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SUBMISSION ON THE AUSTRALIAN FILM AND LITERATURE CLASSIFICATION SCHEME
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Scheme: A review of Australia's national media classification scheme by Australian Law Reform Commission (ALRC) is a positive initiative. An effective Classification Scheme is now needed more than ever before.

The existing scheme does not protect those whom it is intended to protect

It is geared to the interests of the media industry, not to parents and citizens

So-called "community standards" are largely driven by the media, rather than vice versa. The result has been desensitisation, indicative of a decadent society. Such "standards" have plummeted to the lowest depths of degradation, and, in many cases, actually promote criminal activity.

All forms of media need to be addressed, although they can not be brought under the same guidelines. The most notable exception is that of computer games, which, being interactive in nature, require a higher classification, and should definitely be not classified as R18+

The complaints system is totally ineffective. Attempts to make an effective complaint have proved to be an exercise in futility. It is not a solution to be told, "if you don't like it, turn it off". We, the people, have a right to acceptable standards, and should not be thus excluded.

So-called "self regulation" obviously does not work. No industry will take measures contrary to its own financial interest. The only effective measure is the application of penalties for those who breach standards to protect the community from gross obscenity, depravity and gratuitous violence. If this trend is not halted it will continue to undermine law and order, public safety and ultimately democracy itself.

Reference Questions

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

The ALRC should develop a new framework for classification. The existing framework has proved so ineffective as to be beyond repair.

A bureaucratic board, whose unelected members hold office indefinitely and soon become desensitised, is unacceptable. What is needed is a board directly accountable to the people, the membership of which should be frequently changed.

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

No. 1 Protect children and minors detrimental material.

No. 2 All material should have a classification code with comprehensive information.

No. 3 Everyone should be protected from material that is offensive and contravenes basic standards of decency and family values.

No. 4 Desires of individual adults should be subordinated to the welfare of children and that of the general community. Material which promotes crime and undermines respect for the law should be excluded.

Productions involving adult themes do not need to include highly explicit, graphic and obscene material. In the past scenes depicting rape, for instance, showed a woman being dragged into the darkness, followed by screams, and then cut. In portraying murder, the viewer would see a knife raised, hear screams and cut. The next scene would portray police investigations. Adults are well aware what is happening, and, if children are watching no great harm is done.

It is unbelievable that today paedophilia, child pornography and explicit portrayal of criminal acts are permitted to pollute our culture. No one has a "right" to such material.

Some reasonable provision may be made for strictly adult audiences, on condition that they are in no way accessible to children.

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

No.

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

No.

Citizens have a right to complain about any material which they deem to be offensive, and not be restricted to a code produced by the media industry.

All material should be checked, and, if warranted, refused classification.

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?

No.

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

Yes. There is an important difference between freedom of speech and freedom of expression/art. It is a basic human right to express an opinion,

controversial or otherwise. A work of art, like a work of literature and music, is primarily judged on excellence, and its use as a vehicle to express an opinion is of secondary consideration. Obscenity and grossly offensive insult are totally unacceptable. This is degrading to our culture as it violates human dignity, which is the right of every human person. Such material should be refused classification. A claim to so-called "artistic merit" should never be applied.

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

Definitely Yes. Music and accompanying lyrics are major causes for concern.

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

No

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

No.

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

Content should always be classified.

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?

Mandatory internet filtering appears to be the most effect method available. Although not fully effective, it would go some way to lessening dangerous cultural pollution.

Concerns about restricting freedom of speech may be valid, but the dangers to which we are exposed concerning loss of this freedom are to be found, not in restricting such unacceptable material, but in denying a voice to those who cannot in conscience accept certain "politically correct agendas", for instance homosexual "marriage". Tolerance is a two-way street, and both sides of every debate are entitled to a hearing. We have drifted so far from a principle of mutual respect. Such abominations as so-called "hate crime legislation" are totally unacceptable.

The government should not be directly involved in deciding which sites are to be filtered out.

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

The onus should not be placed on parents, who can not cope with a deluge of such content to which society is subjected.

Some material should be totally blocked. Other material, suitable for adults only, needs to be monitored by providers and web-owners working in cooperation, to require parent controlled password access, verified by proof of age.

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

All material having an R18+ plus classification should be in a restricted area, separate from other material. Children should never be exposed to adult-content images, whether in a store, or on billboards.

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

Always, and in every circumstance

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

Government agencies should ensure that the system is effective.

Businesses should be required to abide by standards, with application of substantial fines if these standards are breached.

Media users need freedom and facility to make complaints when confronted with any form of material which they deem offensive .

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?

The media should have no role in classifying content.

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

No content.

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

Yes. The Government should allocate greater subsidy to G rated films, in the interest of family values, which are the basis of a law-abiding community.

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

No. Confusion exists particularly in regard to M and MA15+ rating. Fifteen year olds are hardly mature. Research shows that the brains of teenagers are still developing.

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?

There should never be an R rating for computer games. Moreover much other material with R rating classification, in the interest of public safety, needs to be refused classification. Further pornography is addictive.

Law-enforcement agencies have backed this concern.

M and MA15+ could be merged as AO (adult only). This classification was used in the past, and is very clear.

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?

Colour coding and different symbols could be used.

Advice should be more comprehensive.

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?

Definitely not.

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

R18+, X18+ and RC categories should be prohibited online. There is no place in a civilised society for acceptance of crime, paedophilia, bestiality or torture. In particular sexual torture is an abomination, which should never be permitted.

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

Whether or not this is so, adherence to these standards is open to question.

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

Yes. There should be consistency across Australia. Furthermore, the Australian territories should not be permitted to import Refused Classification material.

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

One which enables the people of each state to have input.

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?

A principal of subsidiarity should apply. State and local authorities are in the best position to influence legislation, but the commonwealth is required to provide uniformity.

Decision making authorities should be responsible directly to the people. Government sponsored bureaucracies are unacceptable.

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

Complaints regarding advertising could be integrated with the general complaints process, making the Advertising Standards Board superfluous.