CI 1138 A Douch

First Name: Allan
Last Name: Douch

The Secretary
Australian Law Reform Commission

Dear Sir/ Madam,

I am providing my answers to the list of 29 questions that the Commission has provided in connection with the National Classification Scheme Review (IP 40).

Yours faithfully

Allan Douch

Question 6. Should the size or market position of particular content producers and distributors, or the potential mass market reach

Approach to the Inquiry

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

Why classify and regulate content?

Question 2. What should be the primary objectives of a national classification scheme?
Answer: • Provision of accurate information about the nature of classified material to potential viewers of it.
• Protection of young people and children from unsuitable material.
• Prevention of availability of material that is harmful to the community and that breaches general community   standards.

What content should be classified and regulated?

Question 3. Should the technology or platform used to access content affect whether content should be classified, and, if so,   why?
Answer: • Electronic games should have more restrictive classifications because players of these are more impressed with   these due to their physical involvement rather than just being a visual involvement.
Question 4. Should some content only be required to be classified if the content has been the subject of a complaint?
Answer: • No.

Question 5. Should the potential impact of content affect whether it should be classified? Should content designed for children be classified across all media?
Answer: • Yes and yes.

of the material, affect whether content should be classified?

Answer: • No.

Question 7. Should some artworks be required to be classified before exhibition for the purpose of restricting access or providing consumer advice?
Answer: • Yes. Artworks that sexualise children, show them so they look as though they are exploited or in poses or situations   that are offensive should be unable to be exhibited.

Question 8. Should music and other sound recordings (such as audio books) be classified or regulated in the same way as other content?
Answer: • Yes. Lyrics that demean people or encourage anarchy should be controlled.

Question 9. Should the potential size and composition of the audience affect whether content should be classified?
Answer: • No. That which is unsuitable for a crowd is also unsuitable for a few.
Question 10. Should the fact that content is accessed in public or at home affect whether it should be classified?
Answer: • No. Child pornographic material is unsuitable at home and in public so classifications should apply equally to all   venues.
Question 11. In addition to the factors considered above, what other factors should influence whether content should be classified?
Answer: • I can't think of any.

How should access to content be controlled?

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?
Answer: • Filtering by internet service providers of offensive material.

Question 13. How can children's access to potentially inappropriate content be better controlled online?
Answer: • It is sad to think that some parents don't **c**are what their children access on the internet, but I can only suggest that   the Government provide education to children's carers about ways to allow children access to only sites with which   they are happy.

Question 14. How can access to restricted offline content, such as sexually explicit magazines, be better controlled?
Answer: • This content should be in an area that is closed to children

Question 15. When should content be required to display classification markings, warnings or consumer advice?
Answer: • When it is unsuitable for children.

Who should classify and regulate content?

Question 16. What should be the respective roles of government agencies, industry bodies and users in the regulation of content?
Answer: • Government should be the only body to set penalties for breaking its classification laws. Government should listen to   the opinions of industry bodies and the public.

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?
Answer: • No. I have no confidence that bodies that have a financial interest in their material would be capable of unbiased   judgement of what classification should be placed on

their publications. Just as self regulation doesn't seem to be working in the music area I doubt whether it would work in the magazine area.

Question 18. What content, if any, should industry classify because the likely classification is obvious and straightforward?
Answer: • No opinion.

Classification fees

Question 19. In what circumstances should the Government subsidise the classification of content? For example, should the classification of small independent films be subsidised?
Answer: • I have no knowledge of the financial side of classifications.

Classification categories and criteria

Question 20. Are the existing classification categories understood in the community? Which classification categories, if any, cause confusion?
Answer: • I personally don't know what all the abbreviations mean. I think that abbreviations should be explained wherever they are used.

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?
Answer: • Except for X18+ the existing classifications seem satisfactory. I think X18+ for films should be discontinued. Films containing explicit depictions of sexual acts exploit and demean women and have been implicated in the sexual abuse and premature sexualisation of children.

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?
Answer: • No opinion.

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?
Answer: • If they are consolidated I think they should be all included in an Act.

Refused Classification (RC) category

Question 24. Access to what content, if any, should be entirely prohibited online?
Answer: • Users should not be able to access material that is classified as RC, X18+ and R18+ except that if someone can provide proof of age they could gain access to R18+ content.

Question 25. Does the current scope of the Refused Classification (RC) category reflect the content that should be prohibited online?
Answer: No. X18+ material should also be prohibited online.

Reform of the cooperative scheme

Question 26. Is consistency of state and territory classification laws important, and, if so, how should it be promoted?
Answer: • Yes. The Commonwealth Govt has the means to organise talks between the parties.

Question 27. If the current Commonwealth, state and territory cooperative scheme for classification

should be replaced, what legislative scheme should be introduced?
Answer: • No opinion.

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?
Answer: • Yes.

Other issues

Question 29. In what other ways might the framework for the classification of media content in Australia be improved?
Answer: • No opinion.