

CI 1558 A Bolte

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Q1:

My suggestion would be for a new framework due to the considerable number of changes that are required, however I don't feel strongly either way - as long as we get the desired changes in place.

Q2:

The primary objective needs to be simply to provide consumers with a consistent, basic understanding of the content a particular title will provide. It must cater for all physical media and its content, and certain exhibitions.

Q3:

Is this question attempting to ask "Should we classify everything one might potentially download on the Internet"? Obviously that would be impossible. Take (for example) Warsaw or OpenArena - computer games that are free software and can receive updates to add new content at any time (perhaps daily even) without regard for Australia's classification system. There are many thousands of games just like these, and it would be a waste of tax dollars attempting to classify each release.

Further, you have videos being constantly uploaded to various movie websites such as YouTube, new mobile phone games getting released every day obtained digitally from various overseas websites. It would be foolish to try to classify everything, to try to "protect the children", etc - in this day and age such a thing can only be achieved through parental education, and this is where the government should focus its spending on to combat those particular problems.

This certainly does not mean that a classification system is useless - only that it needs to have a clearly defined scope. It can certainly meet the primary objective I have defined in Q2. Managing physical media is doable, and consumers that appreciate the government providing classification for their purchasing can easily ensure that they purchase physical media. The government could even go so far to say as "If a title is sold in Australia via physical media, all Internet digital download sales must include the same classification notice to Australian customers" or some such. This would provide convenient purchasing options for the near future when digitally-downloaded content is the norm rather than the exception, and yet still be of service to the Australian public.

A foreseeable issue with this approach would be a company like Sony releasing a new game console whereby games are only available via digital download. There should be an exception to this rule where physical devices purchased in Australia can only download games from a single online store (likely the manufacturer of said device) - in this case all digital downloads to Australia are manageable and must be classified.

Exhibitions would also need their own exception - cinema (for example) should definitely be classified. This is discussed more in later questions.

As to whether or not ratings need to apply to all physical media sold in Australia, I agree that they should. Game console cartridges, DVDs, Blu-Ray discs, PSP discs, etc. all should be classified without regard to how content is physically distributed, and should be done in a consistent manner across platforms and media types.

Q4:

No - the classification should be strictly limited in scope as previously mentioned.

I'm not sure what this question is getting at exactly. Is it a case of people complaining that they want a title R/C (effectively banned) or some such? I feel it would be an abuse of the system to allow this and a terrible disservice to all Australians.

However, if this is more a case of "My son wants to download a game from xyz.com but it doesn't have a rating because it's just a computer game downloaded online from some overseas server", then it would be a great service to the Australian public to be able to provide helpful information.

My suggestion would be to provide a voting system, whereby Australians can request a particular download be classified. When time permits, the classification board can start analysing the titles based on popularity and publish a page with their findings on the government website for those interested. In this way, many/most consumers/parents will be catered for - but it won't abuse the classification system (classifications of online content are not guaranteed - and possibly don't even have an "official" rating but are given more of a guide).

Q5:

Whether or not content is classified should not be related in any way to what it may contain or who it is aimed at. It simply needs to adhere to the scope defined above, which I believe will address most (if not all) major concerns.

Q6:

It should stick to a clearly defined scope, such as that which I have outlined above. If a title is not classified because doing so is out of scope, and enough people vote to request it classified or to be provided with guidelines, the government should do, prioritised by titles with the most requests.

Q7:

Yes. How this is currently handled for Australian cinemas seems sufficient, and I don't see any reason to change or extend our current laws in this area. I think it's basically useful when there are expected to be a series of exhibitions, and cinema is the best example of this.

However I would not expect the same standards for a one-time-only exhibition (such as an in-store hands-on game preview event, or a once-off live performance). Keeping things practical is key.

Q8:

Yes.

Q9:

No. Again, if it's sold on physical media in Australia, it should be classified regardless. If it's an exhibition, it should also be classified regardless - unless the audience is already restricted by law via

some other means (eg. a movie at a strip club whereby a photo ID check is already performed at the entrance for 18+ age compliance) - in which case it would be redundant.

Q10:

No, I can't see any reason why this would matter off-hand.

Q11:

Again, can't think of anything off-hand. With all physical media in Australia basically covered, a lot of digital downloads covered and a good voting system for dealing with the potential classification of the remaining unclassified digital downloads (all outlined above), I think Australia will be in pretty good shape.

Q12:

I assume you mean restrictions due to age? Parental education.

All game consoles to my knowledge (for example) provide functionality to limit media downloads that do not fall within a given classification rating. The government should make parents aware of these features, and indicate which consoles (if any) do not provide said functionality.

Mobile phones can similarly be restricted to being able to call only specific numbers. Parents should be provided with information regarding which phones and/or service providers provide this option, and be given instructions.

For online activities, parents simply need to provide supervision and education to their children. As a systems administrator I can think of all kinds of technical solutions that might help, but I can also think of an easy work-around for every one of them (regardless of government involvement). As such, I do not feel a technical solution (as far as web-pages go at least) is practical or even desirable - it could potentially give parents a false sense of security.

Q13:

See my answer for Q12.

The fact that this question is even asked (for a second time, basically) shows a concerning lack of understanding about how the Internet works. Again, don't aim to filter the Internet - it is impossible (although I'm sure various companies would love to tell you otherwise with a wonderful solution). Instead, aim to better educate parents.

Q14:

I wasn't aware there was any problems with the existing laws. Last I noticed, all sexually explicit magazines were in foil wrap at 7-Eleven and newsagents, and are not for sale to minors.

Q15:

Classification markings should be displayed on all items that needed classification to be sold in Australia, as per the scope of the classification system outlined previously. Such markings should also be included on any related advertising materials - at least where it is practical and common to do so (eg. magazines, billboard posters, television, radio and promotion websites).

Q16:

Government agencies with regards to classification of content should keep in mind that the objective is to provide Australian consumers useful information regarding media purchases. They should have a computer program that is available to the industry (complete with source code for public inspection) which calculates the rating any media will be given.

For example, for a movie the government might enter:

sex scene (topless woman seen for 3.4 seconds), total 28 seconds

nudity (non-sexual, penis) total 2.7 seconds

gun (dark scene, 2 gunshots, 1 victim, excessive blood), total 15 seconds (non-consecutive)

etc.

Everyone the industry, the general public, etc. should be able to take this program, enter every detail of the movie (or game or music, as the case might be) and get the same result - a score. And a score between specific numbers will give you a specific rating. Based on this information, the industry can better tailor their media to their target audience, and Australians (nay, the \*world\*) can be confident that Australian ratings are fair. If there is a bug in the program, anyone with programming skills can identify and report it due to the source code being available.

If Australia developed and used such software, I believe this would make us world leaders in having a fair classification scheme?

Q17:

Normally I would say no, but with a program such as that I mentioned in Q16 it might be possible. The industry could provide "patches" to said program - suggestions on giving various properties which determine ratings different weights. It should ultimately be up to the government to decide what is acceptable, but it should aim to utilise public opinion wherever feasible and be made as transparent as possible.

Q18:

I imagine music would be relatively easy - although having said that, I have brought an Incubus CD before in Australia rated "G" with lots of swearing on it, and I would trust the industry somewhat less than the government.

At least, with the computer program mentioned above, it should be possible for the industry to calculate at minimum what score they should receive, and then the government can simply double-check the results (the inputs to the program are exactly correct and nothing was missed) and proceed to assign it the given rating.

Q19:

It's hard to answer that without having some idea of how much classification generally costs.

In the case of a small independent game developer, if the classification costs thousands of dollars and it is uncertain that the game will sell, the government should subsidise the costs until a certain dollar figure in profit is made. I imagine it would be a similar situation with independent films. We certainly shouldn't provide any unnecessary disincentives to independent studios.

Q20:

There is much confusion as to why we have an R18+ classification for movies and not for games. Perhaps because of this, many games that would normally be R18+ are now MA15+. It is even more confusing when you read online reviews where the game is more violent or whatever the case may be, simply because they modified the game for the Australian release to get a MA15+ rating. Or people who import a game expecting it to be MA15+ (the local rating) when they actually unknowingly get a R/C version instead.

Not only is this terribly confusing, it has become one of Australia's biggest embarrassments as of late.

To fix this problem, we need to make sure that we're not R/Cing anything our western counterparts are not, and we need to make sure our rating systems are consistent regardless of the media type - music, movies or games.

Q21:

We already have R18+, but it needs to be applied to games and (if not already) music also. What these ratings stand for must also be consistent.

Q22:

Audio CDs often don't provide the same classification logo as movie DVDs and video games, and they certainly don't have a rating on the spine of the CD packaging. Granted there isn't much space to work with (usually), but it's an obvious difference. The discs themselves also seldom contain a classification marking - a potential problem for people who threw their plastic CD cases out years ago but now have children themselves.

Q23:

The first section "(a) adults should be able to read, hear and see what they want;" seems to currently be ignored by the Australian government by R/Cing so many titles as of late. If consolidating

Q24:

The classification system should not attempt to be used as a device to ban materials to all Australians. If content is illegal - and I don't mean R/C - (eg. a recording of somebody performing rape) it is already banned regardless of the distribution media and the age of the person, and the Australian authorities should take action against the people hosting said content and (where possible) take down the site. It should \*not\* attempt to "block" the site - even if it is located outside of our country - but rather spend its time working with the foreign country's authorities.

Unless it becomes possible for the Australian government to automatically and 100% accurately determine the age of individual Internet users - without violating the privacy of Australian residences - no online content should be prohibited to anyone based on classification ratings.

Q25:

Definitely not. No content should be RC online unless the same content would be RC from movies - including those with an X18+ rating. In brief, only non-consensual sexual activity or child abuse should be RC.

Q26:

Consistency of state and territory classification laws is critical. I don't understand why this needs promoting - it should just happen.

Q27:

Q28:

Q29:

Other comments: