

CI 1288 M van der kolff

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Q1:

Broadly speaking, I am of the view that the present guidelines for material are satisfactory.

Q2:

To allow as great a latitude as possible for political speech of any nature, in so far as such speech is not an incitement to violence, or otherwise instructive, and provide a reasonable barrier so that people may know before purchase, and minors may be restricted from purchasing material that appeals primarily to the prurient interest, or that would otherwise be deleterious to their development, but nevertheless not impose great costs on businesses engaged in the production & distribution of literature, etc.

Q3:

In practice, attempting to filter the internet imposes large costs relative to its benefits. Given the relative ease of circumvention in any event, doing so would seem to be a fool's errand.

Q4:

The economics of classification currently render non-professional production of a film uneconomic, if I understand things correctly. Most printed material & most DVDs are completely unobjectionable, but nevertheless a person might well easily overstep the bounds.

Perhaps a better solution would be classification fees on the basis of the budget used to produce the work, in some cases subsidised, with repayment of the subsidy to commence upon earnings exceeding some particular dollar amount.

Q5:

In general, content aimed at children ought to be subject to a higher standard. Nevertheless, it ought to be borne in mind that parents are reasonable gatekeepers of content, and that error ought to be on the lenient side.

Q6:

Certainly, yes. If a work is only to be shown in a small cinema for one night, for example, it would seem that an exemption might be in order.

Q7:

Artwork should, broadly, be evaluated on the basis of its appeal to the prurient interest, rather than on the basis of the object depicted, since artwork should, by design, challenge the viewer's perceptions. In particular, the view that a depiction of a religious figure being defaced or otherwise maltreated ought not to be a work that is necessarily refused classification.

Q8:

Only to the extent that the works represent direct incitements to violence.

Q9:

Yes

Q10:

Generally speaking, it should not affect whether it is classified. The market for pornographic films shown in cinemas is probably not particularly large, though...

Q11:

Q12:

It must be borne in mind that determined persons, such as are involved in child pornography rings, would not be deterred by the filtering schemes proposed. Cryptography and peer-to-peer sharing work to defeat most such measures, unless one were to maintain a whitelist, which is incompatible with allowing the free expression of views critical of government.

Forcing ISPs to ban certain sites would be one approach. That said, the relative costs of these schemes ought to be evaluated. A scheme that foists burdensome costs onto ISPs in the name of protecting the children will generally fail to do so, and the desire to be seen to be doing something, albeit ineffectual, ought to be avoided. Currently, the NSW DET, and probably other similar organisations throughout Australia, run proxy servers to regulate content that their employees and students may access through their connection. Such an opt-in scheme might be a better idea, or perhaps such schemes could be pushed further down the network, with an upgraded network router that would maintain such a list from the ISP in conjunction, perhaps, with a service provider they contract. In any event, an account holder ought to be able to override what such a proxy does; the aim in running such a proxy is to allow parents to maintain visibility of what their children do, and such filters inevitable cannot trap everything. Rather, it is an intervention tool to be used in conjunction with monitoring.

Q13:

See previous answer.

Q14:

Existing measures are adequate.

Q15:

The existing scheme is appropriate

Q16:

Existing arrangements seem to be appropriate

Q17:

Under some circumstances, this may be appropriate. If costs may be lowered by private endeavour, whilst nevertheless ensuring appropriate outcomes, there is no issue.

Q18:

Newspapers, typically, are relatively straightforward and should not be subject to classification.

Q19:

Q20:

No comment.

Q21:

No comment.

Q22:

No comment

Q23:

No comment

Q24:

The prohibition of content online, and the actual enforcement of such prohibitions, are two separate issues. The enforcement of such prohibitions seem roughly as useful as an edict to hold back the tide.

Q25:

No comment

Q26:

No comment

Q27:

No comment

Q28:

No comment

Q29:

No comment

Other comments: