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Q1:

Both will have to be done - Currently the existing framework is incomplete, with glaring holes within its current structure (providing for loopholes) as well as items completely unaddressed.

Q2:

The national classification scheme should be designed on a 'Here is your warning' basis - Namely, any sort of legal compensation should be denied by agreeing to procure and consume the material.

Essentially - If you have reasonably obtained the material, and then proceed to consume it, you have been warned of the contents. If properly followed, the only claims of damages should be (reasonably) any sort of negligence and/or fraud in the creation of the classification.

Responsibility for the Classification must lie with the producing party (to ensure all claims are correct) but the ultimate decision must be made by the consumer (or the legal guardian) and all consequences of choosing and consuming the material, except where fraud and/or deception can be proven.

Q3:

All work should be subject to classification, because a non unified system simply just means that publishers will just move to sections less regulated. However due to the amount of material being produced, by simple logistics, it will have to on at a very minimum a partnership basis with the industries in question.

Q4:

Unless there is a huge degree of partnership (in essence a self regulating system with government oversight) there is no way to avoid this in some areas. There is too much to regulate otherwise.

Q5:

No - It is simply an 'All in, or all out' approach - The moment you start popping holes into the framework, we'll just see producers exploit the holes, by claiming it is one thing and trying to sneak material that should be classified higher through that.

Q6:

No, because of the potentiality of shell games via misrepresenting a producing company, or misrepresenting the market in question.

Once again, it must be a unified approach (Although it will seem that there will be a requirement for a more oversight role, as opposed to direct processing as the Classifications board stands now.)

Q7:

Currently, the system in place at the moment (having the producer assert what it thinks) works well enough, with the opportunity for any concerned to lodge requests for investigation for a bad claim.

Q8:

Yes, subject to similar to anything else, all material should be examined and classified (once again, with the board on an oversight role)

Q9:

No, in any case - it could prove that an item could prove to have a much bigger audience than expected. Any consideration about the potential size and/or composition of target audience has issues with assumptions on projection, its INTENDED market base, as well as number counting. It could prove wrong on all counts, and the potential for exploit remains.

Q10:

No, because the classifications scheme should work primarily (if not ONLY) as an advisory tool. This is used regardless of where the material is accessed.

Adult items (say a DVD) would be strictly accessed at home, and yet it would be unreasonable to not be warned of its contents, as an example.

Q11:

In the end, the only question that should be asked is on how it can be done, and what level of producer participation there is in fulfilling this requirement.

Q12:

The most effective method for controlling access to online content ultimately lies in the consumer itself. This is through education, both on the producer's part (ensuring items are targeted and marketed accordingly) and on consumers (to understand what's out there.)

Virtually every other method (Technological tools) are unable to prevent and/or control any access of material. It is, for example, very difficult to control a bittorrent or a social media release, for someone persistent enough to want it.

Q13:

Education - Every other method (Short of locking Children in a box and never letting them see the light of day until their 18th birthday) is circumventable. This is on the part of both parties.

We can't use an ID like system (due to security concerns, forgery and/or just acquiring an ID of someone legally permitted to view the items in question.) and unless we just lock EVERYONE up in a box (which is absurd considering the Classification Board's goals, and on general principles) access to older content is impossible to prevent on any large enough scale.

Q14:

The only thing that can be done is to confirm the purchaser is of legal age, and they understand the consequences of doing so. As long as procedures are correctly followed, liability should lie with the consumer unless fraud/deception and or law breaking is conducted by another party.

Q15:

All the time - on the packaging for goods that have a physical form, and at the beginning of the material at a point which it cannot be skipped - it is a bit silly to classify and provide advice if there's no way to read it.

Q16:

Government agencies should (with proper community consultation) outline the various tiers and rules concerning classification, as well as provide oversight, and if needs be, full enforcement as necessary after complaints and the like.

Industry bodies should be providing support to government agencies, possibly with a co-regulation role, assisting with enforcement and with the code.

Users would be consulted and be able to provide feedback.

Q17:

Yes it would - simple logistics would ensure that the turnaround would be far more reasonable, in both complains and in initial processing.

Training would have to be provided from government but as long as reports are checked over, most of the assessing should be handled by the industry in question. However, they will need to take responsibility (including penalties) for all statements made.

Q18:

Industry should be classifying materials with guidelines and law set down by government. However, statements and claims made should be held against them if found fraudulent or otherwise deficient.

Q19:

No, focus should be on making the processing costs smaller (namely, making government involvement with the direct processing) with more burden of proof on the producer's end (through law enforcement and the like)

Q20:

They are understood, but there are some issues of confusion, namely within the non standard rulesets (Mostly between film/TV and Computer gaming.)

Most of the community issues revolve around belief in the system working as it stands, not how it works. - Namely why the MA 15+ rating for games seems to be somewhat accomodating parts of what would have been classified as R 18+ in film, as an example.

Q21:

R18+ should at a very mininum be in place for computer gaming - just to bring it in line and provide consistency over all classifications. An item classified as MA15+ in one product catergy should be congruent (as much as it is possible) with a product rated MA 15+ in any other catergy.

Q22:

Q23:

Yes - the classifications structure should be consistant across all catergories regardless of exactly what they are.

This permits it to be used in the advent of new technology and/or developments which may not have been invented yet.

Q24:

The only content that should be prohibited should be content that by other parts of Australian Law are rendered illegal.

Even that may be considered too hard to enforce, due to the global nature of the internet.

Q25:

No it does not - it has been grossly misused by a lot of parties, and the refused classification category should be dropped - the only items that SHOULD be refused classification are ones which are in fact fully prosecutable by the rule of Australian Law.

It is completely strange to be able to have a category which refuses release in Australia, but yet doesn't (technically) actually become a crime to possess and/or import.

Q26:

Yes it is, particularly due to the amount of confusion present at this point in time - The inconsistency of enforcement also poses a problem.

Q27:

For most part, the question really becomes 'Who should be enforcing classification related law?' At the moment, due to various circumstances, classification related issues have been dragged behind, leaving it in the precarious state it is in now - at risk of being increasingly ignored, because of a refusal to actively consult and reflect community values.

Q28:

If it would lead to a greater consistency towards unifying and standardising the scheme. The level of inaction concerning any reform is what is causing the issue at hand.

Q29:

Other comments: