

National Classification Scheme Review

Submission by SANE Australia, July 2011

SANE Australia is a national charity working for a better life for Australians affected by mental illness.

SANE Australia fulfills its mission through education, applied research and campaigning for improved services and attitudes. *StigmaWatch*, a media advocacy program of the SANE Media Centre, is supported by the Australian Government's National Mindframe Media Initiative.

This submission from SANE Australia urges the continuation of current classification systems for traditional media, such as film, television and print, together with further measures to bring classification of online content and mobile device 'applications' in line with contemporary public use and convergence of these mediums.

This submission addresses two questions related to the classification of content available on new mobile platforms, such as 'smartphones', supported by an information kit on the *SANE StigmaWatch* program and *SANE Research Bulletin 4: Stigma and mental illness*, in which people living with a mental illness report on the prevalence of stigma and inappropriate content they encounter which is broadcast via the Australian media.

Question 1.

In this Inquiry, should the ALRC focus on developing a new framework for classification, or improving key elements of the existing framework?

SANE Australia supports the current framework, structure and policies governing the classification of traditional media content by the Classification Board, as well as the current processes followed when classifying content found on internet sources by the Australian Communications and Media Authority (ACMA).

In regards to new portable multimedia devices, specifically those which merge 'traditional' and 'online' boundaries, such as smartphones and the 'applications' available for purchase, SANE Australia supports direct government regulation of content. This to be based on a retrospective review of content once a complaint has been lodged by a member of public. This process would be similar to the practices currently followed by ACMA in relation to effective age-based restrictions on mobile phone services, however extended to include any 'direct to device' program or 'application' available for

installation on a mobile device, regardless of cost.

This process would allow the government and relevant bodies to protect children from potentially harmful or disturbing content, as well as restricting access to certain types of content, widely available from online stores and commercial online download/distribution platforms.

An example of current content containing 'adult' themes, available for download without satisfactory age-based restrictions, is found in the availability of the game '5 Minutes to Kill (Yourself)'¹ via the Apple iTunes online store. SANE Australia believes both the name and content of the iPhone App **5 Minutes to Kill (Yourself)** is offensive, in poor taste and trivialises suicide. We are concerned that the product's adult themes are not suitable for a younger audience, who may not be able to differentiate the intended humor from the serious topic of suicide. Furthermore a younger audience member, who is vulnerable and experiencing tough times, may even be encouraged to view suicide as an option. Additionally we do not believe the application upholds community attitudes regarding the responsible representation of suicide in traditional and new digital media. SANE Australia recommends that smartphone applications, such as '5 Minutes to Kill (Yourself)', which address adult themes, should be investigated only once a member of the public expresses their concern over the unrestricted availability of the application. If the relevant classification body finds the application to fall under an existing restricted classification such as MA 15+, R 18+, X 18+ or Restricted Classification, and the retailer is unable to implement satisfactory age-based restrictions, then the application should be removed from supply, regardless of whether the item is free or of cost to the consumer.

SANE Australia recommends that online retail platforms which sell or provide 'direct to device' applications and are managed by companies, such as Apple, Google and Yahoo, should be required to adhere to the same, or similar, classification standards which govern the availability of 'traditional' computer games in the Australian retail sector.

Question 3.

Should the technology or platform used to access content affect whether content should be classified, and if so, why?

SANE Australia supports the current inclusion of online content and mobile device applications under Australian classification laws. The existing complaints-based system takes into account the infinite number of webpages which exist online and the large number of mobile device applications available through 'direct to device' services.

This system encourages self-regulation by the industry, provides consumers with an independent body to approach and lodge an official complaint if content provided by a supplier is deemed to have infringed

¹ SANE Australia has lodged a complaint with ACMA over the availability of this application, and is yet to be informed of the outcome.

the classification guidelines, while providing an avenue for government agencies to review, regulate or ban extreme or inappropriate content.

However as previously mentioned SANE Australia believe all 'direct to device' applications which are commercially available for download to mobile phones, both for free and at cost, should be included under the classification system. More often than not the programming and content of smartphone 'applications' are practically identical to traditional computer games. This suggests that 'direct to device' online retailers should be required to adhere to the same age-based restrictions followed by Australia's computer game retailers.

Using the retrospective review procedure, any successful complaint found to be suitable for a mature audience, or requiring restricted classification, should be removed from sale and only made available to consumers if the supplier can implement adequate age-restricted applications.

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