CI 1935 J Jago

First name: James
Last name: Jago

Q1:
The current framework seems to work effectively, though I would raise the prospect of creating a single complaint-handling organisation rather than the split system of the ACMA and the CRB which currently exists.
Q2:
To ensure the appropriate classification of media as to allow informed decisions to be made by the public about what content they consume.
Q3:
Yes; given the sheer size of the internet, it is impractical for all content to be classified, and user discretion should be advised as to not stumble onto something they find inappropriate. In the end, the Government cannot be responsible for controlling what media is consumed, nor its content; and it is undesirable for this to be the case.
Q4:
Again, given the size of the internet; over one trillion unique IRLs according to your issues paper, it is impractical to classify all this material accurately. It would therefore be appropriate, in this case, to only proceed with the classification process after a complaint has been made. Not only would this be a far more efficient use of resources, it also safeguards the Classification Board from a multitude of potential complaints due to incorrect classification from both media consumers and producers.
Q5:
There is I believe some merit in the notion of classifying childrens websites for example, however this would need to be a voluntary system, where the website, or musical performance is only classified at the request of its creators.
Q6:
Yes, there would be great potential for the sale of, for example, foreign films which have not officially been released in Australia, and thus don't have an Australian classification, without breaking the law.
Q7:
I would question any government intervention into artwork and its classification; being that artwork is a form of media which is highly open to interpretation by the viewer, it may be difficult to gauge what an appropriate classification would be. I would suggest it should be up to the venue to suggest discretion if any potentially controversial or 'inappropriate' content is being exhibited.
Q8:
An interesting concept, perhaps a self-regulation model may be appropriate for music, as is the case in the US. The binary system of the 'Parental Advisory' stickers used by the Recording Industry Association of America is already familiar to Australian consumers due to the high level of US musical imports, and could easily be adopted by the Australian Recording Industry Association.
Q9:
To some extent maybe yes; though this question is far too broad to be adequately answered.

Q10:
Depends if it being played at home or in public is part of that size and composition question, doesn't it. At what point is something 'public'. What about internet cafés? How could all that content be classified?
Again, I place emphasis on the need for personal responsibility and discretion.
Q11:
-
Q12:
I would argue, none, especially given the extraordinary breadth of content considered RC in Australia. Content which is truly deplorable; ie child pornography would be pushed to other methods, such as peer-to-peer.
As I've already indicated I would consider it to be impossible to 'classify the internet', therefore the other classifications, G to X18+ couldnt be used.
Q13:
Parental education would be the most effective method; encouraging communication between parents and their children.
From there, there are a multitude of programs and settings available to parents of children to control the content they consume. Windows 7 comes with options for parental controls, and their are countless software solutions available to parents.
Q14:
It is also a requirement for digital set-top boxes and TVs to come with parental controls, allowing programme lockout based on classification.
Q15:
If it's been classified.
Q16:
I would shy away from increased roles for government agencies; simply for the reason that they are government agencies, and I do not believe Governments should have much to do with censorship. Because of the small size of the Australian game development industry, a system similar to that in the US, with the ESRB, is not practical. However as I've already stated a binary system could be introduced by the ARIA, and the film industry could also, potentially, make recommendations as to classification. I believe there is need to leave final responsibility with users/consumers; and, again, a need for personal responsibility and discretion.
Q17:
Potentially, it seems to work well in the US. I would say that oversight of the industry body and the government body would be required to maintain an open and honest system.
Q18:
Pornography is an obvious choice, as this would be all rated X-18+.
Q19:
Ideally, classification should be free for all, and if not, should not be a legal requirement to the sale of content.
Content which is the same as that which has already been distributed, ie a film being released on DVD, needn't be charged twice.

Q20:
I believe the current system is well understood for the mainstream categories; the G, PG, M, MA15+ and R18+ are all well known and easy to understand, especially given the redesign they were given a few years ago. I believe there is a great deal of confusion about what content is considered RC, not X18+ under Australian legislation. Barring of course
Q21:
An R18+ category is required for gaming content.
See Q25 regarding X18+ and RC.
Q22:
I believe the current marks are very consistent across media types, and are well recognised. Criteria and guidelines for films, television and video games should be the same to ensure there is no confusion amongst consumers.
Q23:
One would assume that would be appropriate. I'm not intimately familiar with legislation however, and I doubt many people are!
Q24:
A qualified 'none'.
Obviously material containing the exploitation of peoples, especially children should not be viewed. However, I would think resources would be better spent improving law-enforcement in this area; shutting down such websites and catching the perpetrators.
I would argue that effectively prohibiting access to any content, online, would be impractical.
Q25:
No, for example in the area of child-pornography there is a huge grey area whereby it includes those who 'look' under 18. This is a very ambiguous phrase to have in legislation, and should be replaced with a system similar to the US where proof of age certificates are required. I also think it unusual that there are acts which can be performed legally in Australia, such as the use of hot-wax during sex, yet to take a picture of the same would be illegal. For more, I have attached an article by Nick Ross, from the ABCs 'The Drum' website which I believe accurately points out many flaws in the current RC category; including its lack of transparency.
Q26:
It is interesting that the sale of X18+ is technically prohibited in all states; thus basically ruling out the sale of all pornography. Not only is this overly conservative, especially in this day-and-age, it is a complete waste of police resources when this law is enforced. Enforcement does not occur often, and is not a police priority, nor should it be.
Q27:
Mirror Legislation.
Q28:
While it may sound like a good idea in theory, especially given the extreme time-lag in the potential introduction of an R18+ game rating, the fact that such legislation cannot be implemented at the mere whim of the federal government results in a greater amount of oversight and transparency. It is for this reason I would favour mirror legislation as stated above.
Q29:

Greater involvement of private individuals, rather than lobby groups would be desirable.

Other comments:

Questions posed in language which is more easily comprehended (not legalese) would probably result in more, and better, responses.

File 1:

rc_content_the_drum.pdf