

CI 1502 S Chandrasegaran

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Q1:

Improving key elements of the existing framework.

Q2:

The protection of children to prevent them from being exposed to inappropriate material (particularly high levels of sex and violence). Another objective should be to warn consumers about objectionable material and to prevent the distribution of harmful and/or objectionable material.

Q3:

No

Q4:

No,- all content should be required to be classified.

Q5:

All content should be classified. Content designed for children should be classified across all media.

Q6:

All content should be classified, especially content likely to reach a broad market.

Q7:

Yes. Any artwork portraying children in a sexualised manner should be refused classification.

Q8:

Yes

Q9:

No,- all content should be classified as the potential size and composition of the audience could be quite broad (especially with modern internet technology).

Q10:

No, because children are present both in public places and in many homes. Content should be classified regardless of where it is accessed.

Q11:

Q12:

Placing restrictions on ISP's to ensure that websites with non-G rated content be required to have an age-recognition mechanism in place to prevent access by children (failing which the ISP's should not allow access to these sites from within Australia). With websites containing X-rated material (above the current R rating), the ISP's should not allow access to these sites completely. Exercising this control at the ISP level will be very effective and minimise the cost and burden of regulation, as only a few organisations (being the ISP's) will need to be monitored. Blocking these sites would ensure access would be restricted in Australia even if the sites are hosted offshore in a foreign jurisdiction. Filtering should also be undertaken for mobile telephone networks to block access to such content.

Q13:

Through control of content via the ISP level. It is too difficult to limit children's access otherwise, since they could gain access clandestinely (when parents are not watching) or through a friend's internet access.

Q14:

By removing such material from easy reach or sight of minors in service stations, convenience stores and newsagents. This material should only be available from dedicated R-rated bookshops where minors should not be allowed to enter.

Q15:

When it is capable of being viewed by any member of the public.

Q16:

Government agencies should classify material and ensure that classification rules are followed. Industry bodies should present material to government for classification. Users should be given the ability to object to government agencies to seek review of any classification decision which appears to set the classification level too low.

Q17:

No. Industry has shown that it cannot be trusted with self-regulation. There is an incentive for industry to adopt lower standards purely to try to earn extra income from additional sales to minors. Co-regulatory models would only lead to a greater increase in objectionable material being accessed by minors, and there would be less oversight and enforcement of breaches (since the industry would not punish its own members). The public would also lose confidence in the industry oversight body when clearly blatant breaches are forgiven by the industry body (such as is the current case with low television standards under the ACMA). The current music industry self-regulation system is clearly inadequate due to the high levels of obscene music which is allowed to be publicly sold to minors.

Q18:

Sadly, the answer is none. Industry has shown that it is very prone to sexualising children at almost every opportunity e.g. Bratz dolls, pole-dancing sets, etc.

Q19:

None. If subsidies are appropriate, they should be paid directly to the producer through the normal grants system. However, a refund of fees could be offered to anyone submitting content which the classifications board ultimately classifies with a "G" rating (on the basis that such content would not really have needed classification).

Q20:

Generally yes. The MA classification seems to cause some confusion, as minors at cinemas seem to be allowed to view MA films without a parent or guardian present.

Q21:

Generally not. The current classification categories just need to be applied better to protect minors. One exception would be the X18+ rating. That should be removed and such material should be placed under the RC category.

Q22:

Convergence is unnecessary - people are familiar with the current classifications, and they should be retained. The content of the material should be the determining factor in classification, not the media format. However, an R18+ category should not be introduced for computer games. Computer games

are different from other media formats. In other media formats, the user simply views the material passively and has no control over the material. However, with computer games, users are able to interact directly with the material. There is already concern about how violent MA15+ computer games are influencing children and young adults in committing acts of violence and sexual assault.

Introducing R18+ computer games is likely to make this problem worse, and result in worse acts of violence, rape and sexual assault (particularly against women) since it will encourage some users to act out their virtual experiences in real life.

Q23:

Q24:

Anything above M-rated content.

Q25:

Generally yes, but X and R rated content should also be prohibited online due to the risk to minors.

Q26:

Consistency is very important. It should be promoted by ensuring that all states and territories (particularly the NT and the ACT) observe these laws consistently. The classifications legislation at the federal level should specifically overrule any contrary territory legislation so as to ensure classifications laws are applied properly in all territories.

Q27:

A system of Federal regulation which would apply equally to all states and territories (similar to other national schemes such as the personal properties securities scheme and consumer legislation). As a first step, the territories should be brought into line with the States by federal legislation to prohibit the sale and exhibition of X18+ material.

Q28:

Yes

Q29:

There needs to be greater enforcement of the current laws. They need to be enforced at least as strongly as the responsible drinking and tobacco sale laws by police in all states and territories. Exposure of young children to pornography causes probably more harmful consequences than exposure to alcohol, drugs or tobacco. They suffer early loss of innocence, and are press-ganged into a harmful promiscuous lifestyle (which often leads to self-harm, depression and an inability to find and maintain happy married relationships). Early exposure to pornography can often pave the way to prostitution, underage sex and drug and alcohol abuse. In extreme cases (such as with Martin Bryant) it can lead to indiscriminate murder, as the child fails to see his/her body and the bodies of others as being worthy of respect. All of these negative consequences pose serious problems which will have to be met at the cost of the community. Preventative action (by having a properly applied and enforced classifications system) would save a great deal of this cost. Paragraph 37 of the Issues Paper raises a number of concerns about poor enforcement of the existing law. Better enforcement is essential, as well as stricter classification of material.

Other comments: