

ROAD TRAFFIC (VEHICLES) AMENDMENT (OFFENSIVE ADVERTISING) BILL 2022

Second Reading

Resumed from 27 October.

MRS J.M.C. STOJKOVSKI (Kingsley — Parliamentary Secretary) [3.24 pm]: I rise to make a contribution to the Road Traffic (Vehicles) Amendment (Offensive Advertising) Bill. It has a very long title, but it is very important legislation for not just those who use our roads, but also the many vulnerable and impressionable people in our community. The bill came about from a change.org petition. Its genesis, I think, was that a Sydney-based mum started a change.org petition to have a certain brand of campervan banned because of the offensive and, in my opinion, downright disgusting slogans on the sides of its vans. The slogans were derogatory to women and other vulnerable cohorts in our community. I personally do not think there is any place for them in our community and neither, it seems, did the various ministers for transport across Australia. In response to this movement, which got a large number of signatures on the petition, the state ministers agreed that they would all bring in legislation to ban this type of offensive advertising on vehicles. This is a great move. It will protect people in our community who could be unduly impacted by the messages and the offensive things that these slogans put out into our community. What we found, though, is that once jurisdictions started to bring in legislation, such as Queensland, where these campervans were previously registered, the company would register the vehicles in South Australia, for example, instead. We are trying to bring in consistency across the country so that we can ensure that there is no place in any corner of Australia for these types of offensive slogans and advertising, if you can call it that.

At this point, I have to question: What is the point of the advertising? Why do it? It is purely for shock value. It is purely to raise the company's profile and create top-of-mind awareness. People know to go to this company if they want to rent a campervan in Australia. However, it has completely disregarded the social licence or social responsibility that it has with the community to ensure that vulnerable people in our community are not targeted by the offensive advertising on its campers. I will not go through in Parliament some of the words that have been displayed on the side of these campervans, but it is fair to say that they were overtly sexist and they overtly targeted the most vulnerable and impressionable people in our community. A problem with the slogans is the often cartoon-like imagery that is used, which attracts the attention of young children. When children look and see a favourite cartoon character on the side of a van and start to read the slogan, what they read is really quite disturbing. As a community, we have a responsibility to ensure that our young people are getting good, positive messages about themselves, about their bodies, about what they can do with their bodies, and about what they should not allow other people to do to their bodies or online—whatever. There is a whole plethora of things that our children have to deal with that we never had to deal with. We did not have to deal with having a digital online persona. We did not have to deal with people being able to contact us 24/7 through Instagram, Messages, Snapchat and TikTok. We never had to deal with any of those things as children. The digital platforms that we now have do have great benefits. Some great things have happened because of them and great communities have formed around them, but they have also opened the doorway to introducing negative body images for children. The instantaneous nature of social media has the capacity to allow a certain trend or thought to become the bible or the workbook for these children. It is what they go to and see as normal, and because it happens so quickly, it is quickly normalised.

The problem with the advertising on these vehicles is partly that it continues to normalise behaviours, particularly for children and young girls, that we, as parents, do not want to normalise. We do not want them to think they are useful only for how they look. We want them to think they are useful for what they can do on the stage, on the basketball court, on the football field, or academically in the classroom such as what they can achieve in science. We want them to understand that they can be appreciated for what they do in whatever field they choose to pursue. I certainly feel that these negative images of girls, women and other vulnerable people, but particularly girls and women, from my point of view, define them by certain things like sexual acts, taking drugs or how they can dress themselves to attract attention from the opposite sex. They are not the things that we need to be teaching our young girls or our young boys. They do not need to learn those things. They need to learn that they can use their minds or use their bodies for sport for their talents to be appreciated. We should not reinforce that the only way of appreciating a young person is how they look or what they can do in a sexual way or in a situation in which peer pressure and social pressures force them to undertake activities they would not normally participate in. The problem with the proliferation of this type of messaging not only online, but also on the road is that there is nowhere for them to escape. They are constantly getting this messaging from vehicles on the road, from their online social media platforms and on streaming devices on which they can watch things that are probably not appropriate for their young minds to be watching. I understand that any young person who was reading *Hansard* or watching this, which I know is very unlikely, would probably think I am a bit old, stuck-up and do not understand what it is to be a young person anymore, and that is probably true —

Mr D.A.E. Scaife: No, I don't think that!

Mrs J.M.C. STOJKOVSKI: Ha-ha! However, we were given the grace and opportunity to grow up without that level of pressure and constant bombardment of having to get our lips filled or to have a certain body type or wear bathers that look a certain way. We never had that growing up. This constant reinforcement of negative body images for vulnerable people has a detrimental impact on how they grow up and how they perceive themselves. This bill is really important not only because of the mechanics of it, which I will get into and think are very relevant to how the bill has been drafted, but also because it sends a message to the wider community that this is not acceptable behaviour for a community. We should not be sexualising our children or allowing them to see this type of imagery in their day-to-day lives. People can criticise me and say that is just the way the world is, and that is fine, but I still do not believe we should do this to our children and vulnerable people.

Turning to the mechanics of the bill, this bill has been very well drafted in that it gives a really practical way for us to take these slogans off the road. We have always had the ability to complain about these types of slogans if we felt they did not conform to the advertising standards. What we lacked was the mechanism to get them off the road. This bill is written for complaints that are made and upheld by Ad Standards. The process is fair. A person can be accused of something and be asked to change it. If they are willing to change it, that is fine and they can keep the vehicle on the road minus the slogans. But if the company refuses to change, the Department of Transport can go through the process of deregistering that vehicle so we can get it physically taken off the road, which is really important. It is great to have principles and to stand by them, but having the capacity to physically change something that we think is wrong is a really important part of this bill. I know that it has been a long time coming and that the minister has been working on it for a while. I commend her for bringing it into the house. I think it is an important piece of legislation and I commend it to the house.

MS C.M. COLLINS (Hillarys) [3.36 pm]: I rise to also make a brief contribution to the Road Traffic (Vehicles) Amendment (Offensive Advertising) Bill 2022. This legislation will provide authorities with the power to cancel, refuse to grant or transfer a vehicle licence if Ad Standards has determined that the advertising on the vehicle is offensive, degrading, obscene or insensitive. As we have just heard from the member for Kingsley, this bill will bring Western Australia into line with the other jurisdictions that have already implemented similar legislation to prohibit this kind of offensive advertising on vehicles. I think everyone in the chamber would agree that offensive slogans or symbols have absolutely no place in WA.

I want to talk very briefly about public offensive messages and how they have affected my electorate of Hillarys. A number of constituents have contacted me in the past about offensive graffiti around the place. One particular incident was graffiti at a local school that has been targeted a number of times because of its proximity to a local bus stop. The graffiti that was at this school was not the usual tags or cartoon-like images that we might usually see. Rather, it was very inflammatory and very hateful speech on the walls, and included swastikas. They were left, no doubt, by juvenile vandals seeking only to shock, offend and get a reaction, but it was quite confronting for the students and parents to rock up to school on a Monday morning and see such graffiti on the walls of their classrooms. The people who do these things often do not realise the pain they cause because they do not have either the knowledge or life experience to properly grasp what they have done. They do not necessarily see the impact on the Monday morning when people arrive and see what has happened. They do not understand what some of these offensive messages really mean to the people who have been thoroughly affected by the toxic attitudes that they reference. I have had similar emails from constituents about graffiti left at Hillarys Beach Park Playground. My inbox was filled with messages by really disappointed locals who wanted the ugly mess to be removed as fast as possible. As a member of Parliament, hearing people's experiences of being hurt and saddened by offensive material opened my eyes to the impact that this sort of material can have on people on a daily basis. Seeing these offensive messages tells people that their community is not as kind or as respectful as they previously thought. As we just heard from the member for Kingsley, it is often children who take notice of these messages, whether it is graffiti or an advert on a vehicle. It is an attempt to normalise what is not normal, kind or decent, and we all really need to do better to lift the standard and ensure that symbols of hate, or tags or lines that might belittle sections of our community, are not allowed to proliferate.

Although we might no longer see Wicked Campers so often on our streets because it is a national company and other states have implemented similar legislation, we still often see on vehicles some pretty obscene stickers or messaging, which can be really offensive, particularly to minority groups. I will not read out too many of the Wicked van statements I have seen, but one was, "I often wanted to drown my troubles, but I can't get my wife to go swimming". These are the sort of really tired, lazy, misogynistic lines that most of us see as very much a thing of the past—something that might have been considered normal to say in the 1950s, but in 2022 there is absolutely no place for these supposedly funny jokes. It is the idea that women are sexual objects or, at worst, just a nagging wife that deserves a quick end.

The Our Watch campaign has crunched the numbers: one in three Australian women—31.1 per cent—have experienced physical and/or sexual violence perpetrated by men they know. One in four Australian women have, since the age of 15, experienced physical or sexual violence perpetrated by a current or former intimate partner. When companies put those sorts of dirty jokes on the sides of their vans, they might get a laugh from a few dinosaurs

in the community who think it is funny, but it is normalising it and sending a public reminder to all victims that it is just funny to the rest of society—to say nothing at all of the mothers and fathers who have to try to explain the jokes to their young children. It makes it really, really difficult; in the past we would see these brightly coloured vans, which attracted the attention of kids to point and ask their parents, “What does that mean?” It is senseless, it is stupid, and it is out of touch with the Western Australian community. It would be really nice for businesses to have the decency to try not using these tactics as some sort of marketing grab. It is our business as parliamentarians to take action against poor behaviour, whether it is by this particular company or any individual owner who has put something inflammatory or insulting on a vehicle for all to see.

The 16 Days in WA campaign runs from this Friday, 25 November—International Day for the Elimination of Violence Against Women—through to Saturday, 10 December, Human Rights Day. The tagline for the event is “Ending violence against women—it’s everybody’s business”. Closer to Perth’s northern suburbs, Edith Cowan University’s Joondalup campus will be lit up in orange to spark discussion about making change. I want to thank the Minister for Women’s Interests; Prevention of Family and Domestic Violence, Hon Simone McGurk, for the important work she is doing to build this positive campaign. The campaign has spread into the private sector, with a number of prominent Western Australians from the private sector and competitive sports signing on to stamp out inequality in their fields. However, as we all know, especially in the modern era, not all violence is physical. More and more, in the age of the internet, we are seeing cyberbullying, abuse, online denigration, hate speech and gaslighting; it all adds up.

Often when we think of sexism, it can be tempting to call it a thing of the past and a symbol of 1950s Australia—now that almost 50 per cent of parliamentarians are women—but I really do not think the problem has gone away. Having been a teacher in recent years, working in various schools with various types of students, it certainly was noticeable to me that some students had a desire to put certain stickers on their laptops that might represent a particular group, or to write insults on their desks using whiteout or carving it with their pens. I would often see these comments left in the classroom at the end of the day. It was sometimes quite astonishing that a child could think of something that was so sexist, racist or downright abusive. I do not mean to make it sound like all my students were like that; most were very well behaved and did the right thing, but it would often just be a student who thought it would be funny to leave a comment or crude symbol on their desk.

What we have seen is that advertising works; it really is an influential tool. In fact, some schools in the US, where they do not have to wear a school uniform, have recently banned certain advertising slogans on T-shirts because they target particular minority groups. It is important to note that this bill is not about taking away people’s freedom to express themselves; it is not about stamping out free speech. It is about stopping these really discriminatory behaviours through the use of slogans or hate symbols and preventing their appearance in public places where they might be deemed really offensive by members of the community.

The spread of these offensive stereotypes and marginal ideas can really turn students into their own worst enemy. We are seeing more and more chat forums that might have started out as innocent teenage boys getting together to discuss their distaste for modern women turning into something quite sinister and serious, and turning into physical abuse further down the track. It is not a joke, and it is certainly not a funny joke. It is one that hurts both the victims of gendered violence and the people who spread it.

The 2022 Women’s Report Card reveals that violence against women is not going away. Women continue to face a significantly higher risk than men of sexual, family and domestic violence, with a 21 per cent increase in sexual assaults reported to the Western Australia Police Force—up from 769 in 2018–19 to 935 in 2020–21. We need to call out sexist behaviours, not normalise them, and the Road Traffic (Vehicles) Amendment (Offensive Advertising) Bill 2022 is certainly a step in the right direction. Western Australia can be proud of the efforts this government is making to ban offensive advertising. This is action that is very much needed and that we will see occurring globally—not just on vehicles, but in other spaces to which people in the community are exposed. I commend the bill to the house.

MR D.A.E. SCAIFE (Cockburn) [3.48 pm]: I rise to make a contribution to the second reading debate on the Road Traffic (Vehicles) Amendment (Offensive Advertising) Bill 2022. Hopefully the chamber will not get sick of me today; although, looking around, it appears that members might indeed already be sick of me today—or it might have something to do with afternoon tea!

I really want to echo the comments that have already been made by the parliamentary secretary to the Minister for Transport and the member for Hillarys. I do not want to give life to some of the disgusting slogans that have been used by Wicked Campers, but we need to tackle this issue head-on. Although this bill applies to any derogatory or offensive advertising on vehicles, it comes out of a national conversation that was held several years ago about the advertising on vehicles that were branded and rented out by Wicked Campers. The member for Hillarys gave some examples of statements that were overwhelmingly misogynous in context, but also attacked people from other groups, including members of the LGBTQIA+ community. The public reaction to those slogans was rightly swift and severe, but it exposed a flaw in our approach to regulating advertising standards. We essentially rely on a self-regulating

framework, industry use of advertising standards bodies and public opprobrium being directed towards people who use inappropriate advertising, but Wicked Campers actually used that public opprobrium as a business model. It essentially took up the old catchphrase that any publicity is good publicity. It leant into the fact that it was creating outrage amongst regulators and in the media and social media and used that as a way of essentially promoting its brand and selling its product. That business model really showed how the regulatory regime failed in those circumstances, because Wicked Campers was taking advantage of the regulatory system to use controversy to sell its product.

As I expand on this point, I say that I absolutely agree with the points that have been made that, overwhelmingly, the advertising that Wicked Campers used was misogynous. As previous speakers have said, the slogans were aimed at degrading women, and a lot of the time they were aimed at that version of misogyny that makes women an accessory to men—that women exist just as a wife, girlfriend or sexual partner of men. The slogans treated women as objects. That is an utterly disgraceful line of characterisation to enter into. It is misogynous and it is backwards, but I want to make the point that it also has consequences that go beyond the pure consequences of using that language. That language is not only offensive, but also one of the first steps towards full-blown violence against women, which we know is a scourge in our society and something that we are still coming to grips with.

With bills like this, some people talk about things like free speech. I make the point that never in the history of the world has there been completely free speech. Societies have always accepted that there are limits to some of the speech that people can make, and that is for a variety of reasons. It is because not only some speech is so offensive and hateful that it should be banned, but also, as I say, speech can be the first step towards real violence. It can be demeaning and violent in its own right, but it can also be a step towards physical, emotional or financial violence.

We are now coming to grips with this. It has been slow progress, but we are making progress in saying particularly to young men and boys that this is not an acceptable view of the world. It is not the type of behaviour we want to be role modelling. I want to echo what the member for Kingsley said. The content of the slogans that Wicked Campers used were exactly what the member for Kingsley said. They are not lessons and messages we want delivered to the girls and young women in our society, and they are not messages we want delivered to the boys and young men in our society. We want and I always want to be a better role model for young men. I am troubled probably on a weekly basis by the rise of what I would call angry men in our society. An example is online trolls and some of the violent rhetoric that we see on social media, which is predominantly carried out by young men. Particularly in the United States, but also here, we see young men being radicalised into far-right movements that are premised on hatred of women and minorities. It is deeply disturbing and it has real consequences for violence against women and violence against minorities.

As I said, this legislation has been in the works for a number of years. It has come out of a national conversation that happened I think in 2017 or 2018 between the states and territories to ban this type of advertising. I am pleased that we are passing this legislation now, but I know that some people might think it is not so much an issue anymore, because Wicked Campers changed its ways to some extent a couple of years ago. I want to make the point that it changed its behaviour only to some extent.

I refer to an article from a website called Mumbrella. This article is titled “Wicked Campers’ explicit advertising returns after 3-year hiatus” and was published on 24 May 2022. The article refers to an advertisement on a Wicked Campers van that featured the slogan, “Back in my day blowing a tranny was car trouble”. This is just absolutely disgraceful. It is transphobic content. It is exactly the kind of slogan and advertising of Wicked Campers that first prompted this legislation and this national discussion. I want to refer to that slogan and take two points out of it. The first is that there is still a need for this legislation. It is not the case that the threat of this legislation has deterred Wicked Campers or will necessarily deter other businesses that might want to use outrage as a business model. Clearly, years after this type of advertising has been banned in other jurisdictions—I believe that van showed up in South Australia—this is recent evidence that this legislation is still needed, because Wicked Campers is still engaging in this conduct.

The second thing I want to take from this slogan is the point I was making earlier that Wicked Campers also goes after other groups. Its offensive advertising has most often targeted women, but it has also targeted members of the LGBTQIA+ community. That kind of language is completely beyond the pale and I denounce it in the strongest terms possible.

I want to return briefly to the point I was making that speech can have consequences beyond just causing offence. We know that what might seem like minor behaviours or minor speech against women can have devastating consequences, because it contributes to a culture in which particularly boys and young men think that women are somehow objectified or can be subjected to violence or poor behaviour. The member for Hillarys made the point that we are going to start 16 Days in WA on 25 November. That campaign starts on the International Day for the Elimination of Violence against Women, which is a global campaign to make progress on women’s rights and on eliminating violence against women. The 16 Days in WA campaign is great because it acknowledges all the

different factors that contribute to violence against women. Those factors are many. They include women's workforce participation. If women cannot be financially independent of their spouse, that can contribute to them being trapped in abusive relationships. But during those 16 days, we also draw attention to the consequences for women of appalling, misogynous speech.

I want to acknowledge the Minister for Women's Interests; Prevention of Family and Domestic Violence, who has been a real leader in Western Australia in driving that campaign and ensuring that it is taken up by the wider electorate. In my electorate of Cockburn, organisations like the Yangebup Family Centre make a point every year of taking up the challenge in the 16 Days in WA campaign.

Debate adjourned, pursuant to standing orders.