

28 June 2024

Committee Secretary  
Joint Select Committee on Social Media and Australian Society

Dear Committee Secretary

**Inquiry into the influence and impacts of social media on Australian society**

shEqual, a national initiative delivered by Women's Health Victoria, welcomes the opportunity to make this submission to the Inquiry. shEqual is the only initiative of its kind in Australia, designed to specifically address the pervasive and largely unregulated nature of advertising that perpetuates harmful gender representations and contains violent or sexually explicit content across Australia.

Our submission focusses on the impacts of unregulated advertising content across social media platforms, specifically the harms to women's health, mental health and the chilling effect it has on achieving gender equality in Australia. We make three key recommendations as part of the committee's considerations of the influence and impact of social media on society:

**Recommendation 1:** That the Federal Government conduct a review of the existing regulatory responses to advertising that perpetuates harmful gender representations or contains violent or sexually explicit content.

**Recommendation 2:** That the Federal Government establish a parliamentary inquiry into the community harms caused by advertising that perpetuates harmful gender representations or contains violent or sexually explicit content.

**Recommendation 3:** That the Australian Competition and Consumer Commission develop clear guidelines for social media advertising by influencers that align with the recommendations of the Australian Association of National Advertisers and Australian Influencer Marketing Council codes regarding the appropriate labelling of paid content and advertising disclosures for influencers and would ensure sponsored content is easily identifiable.

We welcome the opportunity to contribute to this inquiry, and future opportunities to provide input as the inquiry progresses.

Sincerely,

A handwritten signature in black ink, appearing to read 'L Zappa'.

Lauren Zappa

**National Manager – shEqual**

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ADVERTISING EQUALITY

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## Submission to the Joint Select Committee on Social Media and Australian Society

June 2024

shEqual is an initiative of Women's Health Victoria



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## About Women's Health Victoria

Women's Health Victoria (WHV) welcomes the opportunity to provide comment to the Joint Select Committee on Social Media and Australian Society. WHV is a state-wide women's health service, dedicated to improving the health and wellbeing of women in Victoria, including through the promotion of gender equality and the prevention of violence against women.

## Introduction

One of the key strategic targets of the primary prevention work of WHV has been Australia's advertising industry, specifically addressing the pervasive and largely unregulated nature of advertising that perpetuates harmful gender representations or contains violent or sexually explicit content across Australia.

In 2020, WHV launched shEqual, the only initiative of its kind in Australia which takes a whole of system approach to promoting gender equality in advertising content and workplaces, and in addressing the gendered drivers of violence against women.

shEqual has driven culture change across the advertising industry by developing an evidence-base on sexism in advertising, raising awareness and understanding of the problem of advertising that perpetuates harmful gender representations or contains violent or sexually explicit content, and building a movement for change through direct engagement and partnerships with advertising agencies and professionals.

This submission is focussed on the harmful impacts of unregulated advertising content on social media, particularly the impacts on gender equality and the health and mental health of social media users. We also include recommendations relating to the necessary regulation of social media influencers when posting paid advertisements.

**(e) Other issues in relation to harmful or illegal content disseminated over social media, including scams, age-restricted content, child sexual abuse, and violent extremist material.**

**Recommendation 1 – That the Federal Government conduct a review of the existing regulatory responses to advertising that perpetuates harmful gender representations or contains violent or sexually explicit content.**

**Recommendation 2 – That the Federal Government establish a parliamentary inquiry into the community harms caused by advertising that perpetuates harmful gender representations or contains violent or sexually explicit content.**

An estimated 28 million Australians are active on social media in 2024,<sup>1</sup> spending an average of nearly six hours online every day.<sup>2</sup> The consistency with which we are absorbing online content across the world has changed the advertising scene dramatically, with companies now making steady investments in social media advertising to reach their intended audiences. Advertisements on Facebook alone are estimated to reach 16.65 million Australian internet users each year.<sup>3</sup> Research conducted by the University of Queensland in 2024 suggests young Australians are seeing advertisements for alcohol across social media roughly every three minutes.<sup>4</sup>

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<sup>1</sup> Healy, J. (April, 2024) *2024 Social Media Statistics for Australia*, Meltwater. <https://www.meltwater.com/en/blog/social-media-statistics-australia>

<sup>2</sup> Australian Competition and Consumer Commission (2023), *Digital Platforms Services Inquiry, Interim report 6: report on social media services*.

<sup>3</sup> Healy, J (April, 2024)

<sup>4</sup> Rutherford, B et al, (2024) *Through the looking glass: An alcohol advertisement every 3 minutes*, Drug and Alcohol Review v.1 n.9;

Legislation regarding advertising practices in Australia is incredibly narrow. This is despite advertising being a powerful, multi-billion-dollar industry designed to influence individual attitudes and beliefs on what we value in society. Of particular concern is there are no Federal laws that explicitly restrict or prohibit advertising that perpetuates harmful gender representations or contains violent or sexually explicit content in Australia.

### Gender equality impacts

Advertising has a significant influence on our social identity and perceptions of social norms and stereotypes, particularly when it comes to gender.<sup>5</sup> Gender stereotyping is entrenched within advertising; women and girls are often presented as housewives or mothers, whilst men are celebrated for their leadership and strength.<sup>6</sup> Through toy and game advertisements, girls learn they are expected to be attractive, cooperative and caring, while boys learn that they are expected to be strong, active and independent. A 2021 analysis of Mattel's Facebook page showed toy advertisements were strongly based on stereotypical perceptions of gender – girls like pink and dolls, boys like blue and trucks.<sup>7</sup>

These harmful stereotypical representations of gender have very real implications for the structural inequality and gender-based discrimination we see in our society. Both boys and girls are learning from advertising that activities and behaviours associated with masculinity have a higher social status. Facebook's algorithm has been shown to only provide job advertisements to users based on strict gender stereotyping, with women more likely to see advertisements for the role of kindergarten teacher rather than mechanic.<sup>8</sup>

Family violence, sexual assault, sexual harassment and other forms of violence against women all stem from gender inequality.<sup>9</sup> The number of Australians estimated to be viewing social media advertisements each day, and the harms caused by rigid depictions of gender roles, warrants a review of the moderation and regulation of advertising content on social media.

### Mental Health and Body Image impacts

There is a growing body of research looking at the mental health and broader health impacts of social media on young people.<sup>10</sup> In short, social media has created a platform for comparison between our lives and those we admire, who use photo-shop and filters to cultivate a specific public image. Compounded by a desire to fit-in, it is vital we recognise the influence social media advertising has in shaping our understanding of 'normal' bodies and behaviours, and the resultant impacts on health, mental health and overall gender inequality in our society.

Social media can be saturated with cosmetic surgery advertising and false information on body image norms. As an example, out of a nationally representative sample of Australian women and people with labia surveyed by WHV, almost one third said they found information on what their labia 'should look like' from social media, and

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<sup>5</sup> Gurrieri, L. et al. (2019), *Community Responses to Gender Portrayals in Advertising: A Research Paper*, Melbourne: Women's Health Victoria.

<sup>6</sup> McKenzie, M et al. (2018). *Advertising (in)equality: the impacts of sexist advertising on women's health and wellbeing*, Issues Paper, Melbourne: Women's Health Victoria

<sup>7</sup> Azmi, Nor Jijidiana et al. Gender Stereotype in Toy Advertisements on Social Networking Sites (2021). Online Journal of Communication and Media Technologies, Available at SSRN: <https://ssrn.com/abstract=3920204>

<sup>8</sup> Duffy C, Dotto C, People are missing out on job opportunities on Facebook because of gender, research suggests, CNN. <https://edition.cnn.com/2023/06/12/tech/facebook-job-ads-gender-discrimination-asequals-intl-cmd/index.html>

<sup>9</sup> McKenzie et al. (2018)

<sup>10</sup> Papageorgiou, A. et al. (2022) "Why don't I look like her?" How adolescent girls view social media and its connection to body image. BMC Women's Health (22/261). <https://doi.org/10.1186/s12905-022-01845-4>.

one in 10 had considered labiaplasty.<sup>11</sup> In the USA, young women who are more engaged in social media tend to have lower body esteem and higher body shame, when compared to young men.<sup>12</sup>

Through social media, young women are learning their worth and value is based on their appearances which can contribute to body dissatisfaction, disordered eating, lower self-esteem and reduced mental health.<sup>13</sup> In addition, the increased sexualisation of women and girls across social media has an impact on how women are perceived and treated. As these representations portray women's competence and intelligence as diminished, advertisements that sexualise or objectify women are reinforcing attitudes based on gender that ultimately support violence against women.

Andrew Tate is a prime example of the dangers of social media advertising and attitudes regarding violence towards women. Tate, a well-known internet personality, has gone viral for his extremist, regressive notions on masculinity and women.<sup>14</sup> Tate himself is banned from most social media platforms due to his offensive material, but advertisements for his online business, The Real World, remain across social media, most notably on YouTube and TikTok.<sup>15</sup> The Real World espouses 'male empowerment' targeting young men aged 12-18 with Tate's own misogynistic, conspiracist ideas about getting rich quick and 'getting' women. There is no obligation for social media platforms to include associated advertisements when banning individuals who breach their service guidelines.

Social media platforms have demonstrated they are incapable of adequately monitoring and moderating harmful advertising. As advertising generates activity and profit, there is little incentive to do so. Government regulation is required to address the significant impacts of such violent and misogynistic content.

### Proposals for change

Social media platforms have limited motivation to monitor advertising, as advertising generates activity and profit. Government regulation is required to address the harmful impacts of advertising on social media. There is precedent for the regulation of harmful advertising content on social media in Australia. The Therapeutic Goods Administration (TGA) stepped in to enforce regulation of the advertisement of therapeutic goods to the public, when the diabetes medication Ozempic went viral on social media for weight loss.<sup>16</sup> The TGA actively investigated the unlawful advertising of the drug, including meeting with platforms to discuss their legislative obligations and reviewing the removal and flagging processes for Ozempic-related content. The TGA also wrote to the broader media about their obligations regarding the mention of therapeutic goods in news stories, illustrating the capacity of the government to enforce laws against unauthorised advertisements across social media.

Australia has the capacity to regulate advertising occurring both within and across its borders. The World Health Organization (WHO) has looked at the advertisement of alcohol on social media, as an example.<sup>17</sup> Alcohol advertisements are generally generated both within a country and from international sources, often taking advantage of the social media landscape that allows for targeted and specific advertisements based on social

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<sup>11</sup> Women's Health Victoria (2024)

<sup>12</sup> Markey et al (2024) *An Examination of Youths' Social Media Use and Body Image*, Journal of Media Psychology. <https://doi.org/10.1027/1864-1105/a000420>

<sup>13</sup> Papageorgiou, A. et al (2022)

<sup>14</sup> Wescott S. et al. (2024) *The problem of anti-feminist 'manfluencer' Andrew Tate in Australian schools: women teachers' experiences of resurgent male supremacy*, Gender and Education, (36/2)

<sup>15</sup> Hume, T. (2024) *Leaving The Real World: How I Escaped Andrew Tate's Get Rich Quick 'Cult.'* VICE News.

<https://www.vice.com/en/article/pkaw7k/andrew-tate-the-real-world-cult>

<sup>16</sup> Therapeutic Goods Administration (May, 2024) *About the Ozempic (semaglutide) shortage 2022 and 2024*; <https://www.tga.gov.au/safety/shortages/information-about-major-medicine-shortages/about-ozempic-semaglutide-shortage-2022-and-2024#social-medias-effect-on-the-shortage-and-tgas-response>

<sup>17</sup> The World Health Organisation (2022). *Reducing the harm from alcohol by regulating cross-border alcohol marketing, advertising and promotion*: <https://www.who.int/publications/i/item/WHO-MSD-UCN-ADA-22-01>

media user interests and behaviours. The WHO suggests the control of alcohol advertisements requires state, national and international best-practice approaches, including incorporating the control of alcohol advertisements into national public health strategies and ensuring this is backed by mechanisms that ensure compliance, monitoring and enforcement.

**(f) Any related matters:**

**Paid advertising - influencer considerations**

**Recommendation 3 – That the Australian Competition and Consumer Commission (ACCC) develop clear guidelines for social media advertising by influencers that align with the recommendations of the AANA and AIMC codes regarding the appropriate labelling of paid content and advertising disclosures for influencers and would ensure sponsored content is easily identifiable.**

WHV is aware of the current Digital Platform Services Inquiry by the ACCC, due to be completed in 2025. We refer specifically to the findings of the sixth interim report, relating to social media services and the ACCC's concern over a high potential for misleading and deceptive conduct through influencer advertising, due to a lack of clear disclosure when content is sponsored.<sup>18</sup> We have used these reflections to inform our recommendation.

For the purposes of this submission, we are defining an influencer as a person with a social media audience who uses their fame for promotional purposes.<sup>19</sup> In 2021, the global social media influencer marketing industry was estimated to be worth AUD\$19 billion.<sup>20</sup> That same year, it was estimated 90% of millennial young people were following an influencer on social media.<sup>21</sup> The power of an influencer comes from their authenticity and relatability; as followers, we attribute great social value and meaning when our role models endorse certain products, behaviours and attitudes.<sup>22</sup>

Our concern with social media influencer culture is there is currently little personal impetus or legislative obligation in Australia for influencers to disclose when they are engaged in a paid advertisement with a company. Without regulation in the influencer advertising space, we are seeing sponsored or paid content organically intermeshed with personal content, reducing commercial promotion to a seemingly personal recommendation by a role-model.<sup>23</sup> Confusion over sponsored content can have serious implications beyond unnecessary expenditure on products, to genuine health concerns.

Three key legislative and policy items relate to advertising obligations on social media in Australia. The first is the *Competition and Consumer Act 2010* (Cth), which states a person must not engage in conduct that is misleading or deceptive or is likely to mislead or deceive.<sup>24</sup> The second is a voluntary code of ethics developed by the Australian Association of National Advertisers (AANA), which provides some guidelines creating marketed content (using #ad or #sponsored) but has no powers to enforce adherence by social media influencers. The third comes from the Australian Influencer Marketing Council (AIMC), whose voluntary code recommends that influencers disclose paid

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<sup>18</sup> Australian Competition and Consumer Commission (2023)

<sup>19</sup> McMahon, M (2023); *Illusory Influencers and the Inadequacy of the Current Regulation of Social Media Advertising in Australia*. Australian Journal of Competition and Consumer Law, (31/1)

<sup>20</sup> McMahon, M (2023)

<sup>21</sup> Hassan, S.H *et al.* The credibility of social media beauty gurus in young millennials' cosmetic product choice. Research Support, v.16, n.3 (2021)

<sup>22</sup> Cheng Y *et al.* (2021) *Social Media Influencer Effects on CSR Communication: The role of influencer leadership in opinion and taste*. International Journal of Business Communication, (6/2).

<sup>23</sup> McMahon, M, (2023)

<sup>24</sup> *Competition and Consumer Action, s18(1) 2010* (Cth)



and gifted engagements, and that this disclosure should not be intermeshed with a series of hashtags to ensure the disclosure is clear.<sup>25</sup>

Australia is falling behind in addressing concerns over misleading influencer advertising - key regulatory bodies in both the UK and the USA have released explicit guidelines for influencers, clarifying their obligations to disclose advertisements.<sup>26</sup> There is a need for law reform to protect vulnerable consumers who might be otherwise misled or deceived by advertising on social media platforms.<sup>27</sup>

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<sup>25</sup> McMahon, M (2023)

<sup>26</sup> Advertising Standards Authority, (2020) *An Influencer's Guide to Making Clear that Ads Are Ads*.  
<https://www.asa.org.uk/uploads/assets/uploaded/3af39c72-76e1-4a59-b2b47e81a034cd1d.pdf>

<sup>27</sup> McMahon, M (2023)