

CI 1863 L Geyer

First name: Luke

Last name: Geyer

Q1:

The existing framework is serviceable, and should not be made obsolete. However, it does require extensive review, and the ALRC should not hesitate to recommend extreme alterations to parts of the current framework if they believe necessary.

Q2:

The objectives of a national classification scheme should be to:

1. Provide RECOMMENDATIONS on the suitability of media for audiences of certain ages.
2. To REGULATE the access of MINORS (NOT the general populace) to extreme material as determined by a classification board.

Q3:

The classification of media should be based on the practicality with which it can be applied. For example, the Internet due to its scope and open nature should not be classified due to the sheer impossibility of classifying all web content, or even only that with the Australian sub-domain. This should be assessed on the basis of individual platforms, and reassessed when new content delivery methods (Such as the recent propagation of online software delivery to smartphones and media players) become available.

Q4:

No, the whims of certain, reactionary individuals should not determine whether content is classified. Content should be classified before its release, not after.

Q5:

Media should be classified based on overarching rules, a special treatment SHOULD NOT be extended to certain media types based on their target audience. Target audience is subjective, and so by selectively classifying media based on audience the classification board risks making unfair and misinformed decisions.

Q6:

Yes. Small content producers, whether they be independent music labels, game developers, film makers, or anything else, should not be forced to submit their content for submission due to the high costs involved, especially if content is refused classification.

Q7:

Artworks should not be classified.

Q8:

Music, due to its artistic nature, should not be classified. Audio forms of other media should only be classified if the content they are based on is. Audiobooks should be subject to the same classification system as normal books.

Q9:

Yes, content aimed at small audiences, especially professional audiences, should be exempt from classification. The resources that could be applied here would be better applied to other areas.

Q10:

Due to the impracticality of determining whether content will be accessed within a home or in public, and the difficulty of defining 'public' (For example: is a school public? Even a private school? Is a bar, with patronage limited to those over the age of 18, public? Is a gym with limited membership public?), content should not be assessed on this manner. Resources would be better applied to other areas.

Q11:

Q12:

There is no effective way to control access to online content due to its ever-changing nature and complex methods of delivery. The National Classification Scheme's attempts to control online content, no matter how they are implemented, will be futile.

Q13:

Children's access to potentially inappropriate content online cannot be regulated, except by the presence of parental supervision. The National Classification Scheme and any other government body cannot and should not attempt to provide a regulation service.

Q14:

Access to this media cannot be further regulated without infringing on the civil liberties of Australians.

Q15:

Media which has been classified should be required to display this information in a non-obtrusive but clear manner, which already happens with films, video games and other media. "Consumer advice" labels should not appear unless they indicate a legal obligation, since labels which indicate a "recommendation" can confuse individuals about their legal right to possess such media.

Q16:

Government bodies should be responsible for determining the legality of content, and regulating which age groups content is suitable for. Industry bodies should play no part in the regulation of content, since they will act in their own interests preferential to that of the majority. If the government regulated such industrial bodies, however, the classification board could relieve their workload, and in this case the relationship would be mutually beneficial. Users, ultimately, should be responsible for the regulation of content. Responsible personal access to media should be directed by personal beliefs and interests, not the whims of a government agency or biased industrial representative.. Similarly, parents should ultimately be responsible for their children's media viewing habits.

Q17:

This could work, with prospects to establish a self-regulatory ratings board. Japan's Computer Entertainment Ratings Organisation and the United States, Canada and Mexico's Electronic Software Ratings Board, and the Pan-European Game Information board are all examples of functional self-regulatory classification organisations. Importantly though, after the establishment of such a board, the Government would need to forfeit any control over ratings, to prevent the board becoming bloated or over-regulated.

Q18:

The video game industry, as demonstrated in the previous question, has proven itself to be a responsible and stable self-regulator. Additionally, the current classification scheme is designed for

films and television, not electronic games, and so an industry regulated board would be better suited to managing classification specifically for electronic media.

Q19:

Instead of providing subsidies, the government should simply not necessitate the classification of low budget media, or that with artistic merit. How one would define this is difficult, but it is necessary to protect the expression of artists and small media providers who are unable to afford the classification process. If they are forced into classifying their material, the process should be FULLY subsidised by the government.

Q20:

It is not well known in the wider community that there is no R18+ rating for video games; many individuals assume that the system is identical to that for film and television. The difference between the M and MA15+ ratings are also often confused, with some individuals refusing to sell M rated materials to those under 15 years of age despite no law obliging them to do so. Many individuals are not aware that an X18+ rating exists, due to its scarcity and illegality in all of the states.

Q21:

An R18+ rating must be introduced for electronic games. The current limitation to an MA15+ rating does nothing to prevent unsuitable content from being available to minors, since content which is refused classification material is freely available to be illegally downloaded online and games rated MA15+ are often purchased for children under 15 years of age by parents, siblings or friends.

The criteria for any media to be Refused Classification should be raised significantly. Drug use, other crimes, high impact violence and sexual conduct are realities of life, and since R18+ material is not available to minors adults wishing to observe, learn about or even be entertained by media containing such content should be free to do so at their own discretion, not by the arbitrary decisions of a ratings board. Only material which in and of itself is illegal and exploitative (for example child pornography) should be refused classification, and this should only be after such material is fully and openly assessed for artistic merit and it is verified that such material is definitely illegal (To continue the previous example, it should be verified that such material is child pornography and not footage of an adult whose appearance is questionable).

Q22:

All media subject to ratings should be subject to the same ratings labels. Specifically film, television and video games should all be unified under one system, as at present, with all ratings categories universal (This would require an R18+ rating to be introduced for video games).

Q23:

This criteria should all be consolidated and reviewed in light of recent technological developments. This would allow greater understanding and review of the criteria by both the ratings board and the wider community.

Q24:

None, since it is physically impossible to restrict information online without risking the personal freedom of adult Australians due to the ever-changing and user-generated nature of the internet. The classification board cannot and should not attempt to censor or restrict any online material.

Q25:

No, as outlined in question 21, the Refused Classification category requires review, and as outlined in questions 12 and 24, it is impossible to practically regulate the internet and any desire to do so demonstrates a fundamental misunderstanding of the dynamic nature of the internet.

Q26:

Consistency is important, however the states outlined in the Australian constitution should be acknowledged.

Q27:

Q28:

Yes, since the current stranglehold the Attorney-Generals of each state hold on the legislative process is detrimental to any attempt to update the ratings system.

Q29:

Other comments: