

CI 1478 J Smallwood

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Q1:

I believe the scheme requires a new framework, with the key change being the addition of the much sought after R18+ rating for video games.

Q2:

I believe the primary objects of the nation scheme should be to modernise the attitude towards video games to suit their already established ground as a key form of media. To do this, a greater recognition of the various forms of this media must be acknowledged in order for a wider range of media to be introduced.

Q3:

Yes, but only in rare instances. For example; all content that can be easily accessed due to a lack of control over the purchasing / acquisition environment should be classified very carefully. For content for closed-access venues, such as simulator facilities, which cannot be used in homes or other common venues.

A practical example would be such:

Software purchased in stores or from Australian online distributors - must be classified according to the decisions of the Australian Classification Board.

Custom software operated in a venue that simulates military or civilian activities should not need a classification. However, if complaints are received about the content involved, it should be possible for the venue to be forced to disallow minors or people with certain conditions from entering, along with a suitable warning sign.

Q4:

(Copied from last answer:)

Yes; custom software operated in a venue that simulates military or civilian activities should not need a classification. However, if complaints are received about the content involved, it should be possible for the venue to be forced to disallow minors or people with certain conditions from entering, along with a suitable warning sign.

Q5:

The potential impact should not be a major factor in the decisions of the classification board.

However, lower-end classifications (G, PG, M) should take into account the questioning of morality and other issues that can cause concern in younger children.

Q6:

Yes, but only to a minor extent as suggested in the answers given to question 3 and 4.

Q7:

Artwork should not always require classification, but if complaints are received, it should be legal for the artwork to be reviewed, classified and have the exhibitor be required to post warnings or restrict access to content.

Q8:

Music and other sound recordings should not require classification, but this is simply due to cultural reasons - primarily in the way that Australian citizens are commonly exposed to cusses from others around us.

Q9:

Yes - literature is full of many genres and styles. Literature deemed very intelligent due to its use of the English language should not be restricted just because of some of the words used - audible poems for example should not be required to be classified. An example would be simple Shakespearean literature; some of his content is quite violent by today's standards - in Othello, a husband beats and eventually suffocates his own wife, yet it is a sophisticated example of literature. Thus, it should not be restricted from viewing for educational purposes, whether said education comes through a facility or via exploration through media.

Q10:

Yes, see Question 3 and 4.

Q11:

None

Q12:

Contacting and asking the owners of digital distributors such as Valve, EA, Apple, Microsoft, etc. Filters and web censorship is a popular idea, but it is not a very effective one as such devices can be easily bypassed with easily acquired software or with the simple replacing of text.

One potentially innovative idea would be to ask media developers to make sure the classification for media is very well understood, with the rating becoming apart of the 'splash screens' that appear at the beginning of a movie or video game.

Otherwise, the only thing that can be done is rely on the growing (despite what news media may lead people to believe) maturity of the Australian population to make decisions for themselves.

Q13:

See above.

One idea would be for child account to require a mobile phone number to be associated with it. This only requires a single bit of parental work, but it would allow services to optionally send updates to parents should their child begin playing a game that may not be recommended for them.

If such a service was integrated into an operating system of a computer or games console, the service could alert the parent to any MA15+ or R18+ rated content being played on the system, as to prevent the child from using an alternative account.

Q14:

Awareness campaigns on television and the internet are the easiest ways, although this issue has been present for decades and may not be solved for decades more, until technology becomes more integrated into physical society.

Q15:

Yes.

Q16:

Police should have the right to prevent media, that has been classified with a restricted rating, being sold to minors.

Q17:

Yes, but government offices would have to have more power than the industry, lest companies rate games lower than they should be in order to increase sales.

Q18:

Music and printed media should they be given classification.

Q19:

If the films requires classification, they are independent and they are locally made, they should be subsidised to promote growth in the Australian film and media industry.

Q20:

MA15+ is often given the least notice, but only due to purposeful disregard given by individuals purchasing with the intention of allowing minors to play.

Q21:

Video games are a major form of media, with it being recognised as an art in the United States. To keep up with modern times, video games, regardless of the opinions of people, should be given the same rating system as film, simply due to the near-identical form of content delivery, through moving visuals and sound. The only difference between the two is that one form puts a person in control of the actions within the content, while the other forces the consumer to see exactly what they want the consumer to see.

Q22:

For one, introduce the R18+ rating for games for the reasons in Q21.

Video games and movies should be equal except that there should be at least one addition criteria related to the point of view given of violent or disturbing scenes - first person mixed with point blank violence would be worse than a third person view of the same violence. An alternative definition would be the distance of the camera to the disturbing act, in relation to how much of the screen the act fills up at its peak.

Audio book and music could be similarly if not equally classified, but generally audio only has a lesser impact due to the remoteness of the scene and the less content provided.

Q23:

So long as the new R18+ classification is introduced for computer games, the criteria regarding G, PG, M, MA15+ and for film, R18+, is currently quite suitable.

Q24:

Illegal pornography and acts of purposeful humiliation should be prohibited.

What should NOT be prohibited is any unlawful activity such as violence, abuse, etc, so long as it does not humiliate the victim - this promotes social transparency which leads to better law upholding. Illegal and unconstitutional acts that once went unnoticed can now be brought into the light via social media, identifying perpetrators and dissuading future criminal acts due to the potential for their actions and identity to be recorded and broadcast. As law enforcement agencies say, if you have nothing to hide, you have nothing to worry about - in this case, in regards to the spread of social media.

Q25:

The internet holds many things, from educational games to explicit, illegal content. The vast majority of the content online is not illegal by Australian law, but it is possible to obtain said content regardless.

While there is content that is legal, but still worthy of an RC classification, this content cannot be reliably contained. As much of this content does not reside within Australia, it is also not a legal requirement for the uploaders to adhere to Australian law.

An analogy to internet access is not like a company in the US sending mail to Australia, but rather it is more like an Australian travelling to the US to view the content. It may not quite sound that way, but legally it is. Speaking on a phone with a person in the US and listening into legal, yet explicit content is identical, but in this place the law does not prohibit the explicit content to be said.

If illegal activity is conducted over a phone, the person can be listened into, tracked and arrested. This procedure is just as appropriate for the internet - do not limit access, but simply take note of who does, via cooperation from ISPs.

(This is irrelevant to the classifications board, but simply an explanation of why classifications should not have to exist for online content.)

Q26:

Federal law should be equal to state law - we may not all agree on the same thing all the time, but it is better to have important decisions go through the proper, sometimes lengthy procedures that federal laws require in order for them to be passed.

Q27:

If it needs to be replaced, it should be replaced with a scheme that takes into account all of the questions above.

Q28:

The greater Commonwealth should not have to be included in the establishment of legislation in Australia - the majority of the nation wishes to remain part of the Commonwealth, but we are an independent nation with our own population that does not share the same views as those 11,000km away.

Q29:

N/A - so long as computer games are granted the right to be acknowledged as a proper media form with its own R18+ rating, the majority of those involved in these submissions will be happy.

Other comments:

Godspeed ALRC.