropriate, to provide examples and when they were from.

Dr SANDIFER: Okay, to provide examples.

Ms JODIE HARRISON: On page 15, your recommendation 5 is that the New South Wales Government should require all schools to restrict internet content to age-appropriate material. I certainly have no problem with that. You infer that that is not currently the case. Could you expand on that if it is not?

Dr SANDIFER: My understanding is that that is not being regulated as of right now. Again I can take that on notice.

Ms JODIE HARRISON: It would be helpful if you could provide examples to the Committee. It is difficult for the Committee to determine exactly what the facts are if it does not have the evidence.

Dr SANDIFER: Right. I think it was in response to some stories in the media in the past year about the kind of exposure that children had on school-provided iPads and things like that.

Mr MICHAEL JOHNSEN: On page 19, second last paragraph in your conclusions you say that government is contributing to the problem by the provision of education programs which encourage risky sexual experimentation. Where is your evidence of that?

Dr SANDIFER: There has been quite a storm of controversy around the Safe Schools Coalition program in the past week.

Mr MICHAEL JOHNSEN: Do you suggest that Safe Schools encourages risky experimentation?

Dr SANDIFER: That is right. I think that was primarily again in reference to some of the materials that were resourced there, the Minus 18 website and so forth.

Mr MICHAEL JOHNSEN: Do you say that Government is encouraging that sort of behaviour?

Dr SANDIFER: Indirectly by promoting a program which made available these resources. We are happy with some of the changes that have been made with respect to that.

The Hon. GREG DONNELLY: It was Commonwealth funded. The Government paid for the provision of the program.

Mr MICHAEL JOHNSEN: I just find it hard that any government would encourage risky experimentation.

Dr SANDIFER: Yes.

Mr MICHAEL JOHNSEN: It is a fair jump from responsible government to risky sexual experimentation.

Dr SANDIFER: Indirectly, I guess that would be our argument. Insofar as the government is funding a program and making it available to schools, which provides resources that encourage risky sexual behaviour, then indirectly the government—

Mr MICHAEL JOHNSEN: So you would not see that as a level of education openness, leading to a more controlled level of education, as opposed to unrestricted access to all sorts of porn that has no context whatsoever?

Dr SANDIFER: I am not sure I understood the question, sorry.

Mr MICHAEL JOHNSEN: We know that anyone can access porn?

Dr SANDIFER: Right.

Mr MICHAEL JOHNSEN: Do you not see value in providing guided, controlled education programs that encourage information and therefore tolerance and acceptance of all the differences that we might have in our society?

Dr SANDIFER: As a matter of principle I do see value in that and I do think that those kinds of programs have a role. We have problems with the specifics of the Safe Schools Coalition program in a number of ways and we feel that it pushes a particular ideology, which is one that does not respect the differences that exist amongst students in their own backgrounds and religions and so forth. No question; children should be taught respect and tolerance for all sexual orientations and for transgender children and so forth, but the way in which it is done I think is the question.

The Hon. PAUL GREEN: Some of the witnesses who have given evidence at this inquiry have commented that different people develop at different times so exposure to some of that education, while it is generally meant to be helpful, could be quite dangerous.

Dr SANDIFER: That is right.

The Hon. PAUL GREEN: Another witness mentioned a history of young people being exposed to pornography two years prior to having intercourse. The assumption was that the exposure to pornography had led them down the path to engage in sexual practices. Following on from Mr Johnsen's question, are you of the view that we need to be mindful that not all children are ready to receive a wide and diverse education on sexual issues?

Dr SANDIFER: That is a fair framing of it. Children are coming from very different places. You might have some kids who are looking at porn for whom some of this education is moving them back in a more wholesome direction, but there may be others who have not given this any thought at all and for whom it may actually elicit curiosity and put ideas in their heads that would not have been there before. I think it is a very delicate balance and I think there is a danger in assuming that more information is always better. The logic of that with children I think breaks down. In Denmark in the last couple of years they have trialled a pilot program where they are showing high schoolers pornography to try and teach them the difference between good and bad pornography. I think most of us feel that that is objectionable. So those are the concerns that we have.

The Hon. PAUL GREEN: In medicine they teach a doctor what healthy looks like so they know what unhealthy is. You have got to know what a healthy, respectful relationship looks like before you can show what an unhealthy relationship looks like. Some of the evidence the Committee heard yesterday and today, as wide and broad as it has been, is that really exposure to a child who does not have the capacity to embrace what they are learning could set them up to fail not only in their own sexuality but also, if they are given the wrong information, destroy other people along the path.

Dr SANDIFER: That is right.

The Hon. PAUL GREEN: Or if it is beyond their ability to grasp that information in a respectful and understanding way.

Dr SANDIFER: Exactly.

Mr MICHAEL JOHNSEN: Do you think that the judgement of whether or not children are ready for further education should be left in the hands of educators and parents jointly and/or collectively?

Dr SANDIFER: Yes. I think the important thing is that parents need to be informed and have a direct role in that. I think sometimes they have not been brought into that judgement.

The Hon. PAUL GREEN: Have many parents called your organisation saying they have been deliberately left out of the equation? Do you think it has just been part of the process that the education powers thought this would be helpful so they would implement it or do you think that there has been a deliberate missing link and parents have not been engaged in such an important part of their child's learning in sexuality and sexual health issues?

Dr SANDIFER: I could not comment on whether there is an intentionality but our impression is that many parents feel that they are being left out, whether that is just accidental and unintentional or whether it is intentional I do not know.

The Hon. PAUL GREEN: Do you think there are other ways in which the education department could have better engaged parents on these issues than they have to date? As way of background, this Committee has been hearing evidence and it has been suggested that a lot of the time the missing link has been the parents. The Act makes it very clear that the education of children is the primary responsibility of all parents. However, it appears that parents have not really been engaged in taking their children on this journey beyond PDHPE. There should be another level of response from parents to say, "I am happy for them to go to the next level because I know my child and they are able to handle that." But if they are not ready, then parents should be able to say, "No, thank you. My child is not ready for this."

Dr SANDIFER: They should be informed and they should be given an opt-out. I think those are the two things. They should know exactly what is being taught and proposed, and they should be given the opportunity to allow their child not to participate if they think that is in the interests of the child. It should be the parent's judgement.

The Hon. PAUL GREEN: I reflect, as my colleague the Hon. Bronnie Taylor does, on my children and they are at very different ends of the scale. For example, there are some things I would let one of my children be engaged in but the other one is not ready. It is a parental prerogative to know whether or not their child is up to embracing sexualisation, which is a lifelong thing. Parents are aware of those sensitivities at different ages. The Committee heard some shocking evidence where girls would rather perform an act than face rejection. Rejection was a far worse outcome for them than performing the act. So their lives are suddenly defined by doing these acts, never mind the exposure with applications on mobile phones and so on recording that.

Dr SANDIFER: Yes.

CHAIR: Thank you for appearing before the Committee. The Committee may wish to send you some additional questions in writing, the replies to which will form part of your evidence and be made public. Would you be happy to provide a written reply to any further questions?

Dr SANDIFER: Absolutely.

(The witness withdrew)

(Short adjournment)

WENDY JOY FRANCIS, Queensland State Director, Spokesperson on the sexualisation of society, Australian Christian Lobby, sworn and examined:

CHAIR: Before we proceed, do you have any questions concerning the procedural information sent to you in relation to witnesses and the hearing process?

Ms FRANCIS: No.

CHAIR: Before we commence with questions, would you like to make a brief opening statement?

Ms FRANCIS: I would love to and if I talk too long, cut me off but there are a few things I would like to start with. First of all, thank you very much for having the inquiry. I congratulate you on it. I think it is very needful and probably a bit too late but it is so great that you are doing it now. The exposure of children to sexualised images and content and the sexualising effect that material has on children is very serious and it is damaging to our children. It is also of widespread concern to our Australian community. It is of strong concern to the Australian Christian Lobby [ACL] and our supporters.

I would like to briefly touch on some of our key concerns. You will have had some information in our submission. As to the advertising standards, I was sitting there listening and I would love clarification on "no complaints in the past five years on sexualised billboards" because at the moment there are a number of huge issues with the billboards, and not just billboards but public advertising. When I talk about billboards, I am talking about things in public spaces. That includes shopping centres, Westfield shopping centres, so we are talking about advertising in public spaces. I think billboards are even more extreme. If you had some of the images that are on billboards in your workplaces you would be able to say that they were sexual harassment.

Mr DAMIEN TUDEHOPE: Can you give us examples of those?

Ms FRANCIS: Yes. Honey Birdette is a lingerie store and it is a repeat offender. I will just explain what happens there at Christmas time, and you might have heard this. They always have something offensive at Christmas time; they have it throughout the year. Usually our complaints are upheld but the process is very long. At Christmas time there were two different ads for Honey Birdette. The Honey Birdette stores are in Westfield shopping centres. You have 15 stores in New South Wales. They are mostly in Westfield shopping centres and they are mostly located outside Kmart; that is where they are.

The first ad was a woman in red lingerie, extremely explicit red lingerie, standing over a Santa Claus figure who was lying prone on the floor at her feet and the text read "Knock Santa's socks off". I am talking about a massive woman here and a big Santa. The second ad was a woman in red lingerie. She was standing with her bent knee resting on Santa's lap. Santa was gagged; he had a gag over his mouth and the text read "Silent Night". So we are talking about a child's figure, a child's character, and children are going to look at Santa at Christmas time. We made the complaint in late November. The complaint was upheld, which was really great news, on 27 January this year.

So we have Christmas advertising that is attractive to children because we have got Santa. The complaint was upheld on 27 January and you can imagine how excited I was to have that complaint upheld on 27 January. It is ridiculous in the extreme that of course it will not even be up. So on 27 January Honey Birdette was instructed that they should take down their Christmas advertising, so that is the Advertising Standards Bureau [ASB]. In Townsville at the moment—and I know that we are talking about Queensland here but it is relevant because it plays into what is happening with the ASB—there has been a sexually explicit billboard in Townsville that was declared exploitative to women over two years ago.

The complaint was upheld on 14 August 2013. It has a woman with her nipple exposed and she says, "I'm waiting". This is in an area that is opposite a Subway restaurant on the way to a children's play park that you have to go through. It is over a strip club, so it is over an adult club but it is a massive billboard and it was decided that it should come down on 14 August 2013 and it remains there. Nothing anyone can do in Townsville can get that billboard down.

At the moment there is a really good Federal Government billboard campaign for girls. The reason why the Federal Government is doing that is because they realise that girls particularly have a problem with body image. Girls are self-harming more than ever before. They are having eating disorders; we have mental illness. I

am not at all saying that advertising is the only reason or even the main reason but it certainly is contributing, and it also contributes to domestic violence. So we have a government-funded campaign telling girls to make their move. There are girls of all shapes and sizes playing hockey and soccer and doing all sorts of things on billboards.

You will often find them on a billboard that is there and there and on the other side you will find a naked woman lying on a bed with moisturiser covering her pubic hair—well, she probably would not have any because we tell girls we can't have hair anymore as well. So this woman is naked and, on the other hand, we are saying to girls to make our move. All of these have been complained about. I have got on my phone here at the moment one that I have just complained about where the woman has her legs open and a hamburger is appearing between legs and they are saying, "We deliver", so a hamburger is coming out of a woman's vagina and it is supposed to be a hamburger joint, so the treatment of women in this advertising is appalling. I would love clarification on that.

The community is not only concerned; they are frustrated because most of the complaints do not get upheld. Most of the complaints get dismissed and then when they are upheld the Santa Claus one has to come down at the end of January. We have been proposing for a number of years that our advertising should be G-rated. There is no reason why in our public spaces we should not have a rating system that is appropriate to having a child audience in mind and it can be regulated through a government body. In addition, I think the advertising industry should cooperate with the Government to grant the ASB power to fine advertisers who breach the code.

By far and away most advertisers play by the rules. When you talk to advertisers they are, themselves, very frustrated because of the minority of advertisers who do not play by the rules and will not adhere to the ASB. So we have Wicked Campers driving around on our streets. If you are behind a Wicked Camper, you are not even allowed to make a complaint about Wicked Campers to the ASB unless you have a photo. If you are driving, you are not allowed to take a photo but that is where the car is. You have got children in the car and you cannot make a complaint unless you have a photo. The ASB is a law unto themselves; they are self-regulated and it is completely stifling community standards.

I also think that billboard and shop owners should be required to remove the advertising at the advertiser's expense if the complaint is upheld. In Townsville, for instance, the billboard owner should be able to just remove that billboard and charge the advertiser, but the ASB has no teeth; there are no penalties. There is no mechanism to actually make anybody abide by the rulings. The majority of advertisers who do the right thing suffer because all advertisers are actually getting a bad name. I can tell you that mothers particularly, but fathers as well, find it absolutely humiliating to drive behind a Wicked Camper with a "blow job" or a "fuck" thing on the back of their car, with their kids in their car and the treatment that women are receiving from Wicked Campers. It is not just sexualisation against women; much of it is racist as well and it is encouraging violence.

Another huge concern I have is teen magazines and unclassified magazines. We have to take action against these magazines. I wanted to give you some examples of the content that is in both girls' magazines—unrestricted it is called. Sorry, I said unclassified. We have a classification system. If they are unrestricted, they can have an "M" on them to say they should be viewed by over 15s, but, again, there is no requirement. If they are unrestricted magazines they can be sold alongside Strawberry Shortcake colouring-in books. Anybody can buy an unrestricted magazine.

Girlfriend magazine targets 14- to 17-year-olds. In the January issue of *Girlfriend* they talk about Pap smears. It says, "It is recommended to get tested once a year if you have multiple sexual partners in a year or unprotected sex." That is without any clarification, so we are talking to 14- to 17-year-olds. It has a question and answer page. "Question: I am 14 and I want to know if you can wear a tampon while you are having sex?" "Answer: I am not sure why you would want to", and you would think they were going to say, "I am not sure why you would want to know about having sex because you are only 14", but they say, "I am not sure why you would want to wear a tampon during sex. If it is because you want to have sex when you have your period, this is not a solution and it is likely to be uncomfortable." This is a magazine to 14-year-olds and she is 14. I have only pulled out a few questions and answers.

There are so many I could give you. "Question: I had sex with a guy from my school and he didn't use a condom and pulled out instead. I am afraid I could get pregnant. I got the morning-after pill." "Answer: This emergency contraception is just right for, yep, guessed it, emergencies"—there is no thought of saying, "Do not

have sex without a condom." It is, yes, you did the right thing. "This could include when the condom breaks or if you forget to take the contraceptive pill."

Sweet Babes is an unrestricted and unclassified magazine. They have a photo shoot of a woman in a school uniform and the words underneath say, "It is no secret blokes have a thing for chicks in plaid skirts. Why this is so should be obvious though we are not going into it for fear of offending Jesus." This is a completely unrestricted magazine. In the November-December issue of *People* magazine, it says these things, "Don't be afraid to get a little rough, especially when you are doing it doggy style—girls love doggy style. Pull her hair back very gently and give her a spank on the tootsie. If you are going to pull her hair, grab the hair at the nape of the neck, leave your fingers in the hair at the scalp, grab and pull. Missionary is a great possie for two reasons. It is the most intimate and romantic, yet also easy access for choking, slapping and spitting.

If you are going to try spanking her arse, pulling her hair and a little choking, then make sure you start off doing it lightly. If she reacts well, then go in a little harder." That is not classified as pornography. If we move into the pornography section, then we are talking about websites that talk about raping women, websites that show you can harm women through sexual practices. We need what the United Kingdom has done, and that is a universal by default ISP level safe feed. There is no reason why we cannot do what the United Kingdom has done. It would not in any way restrict adults from accessing porn, but what they have to do is opt in to get the porn instead of our children having to opt out, or our parents having to opt out. I do not have children at home. I do not have a filtering system. I am not sure I would know how to put it on. Anything I put in will come up.

The Safe Schools Coalition has been mentioned in previous submissions. I was here during the last one. There is inappropriate and sexually explicit stuff in this. It is federally funded and it is a resource for schools. It is in 131 New South Wales schools; 23 of them are primary schools, and 15 are K to 12. We are talking about sexually explicit material going to primary and K to 12. Commonwealth Education Minister Simon Birmingham recently announced he would make changes to the program, but what remains in it is of great concern. This is the sort of thing that is still in it. For 11- to 14-year-olds in lesson 3, a young girl who identifies as bisexual is asked what being bisexual means to her. In the video her answer is this, word for word, "Not worrying about who I want to like and so forth. It's just meeting a person and being able to say, 'You are really nice to me' and 'I like you.' That is what being bisexual means to me." After the video the children are asked, "What does being bisexual mean?"

Teachers explain in another video that there is a 17-year-old who was raised as a girl. He is undergoing a transition medically and socially to make his external appearance more masculine and to make his life better reflect how he feels inside. They say, "Gender is not quite as simple as whether you are male or female. Everyone has their own gender identity in relation to masculinity and femininity. Some identify with both and some don't identify with either." They do not mention that some actually identify with one. "It is up to the individual to describe what gender identity fits them best." In this particular video we have a young woman who is identifying as a man. Until 18 months ago he identified as a lesbian. He says in the video at the time that trans was not an issue. Then someone suggested that she could be transgender, so she decided she was a straight male. This video is for 11- to 14-year-olds. Whilst biologically female, he now identifies as a male who is attracted to women. On the video he says, "If I had any other medical condition, people wouldn't say, 'Wait to get treatment. Let's just wait and see how bad it gets.' They'd be like, 'All right, let's rush you to a hospital and let's get you the surgeries that you need', and that is what I need right now." This is a sexual procedure to remove somebody's breasts and their womb and in the video this young person says that their main aim and desire in life is to have children.

CHAIR: Ms Francis, can I interrupt? Is there much more to your opening statement? I want to ensure we have time for questions.

The Hon. PAUL GREEN: She could table it.

CHAIR: If there is not much more, that is fine.

Ms FRANCIS: There is not a lot more.

CHAIR: Go for it.

Ms FRANCIS: Thank you. I appreciate that. The latest concern that I have with all of this is the preschool training. In response to media reports that toddlers are going to be taught about sex, sexuality and

cross-dressing, the Early Childhood Australia spokeswoman said, "Children are sexual beings and it is a strong part of their identity." They are the peak body for early childhood. Part of their resources contains a book that says this sort of thing, "Children are born as sexual beings without sexual inhibitions. It is important to think about our own attitudes so they will not contaminate our communication with the children. We show our attitudes by the way we look, talk, when we change a nappy, and the way we react to masturbation." The book is 36 pages long, plus four pages of bibliography. In those 36 pages, masturbation is mentioned 21 times. This is for early childhood.

So children are sexual beings. "It is important that we see their sexual behaviour", so talking about children who are less than school age, and they are talking about sexual behaviour in the same light as any other behaviour. "Children have sexual feelings from birth. Jenny, aged 3, looking at her genitals in the mirror, says to her mother, 'I am looking for the nice tickly bit.'" It says, "Masturbation is done in private, often at bedtimes, sometimes when teens are excited. If children ask 'What is the clitoris?' The answer to be given is, 'A little round bump about as big as a pea which is just above the opening to the urethra where the wee comes out. It feels good when you touch it.' What is sexual intercourse? Adults do it as a special way of showing love to each other and it feels good. What is masturbation? Masturbation is when you stroke your penis or clitoris and it feels good." So each of those feels good for the children. "What is the vagina? It will probably be helpful to show children a picture or a drawing as this is the part they cannot see."

I would like to say one more thing because I find this so upsetting. For young children they say, "Touch which is done for the gratification of the adult rather than the care of the child is inappropriate. It is healthy for young children in play to dress up to try different aspects of both male and female sex roles." No problem with that, but they say, "In this way they learn different aspects of sex role behaviour." Dressing up, as far as I knew, was never part of sex role behaviour. "There are many behaviours which are not abusive to other children nor necessarily signs that a child has been abused but which are not used by the majority of children." So these activities that they say are normal include masturbating with a toy, sometimes touching others in a sexual way, and mouth kissing. I am a grandmother of 10, ranging from a grand-daughter who is 13 down to the youngest grandson, who is five. I am appalled at the rapid descent we are witnessing across our media, our public spaces and our education, which reveals complete disregard for what I would consider being a child's right to their innocence. Thank you very much.

Mr MICHAEL JOHNSEN: In your opening statement on page 13 you reference *Girlfriend* magazine January 2016, and you talk about a question that was asked from a 14-year-old, "Can I wear a condom while having sex?" and so forth. In this case, does a 14-year-old girl not automatically think these things anyway?

Ms FRANCIS: My 13-year-old grand-daughter does not, so that would be an answer from a personal—

Mr MICHAEL JOHNSEN: You know what your 13-year-old grand-daughter thinks?

Ms FRANCIS: I think I actually have a pretty good idea and I think parents do have a good idea. I think you can tell what your children are reading, how they are reacting to things. Just because a child is thinking some way does not mean that then you go into a magazine and completely disregard aspects of what we should be teaching them. The magazine does not have a right to answer my child's question about whether or not she should take the morning-after pill. A magazine does not have a right to tell my child the answers to these questions.

Mr MICHAEL JOHNSEN: I am going to go further. In my view, these are natural curiosity questions that teenagers will ask. Does that in turn, given the nature of this inquiry, mean that they are being sexualised?

Ms FRANCIS: Absolutely.

Mr MICHAEL JOHNSEN: Really?

Ms FRANCIS: Yes. Yes, I believe without a shadow of a doubt, and I think the research would show you that. Girls are having sex much younger. I guess it depends on what your definition of being sexualised means.

Mr MICHAEL JOHNSEN: I would call it being promoted, if you like, and I do not consider education as promotion.

Ms FRANCIS: Which part of that would you see as—do you think *Girlfriend* is—

Mr MICHAEL JOHNSEN: All of it is educational, so far as I am concerned.

Ms FRANCIS: Okay.

Mr MICHAEL JOHNSEN: I go further on the supplementary submission. I understand that you have expressed concerns about the early childhood book, which is 30-odd pages. Having a quick scan through it, as a father and a grandfather I do not see any of this as being somewhat unnatural, having witnessed my own children and grandchildren, but I am finding it difficult to reconcile that that all of a sudden sexualises them somehow. How does this work?

Ms FRANCIS: The book that you are referring to talks about children acting out sexual intercourse in the playground and they are talking about children in preschool years and also in early primary school years. My opinion is obviously different than yours, but if a child was acting out sexual intercourse on one of my grandchildren or my children when I had children at school, I would be extremely concerned.

Mr MICHAEL JOHNSEN: I do not see how education turns into that.

The Hon. PAUL GREEN: To follow on from that, I want to make an observation. We have got evidence that kids at preschool are coming home with sexual expressions and that is a concern to the childcare worker about what is happening at home. It is reflective. Teachers are often told to watch a child's behaviour because you can find out about their home life. If there is disruption, there is normally disruption at school. We heard evidence yesterday that kids were going home with inappropriate sexual connotations and the concern was where are they getting that from? I guess it folds into the idea of is that healthy or unhealthy? Obviously in that situation if they are expressing that in the playground to any other child and all sorts of unusual—

Ms FRANCIS: The book would say that is actually normal play.

The Hon. PAUL GREEN: It was noting that it was not and some parents were making comments that it is a real worry that our kids are coming home from day care with these expressions.

Ms FRANCIS: I agree with what you are saying, but the fact is the book is—

The Hon. PAUL GREEN: I am not talking about your book; I am talking about evidence that was presented yesterday.

Ms FRANCIS: Yes, so this is where the sexualisation of society comes into it because the evidence is that our teaching material is saying that is actually completely normal. Our teaching material is telling our teachers that a child masturbating with a toy is normal.

The Hon. BRONNIE TAYLOR: I respect that you have very strong views on the subject. Just going on from Mr Johnsen's comments about page 13 of your submission, I draw particular attention to Pap smears. Having had 20 years as a cancer nurse I am really pleased with that answer. That is good information. It is very current, factual, informative and empowering. Although there may be differing views around content, something like that is actually a very important public health message. We do not live in a perfect world. We all have different values and beliefs but we all coexist. It is not going to be a perfect world where people are going to have sex at a certain predetermined age. They are going to do that when the time is right for them. Hopefully they will do it with the right information and they will understand the importance of Pap smears after they have become sexually active.

Ms FRANCIS: Absolutely, I agree with you. I am not expecting everybody to adhere to my set of standards either. But do you think that is enough information? Do you think that is good? It says, "If you have multiple sexual partners with unprotected sex".

The Hon. BRONNIE TAYLOR: I think it is a very important message and I feel strongly about things like that because we have such a wonderful history of cancer prevention we just cannot ignore it. I appreciate that it is very hard to pick things out and that you feel strongly. I feel strongly about things too. I think it is important to get it into the correct context.

Ms FRANCIS: Absolutely. I think the context is very important. I think speaking in *Girlfriend* magazine to 14- to 17-year-olds about having a Pap smear if you have multiple partners and unprotected sex is actually a dangerous thing to say because unprotected sex is not what we want our 14- to 17-year-olds to be doing.

The Hon. BRONNIE TAYLOR: I would respectfully disagree.

Mr DAMIEN TUDEHOPE: With which part do you disagree? I think the point the witness was making was about having unprotected sex.

The Hon. BRONNIE TAYLOR: I understand that point, but that is a very important message to be given.

Mr DAMIEN TUDEHOPE: The Pap smear is fine, I agree with that.

The Hon. BRONNIE TAYLOR: That is what I said.

Mr DAMIEN TUDEHOPE: But I think part of the messaging should be—

The Hon. BRONNIE TAYLOR: That is fine but that was not my question.

CHAIR: To give a personal opinion, you would not find a more open relationship than the one my mother and I had during my time growing up and even now. Yet I found these magazines to be quite interesting at the time and a way to find some answers in life. It is interesting that as I get older I find this more and more confronting than I did then. But I worry that if kids are not reading the magazines they are going to go on the internet. The internet is a far more slippery slope than what they can research and find out in a place where there is a small amount of content that is more age appropriate. I think it is interesting that now I find it quite scary. I find this information quite confronting, but at the time it was a source of information.

Ms FRANCIS: Could I submit to you that it is more confronting now because it actually is different now?

CHAIR: No, it is exactly the same. It is exactly the same.

Ms FRANCIS: I do not think it is.

CHAIR: I will find you some old *DOLLY* Doctor. It is exactly the same. It is the first section every girl read. At the time I could read it; now it makes me blush.

The Hon. GREG DONNELLY: I have a copy of the full document upon which the supplementary submission draws its content. I will hand it to you. I only have one copy. If the witness is prepared to do so I will invite her to confirm that is the document.

Ms FRANCIS: Yes.

The Hon. GREG DONNELLY: If you wish to do so I think it would be useful to table that document and have it become part of the evidence for this inquiry.

Ms FRANCIS: That would be great, because we became aware of it after we had submitted our submission. That would be good. Thank you, Mr Donnelly.

The Hon. GREG DONNELLY: The document is the booklet from which the quotes that form the substance of submission number two are drawn. We have the primary document. I have invited the witness if she would like to table that and make it part of the inquiry and she has done so. With respect to your supplementary submission and specifically this document, to give us some context what do we know about the actual organisation Early Childhood Australia? What or who are they?

Ms FRANCIS: They are a peak body, or they claim to be a peak body on their website. They are a voice for young children since 1938. They are the peak early childhood advocacy association. They have a

number of resources that you can download. Teachers of early childhood download them and many of them are really good resources. I guess my concern is the progression into sexualising our children that I am seeing throughout education.

The Hon. GREG DONNELLY: I will come to that part of it in a moment. This publication has been in the public domain and gained some media attention roughly six weeks ago when there was some material in a newspaper article. That led me to go on to their website and buy a copy of it. That is where the document comes from. Do we know much background as to why this particular publication was produced? Have you been able to establish the basis for creating this publication? It really sits in contrast with all of the other material on their website, does it not?

Ms FRANCIS: It does. I think that you have to look at it in the light of the Safe Schools in that there is an understanding—there is a theory that gender is fluid. It is actually part of an educational stream of teaching fluidity in gender. That is people's right to believe in gender being fluid, but it is still a theory. I am about to go to a feminist conference this weekend in Melbourne. I do not know whether you have had any radical feminists here presenting, but they would be strongly against the concept of gender fluidity. It is a theory but a lot of what Safe Schools has as well as this is going along with that theory.

The Hon. GREG DONNELLY: You have not been able to establish from any research you have done with regard to this the purpose for its production? It forms part of your submission so it has obviously been looked at with a bit of detail. You did not make any inquiries to the organisation to find out why they produced it?

Ms FRANCIS: I have not made inquiries to them but I think that they have made that clear on their website as to their understanding of gender fluidity. They want teachers to understand this because it is becoming more of an issue, so they want teachers to be able to react. In their mind they want them to be able to react well. I think that some of the advice is very dangerous.

The Hon. GREG DONNELLY: In terms of this particular document, which now is being sold as one of their products on their website, do you know who the book is intended to be directed to?

Ms FRANCIS: The teachers. The educators.

The Hon. GREG DONNELLY: The educators in preschool?

Ms FRANCIS: And kindergarten as well. It is early childhood. So it would be early childhood centres and prep and preschool and kindergarten.

Mr MICHAEL JOHNSEN: Are parents not that target as well?

Ms FRANCIS: I think parents would be, yes, because it would be for parents. It would be for anybody who is seen as educating young children but I think primarily the website and Early Childhood Australia is for educators of children.

The Hon. PAUL GREEN: In that teaching program is there a disclosure to parents that their child will be taught this sort of stuff?

Ms FRANCIS: I am not aware of that, no.

The Hon. BRONNIE TAYLOR: I have only just seen this because you have made a supplementary submission. I cannot see any evidence where it says that it is endorsed by a day care or early childhood centre. It would be something that is available just like there are myriad things and courses available that people can do but the educators can choose whether to do them. This is not some compulsory early childhood course that is being implemented.

Ms FRANCIS: This is not a course; this is actually a resource for teachers to know how to—

The Hon. PAUL GREEN: Is it endorsed by the Government?

The Hon. BRONNIE TAYLOR: I do not think there is any evidence that there is an endorsement.

Ms FRANCIS: Early Childhood Australia does have courses to download as well. That is heavily endorsed by the New South Wales Government. I am not sure whether the book itself has an endorsement on it, but Early Childhood Australia is endorsed by the New South Wales Government.

The Hon. BRONNIE TAYLOR: But this particular resource is one that you can choose. It is not part of any curriculum or any standard that an educator has to reach to be able to provide education in an early childhood centre.

Ms FRANCIS: No.

The Hon. GREG DONNELLY: To follow up on that, the truth of the matter is, is it not, that it is on the website as a resource that is available for preschool educators?

Mr MICHAEL JOHNSEN: And parents.

The Hon. GREG DONNELLY: And parents or anyone in the community at large who wishes to purchase it, but nothing like that was in fact produced or promoted by that organisation up to this point, was it?

Ms FRANCIS: No.

The Hon. BRONNIE TAYLOR: It is a second edition.

The Hon. GREG DONNELLY: It is a brand new publication.

The Hon. BRONNIE TAYLOR: It is a second edition.

Mr MICHAEL JOHNSEN: That is what it says on the website.

The Hon. GREG DONNELLY: If it is a second edition I stand to be corrected.

Ms FRANCIS: Me too because, as I have understood it, it is a new resource.

The Hon. GREG DONNELLY: I am happy to be corrected.

Ms JODIE HARRISON: Your submission actually refers to the link, *earlychildhoodaustralia.org.au/shop/product/childrens-sexual-development-and-behaviour-pants-arent-rude-second-edition*.

Ms FRANCIS: Yes.

Ms JODIE HARRISON: That is what your submission says. It refers to the second edition.

Ms FRANCIS: I can check for you when the first edition was actually made. The reason it came in the media was because it all of a sudden became available, so Susie O'Brien picked it up in the media.

Ms JODIE HARRISON: I have another more general question about the second submission. I want to check whether you are uncomfortable with this content being known and brought to the attention of early childhood educators:

Girls masturbate too although not as often as boys in the preschool years, possibly because their sexual organs are hard to explore. Occasionally excessive masturbation can be related to a child having been sexually abused. Masturbation accompanied by sexual sounds is not normal in young children and is learned behaviour. If a young child is doing this it is likely to be a cause for concern and the adult should seek advice from a reporting agency.

Do you have concern with that content?

Ms FRANCIS: No, I do not, and I do not actually have concern with educators being talked to about masturbation or what children are likely to do at preschool or prep or kindergarten, wherever it is. What I am concerned about is some of the other material that makes it seem as if masturbating with a toy, for instance, is perfectly natural and acting out sexual intercourse in a playground is to be expected and normal. I am concerned about educators telling children that masturbation feels good and they should do it but they should do it in

private; they can do it in their bedrooms. They advise them on that. I think that has gone too far. I think it is good for our educators to be educated but I do not think that the advice that they are giving them sexualising children is at all appropriate because I do not believe that children are born as aware sexually. I actually find the concept of sexualising children to this extent quite alarming.

Ms JODIE HARRISON: Are you suggesting that the content of this book provided for early childhood educators, parents and other people who have interest in the development of children, is sexualising the children themselves?

Ms FRANCIS: Yes.

Ms JODIE HARRISON: The children are becoming sexualised because educators and parents are learning about how to talk to them about sex if it is relevant?

Ms FRANCIS: No. I am saying that this material treats them as sexual beings. I think it is a fine line we have crossed. Teaching the teachers about what children might do and how to react is fine but when we go the step further and we talk about changing a nappy, children are born as sexual beings without sexual inhibitions, and training our young teachers to think of children in a sexual manner is not appropriate. I do not think we should be teaching our teachers that children are sexual beings. Children deserve their innocence. When we cross the line to teachers then being able to accept and ignore, where they are told to treat it as something to ignore if they are pretending intercourse in the playground, it is better not to notice it, then I as a parent would be very concerned.

Ms JODIE HARRISON: I want to go back to something I think you said. Did you say this is actually teaching educators how to teach pre-schoolers how to be sexual?

Ms FRANCIS: No.

The Hon. PAUL GREEN: You are saying teachers in their teaching diplomas or degrees should have a component that teaches them indicators for when a child is expressing very early in their childhood sexual behaviours?

Ms FRANCIS: Absolutely.

The Hon. PAUL GREEN: That is a flag that a teacher should pick up on to consider other things in that child's social well-being?

Ms FRANCIS: Yes and no. I think different children react at different times to different things. My children were different personality wise and there were different things they did at different times, especially on the sexual spectrum. The answer to, "What is a clitoris?" Is, "It feels good when you touch it", I think is inappropriate. The answer to, "What is sexual intercourse?" Is, "It feels good". And, "What is masturbation?" "You stroke your penis or clitoris and it feels good". When we are talking to early childhood children that is inappropriate.

Ms JODIE HARRISON: My next question is not related to the second submission but is going back to the magazine *Girlfriend*. Do you know the average age that girls are now having sex?

Ms FRANCIS: It varies with different research, but I think by grade 11 something like 80 per cent of girls have had sex.

Ms JODIE HARRISON: They would be what age?

Ms FRANCIS: Sixteen.

Ms JODIE HARRISON: *Girlfriend* magazine is aimed at girls 14- to 17-years-of-age and the average age for girls to have sex is about 16- to 17-years-old?

Ms FRANCIS: Yes.

Ms JODIE HARRISON: What I am suggesting is that—it takes me a while to get to where I am going.

The Hon. GREG DONNELLY: Just so we clarify sex.

Ms JODIE HARRISON: Intercourse.

The Hon. GREG DONNELLY: Sexual intercourse but there is—

Ms JODIE HARRISON: Vaginal intercourse.

The Hon. GREG DONNELLY: —anal sex and vaginal sex.

Ms JODIE HARRISON: Vaginal intercourse.

The Hon. GREG DONNELLY: That has to be made clear, because sexual intercourse is sometimes misunderstood.

CHAIR: Let Ms Harrison ask the question.

Ms JODIE HARRISON: The average age for girls to have first vaginal intercourse is 16. Would it not be helpful for them to have this information if this magazine is aimed at girls of an age that are on average having sex at that age?

Ms FRANCIS: I think it would be useful if it was good information. I would still say to you I do not think it is good information. "I am 14 and want to know if I can wear a tampon when I am having sex?" The answer should have been, "At 14 years old do you think you should see a doctor or counsellor", because I do not think at 14 the answer should just be, "Do not wear a tampon when you are having sex". I think that is inappropriate.

The Hon. PAUL GREEN: In terms of the context of what we know in terms of Bravehearts and child sexual abuse, one in three girls by the age of 18 is sexually abused and one in six boys. Very quickly in a child's life there is an unhealthy sexualisation in a lot of young lives and they are broken or destroyed and cracked and they do not know what is healthy anymore because it is so early in the piece.

Ms FRANCIS: Girls are performing oral sex long before—

The Hon. PAUL GREEN: —We had evidence that they would rather do that than feel rejected.

Ms FRANCIS: They would rather do that because they think they will not fall pregnant.

The Hon. PAUL GREEN: We see that with anal intercourse as well. They do that because they will not fall pregnant.

Mr MICHAEL JOHNSEN: In listening to your answers and views do you think humans are sexual beings?

Ms FRANCIS: Yes.

Mr MICHAEL JOHNSEN: Do you think that comes into place at a later age or we are born like that?

Ms FRANCIS: I do not believe children are born sexually active.

Mr MICHAEL JOHNSEN: I did not say sexually active, I said sexual beings.

Ms FRANCIS: I believe they are born a boy or a girl. I do believe that. A lot of the information we talked about here today would not necessarily agree with that. I believe that.

Mr MICHAEL JOHNSEN: Would you then believe that natural curiosity from an early age occurs i.e. it is not unusual for a baby to put their hand on their penis, or where ever, when they are getting their nappy changed. Is that not natural curiosity, simply exploring?

Ms FRANCIS: I think it is natural curiosity but I do not see it as sexual.

Mr MICHAEL JOHNSEN: I agree. I am trying to reconcile how these views turn into something that is sexualising children.

Ms FRANCIS: You just agreed with me, but you disagree with the material. The material believes that is sexual. The material believes that a child touching their penis—

Mr MICHAEL JOHNSEN: —We are born sexual beings.

Ms FRANCIS: I think we are born sexual beings—

Mr MICHAEL JOHNSEN: Not sexually active, sexual beings.

Ms FRANCIS: —but I do not believe a child touching their penis is a sexual act.

Mr MICHAEL JOHNSEN: I agree, but they are still naturally curious.

Ms FRANCIS: Absolutely. I agree with you—

Mr MICHAEL JOHNSEN: Therefore, we should or should not provide that information about what that means?

Ms FRANCIS: The material is telling them that this is a sexual act. That is where I am drawing the line. The teaching material saying that is a sexual act has gone too far.

The Hon. PAUL GREEN: The evidence we are taking is about age appropriateness. When does a person get fed this amount of information? You say it is inappropriate to be feeding that to children?

Ms FRANCIS: I think telling a child that stroking your clitoris makes you feel good is inappropriate. Nothing anyone can say will make me think that is not inappropriate. If a child was touching their bottom I would want to know: do you need to go to the toilet, are you itchy, is there something wrong. I would not see it is a big problem and I would not see them as acting out something sexual. If they were acting out something sexually I would be concerned about what they have seen or who does something to them or what has happened. For me a little boy in early childhood touching his penis is not necessarily masturbating, he is touching his penis because it's itchy, he likes the feel of it, it is something to hold or it is time to go to the toilet.

Mr MICHAEL JOHNSEN: Is not that the point of the exercise?

Ms FRANCIS: No, you missed the whole point.

Mr MICHAEL JOHNSEN: You just said that one of the reasons is it might feel good. They might ask a question. If they ask a question—it is not unusual for a toddler to ask a question—wouldn't you want the resources there?

Ms FRANCIS: You think if a toddler is touching his bottom it could be sexual and that is okay?

Mr MICHAEL JOHNSEN: You said bottom, I did not.

Ms FRANCIS: I am trying to understand where you are coming from.

The Hon. GREG DONNELLY: What the question is.

Mr MICHAEL JOHNSEN: If they are naturally exploring the feel of their body—

Ms FRANCIS: No problem.

Mr MICHAEL JOHNSEN: —and they get senses from that.

Ms FRANCIS: I would not have a problem.

Mr MICHAEL JOHNSEN: If they ask a question do you think it is reasonable to have the resources there to be able to provide parents and educators age appropriate answers?

Ms FRANCIS: A young teacher looking for the answers in this material will be told they can say to the child masturbating, "It feels good but you should do it at home in your bedroom on your own, you should not do it here". I think they have stepped too far.

CHAIR: What do you prefer the answer to be in that situation?

Ms FRANCIS: "Do you need to go to the toilet?"

CHAIR: They have asked that, the child has done it 10, 12, 15 times and they have gone through the other scenarios but the child likes that sensation.

The Hon. GREG DONNELLY: Back to the parents.

The Hon. PAUL GREEN: Tell them.

CHAIR: What would you prefer the answer be?

Ms FRANCIS: I would say, "It is not appropriate to touch your bottom in public, darling. Let us talk to your mummy about it". That is all I would say. "It is not appropriate to touch your bottom in public". It actually isn't appropriate to touch your bottom in public.

CHAIR: That is your judgement on what's appropriate. The resource also says that it should be at home in private, not in public. You are both agreeing that public is not appropriate.

The Hon. PAUL GREEN: It is a holistic approach to child education.

CHAIR: That is the difference.

The Hon. PAUL GREEN: We are dealing with hypotheticals. If a child is biting you say that is inappropriate behaviour, the teacher says that. If it was sexual I would be hopeful that the teacher would let me know when I pick up my child that your child is doing this.

Ms FRANCIS: I would hope so too.

The Hon. PAUL GREEN: I do not think it is the teacher's responsibility to deal with that unless, as Bravehearts notes, it is a flag to say you need to write down the report and keep an eye on this because it needs to be handed over that there is something not right at home.

CHAIR: In which case you do not want to tell the child that there is something wrong so they shut down and clam up. They need to know it is okay to talk about it.

The Hon. PAUL GREEN: Exactly. The parent teacher relationship we are trying to get to with this inquiry, the parent seems to be missing from the articulation of it all. The parent should be primary in the discussion of where your child is up to. The parent has a good idea—we don't always know exactly where they are pitching; knowing how I dealt with my parents—but it is a pretty good indication that parents do know the behavioural patterns of their child.

Mr MICHAEL JOHNSEN: What I am grappling with in this particular instance is where do we, as a Committee and an inquiry, draw the line of call it moral guardianship and benchmarking to providing the appropriate level of age appropriate education in order to go back to why we are here, concern ourselves with the sexualisation of children and young people. Do we allow some people's view of moral guardianship to take

control of our recommendations here or do we take a slightly different approach? That is what I am grappling with.

Ms FRANCIS: One of the big questions you need to grapple with is do you believe that children are sexually active or sexual beings? If they are why do we think it is abhorrent—

Mr MICHAEL JOHNSEN: —I do not need to grapple with it because I do not see children as sexual beings but all humans are born, in my view, as a sexual being. I am not grappling with that part.

Ms FRANCIS: I am grappling with this material because it tells me children are sexual. If children are sexual why do we have a problem with the 000 body suit that I have in my car that says, "I'm too sexy for my nappy". Why do we have a problem with advertising that depicts children in sexual postures?

CHAIR: That is placing a parent's opinion on to a child.

Mr MICHAEL JOHNSEN: It is the depiction and promotion as opposed to the natural exploration of one growing.

Ms FRANCIS: I do not have a problem with natural exploration and I do not think any parent would, but I think a lot of parents would have a problem with their children being viewed as sexual beings in early childhood material.

Mr DAMIEN TUDEHOPE: That is not a moral view, is it?

Ms FRANCIS: No, it is not a moral view. It is whether or not our children are being viewed as sexual beings.

Mr DAMIEN TUDEHOPE: I think you misinterpret all the material that she has put before us as having a moral slant. Just because it is called the Australian Christian Lobby does not mean it is a moral slant.

Mr MICHAEL JOHNSEN: No, I was not thinking that per se.

The Hon. PAUL GREEN: Let us look at where society was, how it started and how far we have come. Society is shifting its goalposts all the time on this matter. The question that we are concerned about in this inquiry is do we really want our children to be sexualised and what are the external and internal factors that are sexualising our children? Do we really want our State of New South Wales to halt some of those things for the wellbeing of our children? I think it is a relevant thing. It is not to say what length you would go to as a parent, because all of us parent within the guidelines that we have through values or belief or world view or exposure to other things, but we do have a role here to say that the sort of stuff that Ms Francis is talking about in a child education centre do we want it to go that far or is that too far? I think most of us agree that it probably is too far but we will wait and see the recommendations on how to handle that.

Ms FRANCIS: People like you do make a big difference and I think there have been some really good strides in what has happened. Twenty years ago when I was working in the bank, if a man had wacked me on the bottom I probably would have just ignored it because it was what I had to put up with. But we would not put up with that anymore, and yet we put up with magazines that talk about choking and spitting on women and we have them completely unrestricted—those magazines are completely unrestricted. We put up with advertising on billboards that we would not allow in adult workplaces.

I think we have gotten really bogged down on the early childhood stuff and I personally am very concerned about children being viewed as sexual beings; I do not believe that children are sexual beings. But in the broader spectrum of things we have made some great strides for adult women, particularly in the workplace, and yet we still allow those same values to be outside in our public spaces where children are. I do not think anybody would think that a young boy being groomed for an appetite for porn is a good thing, but we push prams through shopping centres and they see Santa being attacked by a giant woman in red lingerie. So there are some things that we can do that are not difficult to do and that we can all really agree on.

Ms JODIE HARRISON: I absolutely agree with you about the advertising issues and about billboards and all of those kinds of concerns. Something you said about the ECA book was that it told educators if a child

is masturbating what the educator should say to them is that it is okay to masturbate and they can do it in the privacy of their own home. Can you please take me to where it says that?

Ms FRANCIS: I would need to look in the book. It is on page 25: "Young children who masturbate or hold onto their penis or vulva in inappropriate situations can be distracted. You can say something like, 'That feels good I know. It is something that people do in private'. You might like to add a suggestion for where the child might go to masturbate, e.g. his or her bedroom".

The Hon. GREG DONNELLY: What age category do they say that is appropriate for?

Ms FRANCIS: This is all for early childhood.

Ms JODIE HARRISON: Early childhood is considered up to the age of eight.

CHAIR: Thank you for appearing before the Committee today.

Ms FRANCIS: Thank you very much. I really appreciate it. It has been a great discussion.

CHAIR: Thank you for travelling here for it. The Committee may wish to send you some additional questions in writing, the replies to which will form part of your evidence and will be made public. Would you be happy to provide a written reply to any further questions?

Ms FRANCIS: Absolutely.

(The witness withdrew)

(The Committee adjourned at 4.04 p.m.)