

CI 48 N McAloon

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Hello,

My name is Nathan McAloon of [redacted] SA, please find below my answers to the 29 questions concerning the Australian content classification system.

**Question 1. In this Inquiry, should the ALRC focus on developing a new framework for classification, or improving key elements of the existing framework?**

Yes the ALRC needs to reevaluate the current system and fix the glitches that allow certain movies, magazine and music to be classified lower than is appropriate for some audience.

**Question 2. What should be the primary objectives of a national classification scheme?**

The primary objective should be the protection of the community and especially those who are young and vulnerable. Also

it should reflect community standards, give consumers and parents accurate information about the nature of the classified material, protect children from unsuitable material, and prevent the distribution of material that violates community standards or is harmful.

**Question 3. Should the technology or platform used to access content affect whether content should be classified, and, if so, why?**

Regardless of platform all media content that is available in Australia, even online content, should have to comply with Australian regulations or be unavailable. If this is not enforced then content that is deemed inappropriate such as x-rated material or r-rated games could just be obtained through overseas avenues.

**Question 4. Should some content only be required to be classified if the content has been the subject of a complaint?**

All content should have to comply with Australian standard, regardless of whether a complaint has been made. Once a complaint is made it is too late and the content has already caused some damage, all content should have to be reviewed before release to the public.

**Question 5. Should the potential impact of content affect whether it should be classified? Should content designed for children be classified across all media?**

As I have mentioned in the above question, all content should and must be reviewed, classified and then distributed or banned accordingly. Regardless of the perceived impact, all content has some impact, especially in this day and age where the world has become smaller thanks to the internet.

**Question 6. Should the size or market position of particular content producers and distributors, or the potential mass market reach of the material, affect whether content should be classified?**

All content that is viewable in Australia or wishes to be distributed in Australia should be reviewed, classified and an appropriate course of action taken.

**Question 7. Should some artworks be required to be classified before exhibition for the purpose of restricting access or providing consumer advice?**

As with any form of content it should be reviewed and classified accordingly. However in the case of

artwork depicting children in a manner that is exploitative or offensive, including any sexualised depictions of children, it should be REFUSED CLASSIFICATION regardless of any alleged 'artistic merit'.

**Question 8. Should music and other sound recordings (such as audio books) be classified or regulated in the same way as other content?**

Audio books, music and sound recordings are all forms of content and as such should be reviewed, classified and then an appropriate course of action taken. One example would be in the case of music with lyrics which demean women by treating them as sexual objects. In Australia they have been permitted for sale which shows that the current self-regulation system for music is inadequate and is in need of serious review and change.

**Question 9. Should the potential size and composition of the audience affect whether content should be classified?**

Regardless of size or composition of audience, all content should be reviewed, classified and then the appropriate actions taken. The Australian governing bodies have a duty to protect the population of Australia from things that are deemed inappropriate and classify all content so that a responsible decision can be made about viewing and usage by the Australian population.

**Question 10. Should the fact that content is accessed in public or at home affect whether it should be classified?**

No, all content should be classified and then it is up to the individuals to make the decision about whether they view or use this content. For the purpose of use within the home, TV and online content could have an age verification system similar to that which is used on some online sites and/or require application to access these high classification content form for the governing body.

**Question 11. In addition to the factors considered above, what other factors should influence whether content should be classified?**

All content that is available in Australia should be classified regardless.

**Question 12. What are the most effective methods of controlling access to online content, access to which would be restricted under the National Classification Scheme?**

The most effective method would be mandatory filtering of internet content at the ISP level to exclude all material that would be classified RC, X18+ or R18+. Opt-in access to R18+ could be provided if there is age verification, as suggested in my answer to Q10.

**Question 13. How can children's access to potentially inappropriate content be better controlled online**

The best way to controlled this is for all content to be classified and for mandatory filtering at the ISP level to be enforced.

**Question 14. How can access to restricted offline content, such as sexually explicit magazines, be better controlled?**

The best option is to have all R18+ content in an enclosed and restricted area so that minor and those who are offended by this can avoid exposure. Cabinets similar to the block out cabinets currently used for tobacco products could be used, this way only those who are old enough and desire to purchase these products will be exposed.

**Question 15. When should content be required to display classification markings, warnings or consumer advice?**

Any content above a G rating should have to display classification markings and warnings, and all content that could be of offence to particular audiences or demographics should have to list these potential offences.

**Question 16. What should be the respective roles of government agencies, industry bodies and users in the regulation of content?**

Government and industry bodies should be working together for the best options and classifications for Australian audiences, which prioritise the protection of vulnerable groups. Users should continue to be able to give feedback on the process and any concerns they may have about specific products or classifications.

**Question 17. Would co-regulatory models under which industry itself is responsible for classifying content, and government works with industry on a suitable code, be more effective and practical than current arrangements?**

Perhaps. However without further clarity on these models it is hard to say how effective they may or may not be.

**Question 18. What content, if any, should industry classify because the likely classification is obvious and straightforward?**

As mentioned in my answer to Q15, all content above G-rating should be classified, Though having said that common sense is not so common and therefore if there is any doubt that it is obvious, it should be classified.

**Question 19. In what circumstances should the Government subsidise the classification of content? For example, should the classification of small independent films be subsidised?**

As long as the content is classified for the protection and wellbeing of the population, that is what is most important. If subsidies help independent and small groups classify their content then they be allowed, anything that promotes the betterment and increased education of our society should be encouraged.

**Question 20. Are the existing classification categories understood in the community? Which classification categories, if any, cause confusion?**

The classification system itself (G, PG, M, MA, R18 and X-ratings) is not confusing, however what is confusing is how some films/content can be classified in such a low rating. For example, 'Black Swan' was rated M15+ but had strong and dark adult themes, pornographic and lesbian sex scenes and violence, none of which is appropriate for persons as young as 15 to view or be exposed to.

**Question 21. Is there a need for new classification categories and, if so, what are they? Should any existing classification categories be removed or merged?**

The current classifications (G, PG, M, MA, R18) are fine, however the X18+ category for films which should be abolished. Films containing explicit depictions of sexual acts should be REFUSED CLASSIFICATION. Such films exploit and demean women and have been implicated in the sexual abuse and premature sexualisation of children. Apart from the banning of X18+ content, all that needs to happen is that the current classifications and the process to gain a classification be reviewed. The most important objective is to protect the Australian population from viewing content they would be opposed to and to allow the population to make a well informed decision about what content they are about to view.

**Question 22. How can classification markings, criteria and guidelines be made more**

**consistent across different types of content in order to recognise greater convergence between media formats?**

All content should be classified with the marking and judged by the same standards. For example, if depiction of sexual acts should warrant an R18 classification across the board.

**Question 23. Should the classification criteria in the *Classification (Publications, Films and Computer Games) Act 1995 (Cth)*, National Classification Code, Guidelines for the Classification of Publications and Guidelines for the Classification of Films and Computer Games be consolidated?**

If it aids in the consistency of classification then yes.

**Question 24. Access to what content, if any, should be entirely prohibited online?**

Access to all material that would be classified R18+, X18+ or RC should be prohibited to the general user. Opt-in access to R18+ could be provided, subject to strict age verification procedures.

**Question 25. Does the current scope of the Refused Classification (RC) category reflect the content that should be prohibited online?**

Based on the National Classifications Code (May 2005) the RC category appears to reflect content that should be prohibited online, it should however include all R18+ and X18+ content, except to use who opt-in via strict age verification procedures.

**Question 26. Is consistency of state and territory classification laws important, and, if so, how should it be promoted?**

Yes, there should be a nationwide standard that all states and territories should have to adhere to. It should be promoted as increasing consistency across all of Australia, for the welfare of all Australians.

**Question 27. If the current Commonwealth, state and territory cooperative scheme for classification should be replaced, what legislative scheme should be introduced?**

I am unsure. All that matters is that any legislative scheme promotes nationwide adherence and consistency for classification.

**Question 28. Should the states refer powers to the Commonwealth to enable the introduction of legislation establishing a new framework for the classification of media content in Australia?**

If it aids Australia in having consistent standards then yes.

**Question 29. In what other ways might the framework for the classification of media content in Australia be improved?**

I am unsure.