

CI 1323 A Satraps

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Q1:

Improving key elements of the existing framework.

Q2:

Providing content advice to adult consumers and primary caregivers of minor consumers.

Q3:

Yes. The Internet contains far more content than can be classified in a reasonable timeframe. As such content on the Internet should be generally rated MA15+ or R18+ with exceptions given for lower ratings. The Internet itself should be treated as a resource exclusively for adults, or for minors under supervision.

Q4:

Yes. See Q3: some content should be rated lower than MA15+ or R18+ where the source is controllable and has a commitment to provide content suitable for a certain classification - for example the Disney properties.

Q5:

Content designed for children should be classified appropriately, to allow for environments where the "suitable for children" classification is the exception rather than the norm.

Q6:

Content should only be classified where there is reasonable expectation that the cost in time and money of classifying the content is justified based on the number of Australian minors who might have access to that content. The cost in time should be held in mind for media such as prerecorded music or audiobooks - failure to release on time in Australia will lead to black/grey market imports or copyright violation.

Q7:

For exhibition, no. It is up to the individual to decide what qualities the art has. Certain criteria must be published to distinguish art from pornography or exploitation of minors, and art exhibitors should be expected to provide advice about the type of content in their exhibitions, but the requirement for a classification on each work of art is absurd.

Q8:

Yes. While some labels will voluntarily note that their work contains "explicit material", the decision to label the content as "explicit material" is subjective. In order to prevent works being held up for months (and to assist simultaneous release in Australia) it should be sufficient to release guidelines on classification so that industry can self-classify in preparation for a formal classification where required.

Q9:

Yes. There is no sense spending time and money classifying a work for which the audience will only be a dozen adults. It also makes no sense to classify self-published or proxy-published media (e.g.: YouTube) since the potential supply is far greater than the capacity to classify.

Q10:

No. But by the same token, classification should only control the sale or purchase of media, not possession.

Q11:

The main criteria for classification should only be whether there would be any doubt as to the content of the material. For example a movie about pirates would need to be classified as MA15+ if it contained nudity. Parents might also want to be warned about the content of an animated feature about a baby deer, if one of the main plot elements is the murder of the deer's mother, and the murder of another deer by the protagonist.

Q12:

There is no effective method to control access to online content, short of depriving a consumer of their Internet connection (i.e.: no telephone, no ADSL, no mobile phone, no media tablet, etc).

Other than that, a voluntary (i.e.: opt-in) system such as NetNanny or ISP level filtering is sufficient for people who wish to abide by classifications of Internet-based media. Even then, filtering software can only restrict access to known resources. A filter or NetNanny cannot protect against accidental exposure or malicious misdirection such as "Rick Rolling" or "Goatse man" attacks.

Just as with alcohol and cigarettes, the only effective means to control access by minors is to advise that there is content on the internet that the caregiver does not wish the minor to access, and persuade the minor to abide by the classification system put in place.

When it comes to access by minors, the most effective means of policing the classification or household rules is only providing computers in the family areas of the house, where caregivers can supervise discreetly.

Q13:

See Q12: the only way to police inappropriate content is for caregivers to actively participate in the use of the Internet by minors. Unless the adult is in control of the device, there is no telling what material the minor will be uncovering.

Q14:

Provide GPS tracking of all children and all explicit magazines and have the police intervene any time the two get too close together.

Otherwise, the current system is the best option: don't sell the explicit content next to material intended for children, package the magazines and police the sale of magazines to ensure that age checks are actually done when customers attempt to purchase explicit material. It may also be worth examining the physical separation of magazines such that explicit material is sold in an "adults-only" section of a mixed content store.

Q15:

When the content is made available to the public through public channels, and there is reasonable expectation that classification could be performed in a timely manner.

Q16:

Only providing guidance to consumers or caregivers of minors in the role of consumers, and regulating the sale of content to minors. That is: a classification should be available for all material, regardless of whether that classification is self-assessed or provided by a Government assessor. The level of a classification (G to XXX) should only restrict where particular content can be accessed in Australia, not whether that content can be accessed - apart from content which requires a crime be committed to prepare, publish or distribute.

The Internet should be treated with a blanket classification of MA15+ or R18+ with exceptions made to reclassify certain resources at a lower rating.

The Government and Industry bodies should provide advice in the form of self-assessed classification or government-assessed classification, guidelines on how a particular resource has been given a particular classification (e.g.: "Bambi" would be rated "PG" because it deals with murder and portrayal of humans as evil).

Q17:

A co-regulatory model with a complaint and a process whereby the Government can issue an official classification for contentious content would work better - classifications could be performed in a more timely manner, but the ability to abuse the classification system to sell e.g.: explicit material to minors will require an effective complaints process and attention to active policing.

It should also be evident to the consumer whether the classification has been provided by "industry" or Government. For example, official classification would use the existing symbols and colours, while industry classification would be accompanied by a warning symbol (eg: exclamation mark in a triangle, black on gold background) with the statement "This classification is the publisher's opinion. No Government classification has been applied."

Q18:

Anything which can be easily classified based on the Government-approved guidelines.

Q19:

There would be no need for subsidisation if classification was Industry assigned. Mainstream media could apply for Government classification to provide greater surety to their audiences while independent producers would have to rely on their customers to trust the producer's or publisher's voluntary classification. The only issue would be the licencing costs for access to the copyrighted artwork for classification symbols. If the copyright was freely available but licence revoked when misused, there should be no cost of compliance other than time to incorporate the classification notice in the packaging and presentation of the material.

Q20:

Confusion is apparent between G and PG - I see many parents leaving their children unattended while watching PG material. This appears to be due to many publishers intentionally pushing their material to PG in order to appeal to older children.

There is also confusion due to the lack of R18+ for computer games, which means that game which would otherwise be rated R18+ end up rated as M15+, or otherwise not available for sale in Australia.

Q21:

The obvious addition required is R18+ for computer games. There is no need to remove or merge any categories. A unified system of G, PG, M, MA15+, R18+, X across all media, with clear guidelines about the application of those classifications will make the advice to the consumer clear across all categories.

Full frontal nudity, use of weapons to commit (simulated) violence and murder against third parties, or simulated sex acts would attract an R18+ rating regardless of whether the material was a book, a movie, or a computer game. By the same reasoning, a story about animals running from a fire or hunters would attract PG rating regardless of what media it was presented in.

Q22:

Have the same basic symbols across all media, along with extra notifications for "Industry classified" (as opposed to Government classified), "Interactive" (for example with computer games) and "third party interaction" for media where the audience might be expected to interact with each other - thus a "G" rating would be meaningless since the audience can still produce unacceptable content (such as foul or abusive language, "Rick Rolling" or "Goaste man" misdirection attacks, proselytising Communism/Capitalism/Republican Party Ethics etc).

Thus an MMO such as World of Warcraft might attract an "M" rating due to partial nudity (the player can strip clothes off their character leaving only underwear, the characters have suggestive dances reminiscent of Michael Jackson or Alizee) with the "third party interaction" moniker to warn consumers that they will be interacting with other people's nasty children.

As an example of how to present these composite classification markings, examine the "Game Ratings & Descriptor Guide" published by the ESRB: http://www.esrb.org/ratings/ratings_guide.jsp - with special attention to the content descriptors which will further aid the consumer in making a decision about the suitability of the product.

Q23:

Yes. The classification guidelines should be consistent across all media. Using appropriate content descriptors such as 'MA15+', with descriptors such as 'interactive', 'blood and gore', 'violence' will be sufficient to warn people that this zombie apocalypse game they are about to buy contains lots of zombie slashing, with an assurance that the game does not contain sexual content of any kind. On the other hand the "R18+" rating with a suite of content descriptors might warn people that "Mass Effect 2" is probably not a suitable game for their 12yo to be playing (as if the media coverage of the lesbian sex scene wasn't enough).

Q24:

For attempts at prohibiting content online, please see "The Streisand Effect" http://en.wikipedia.org/wiki/Streisand_effect.

The Government can impose a "refused classification" rating, but that will merely prevent the legal sale of that material in Australia. Working with industry and individuals, this guidance can be applied

through voluntary opt-in filtering, for those individuals who feel that filtering software will actually achieve anything beyond security theatre.

The exposure that minors are likely to receive to unsavoury content on the Internet is likely to come from misdirection attacks such as Rick Rolling or "Goatse man" sites which will have fallen out of use by the time any filtering software is updated to include those sites.

Content that is illegal (e.g.: child porn) to be produced, distributed or sold in Australia is already illegal, and doesn't need further action to make it "more illegal".

Attempting to "prohibit" content is a futile effort along the lines of emptying the ocean with a teaspoon. The effort is better expended on developing better guidelines on classification and encouraging industry to self-classify, while also educating citizens as to the meaning of classifications and content descriptors.

Q25:

In all media except computer games, yes it does. If it is refused classification, it is illegal to sell it in Australia. That is as much as can be expected.

Q26:

Consistency is very important - a parent should not be caught by surprise by the content in PG movies just because they moved from Canberra to Bungendore.

Consistency should be promoted by State acceptance of Commonwealth standards. States should either use the Commonwealth standards or develop their own standards which risk no confusion. i.e.: entirely different symbols and colours which cannot be confused with those established by Commonwealth standards.

Q27:

The Commonwealth should host a Classification notification service through which Industry can provide details of the media they publish, with their voluntary classification and a statement of the reasoning for that classification. The states and Commonwealth should provide a Government classification service for voluntary classification-at-cost to earn published media a greater sense of trust in the public eye. The States and Commonwealth should have the power to reclassify content that has attracted significant complaints, even to the point of classifying that content as "Refused Classification".

It should be relatively simple for a citizen to work from the packaging of material they have found to retrieve the classification statements on the Commonwealth or State classification site. For example, a common website where the citizen can search for an item by title, barcode, or even QR code.

Q28:

The States could work with the Commonwealth to establish common standards, with the States having responsibility for compliance and enforcement. The Commonwealth could also provide common infrastructure such as a classification notification service, allowing central archiving of classification decisions (whether those decisions come from industry or Government).

Q29:

Provide as much guidance as possible as to the nature of content the individual is considering accessing. Labelling on packaging, centralised access to classification decisions, enhancing classifications with content descriptors, will each provide better classification messages.

Other comments:

The only classifications that I have seen honoured are G & PG, by parents selecting works for their children.

It is relatively commonplace for teenagers to obtain fake ID or otherwise gain access to content labelled MA15+ or R18+, by schemes such as fake IDs or letting their friends through at cinema box offices (I did it when I was a teenager, and I know teens who do it today). Online content is harder to police since a child who has been refused access to a computer game by their parents has the option of downloading that game (e.g.: by purchasing the game from Steam, downloading the game through a file sharing service, or contacting a pirate software site).

To imagine the Government's role in classification as anything other than providing advice to people contemplating a legitimate purchase is foolhardy in the extreme. Imagining that it is possible to police the Internet in anything other than a token manner is to ignore the lessons that China has been learning: citizens will resort to VPNs, obfuscation, back-channels, encryption, or sneaker-net to get the content that they are after. It makes no sense to believe that labelling content as "R18+" is going to stop people obtaining a book, movie or computer game when they have the intention of getting that content. A sane Government will realise that - in the field of classification - the role of Government is to advise people looking for advice: "this content doesn't contain material that the Government considers unsuitable for children under 10", "this content contains mature humour and fantasy violence, the Government considers it acceptable for older teenagers", etc.

The only sensible option is to provide education and guidance, with punishment for violating classification guidelines on Australian soil (i.e.: selling restricted material to minors or publishing content with intentionally misleading classifications and content descriptors). The Government can provide the laws and the policing, not the morality.