CI 2447 N Jones

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List of Questions
Approach to the Inquiry
Question 1. In this Inquiry, should the ALRC focus on developing a new
framework for classification, or improving key elements of the existing
framework?

Improving the existing framework.

Why classify and regulate content?
Question 2. What should be the primary objectives of a national
classification scheme?

The primary objective should be to give adults information about the content
they choose to consume or allow children in their care to consume.

What content should be classified and regulated?
Question 3. Should the technology or platform used to access content
affect whether content should be classified, and, if so, why?

Yes; different media are approached differently by users. Different platforms
invoke different expectations and their use is moderated differently.The
internet is know to be an unregulated medium and parents are responsible for
their childrens' use.

Question 4. Should some content only be required to be classified if
the content has been the subject of a complaint?

This seems the only sensible way to approach the overwhelming volume of new
content.

Question 5. Should the potential impact of content affect whether it
should be classified? Should content designed for children be classified
across all media?

No; Classification should focus on clearly describing the content so that
adults can make decisions for themselves or their children. The impact of each
theme contained will be different for each individual and so cannot be
factored into the classification without over-restricting content for some
people.

Question 6. Should the size or market position of particular content
producers and distributors, or the potential mass market reach of the
material, affect whether content should be classified?

Perhaps. Mass market content will have an effect on the cultural standards of
the day. Therefore mas market content may require more liberal classification

to account for the way it may re-adjust the perceptions of the average person's sense of what is and what isn't obscene.

Question 7. Should some artworks be required to be classified before exhibition for the purpose of restricting access or providing consumer advice?

No, artwork presented in exhibitions or festivals is presented for its artistic merit. Patrons of such events expect to be able to judge the work in these contexts without censorship.

Question 8. Should music and other sound recordings (such as audio books) be classified or regulated in the same way as other content?

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Question 9. Should the potential size and composition of the audience affect whether content should be classified?

Yes, the classification system is a tool to asses content. By necessity it judges content against community standards. If the audience represents a community with particular standards the classification must be relative to those standards or it is of little use to the content consumers.

Question 10.   Should the fact that content is accessed in public or at home affect whether it should be classified?

Yes, people have the right to do as they please in the privacy of their own homes and should not be restricted.

Question 11.   In addition to the factors considered above, what other factors should influence whether content should be classified?

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How should access to content be controlled?
Question 12.   What are the most effective methods of controlling access to online content, access to which would be restricted under the National Classification Scheme?

Adults would most effectively regulate their own use. Adults further have a responsibility to judge content and control the access of minors in their care.

Question 13.   How can children's access to potentially inappropriate content be better controlled online?

This will happen naturally as adults gain more familiarity with the internet and its risks and as internet-savvy children become adults.

Question 14.   How can access to restricted offline content, such as sexually explicit magazines, be better controlled?

The current system is inefficient and allows "black markets" to flourish. A bottom-up approach would be more effective than a one-size-fits-all, top-down classification scheme.

Question 15.   When should content be required to display
classification markings, warnings or consumer advice?

Never. Content warnings impinge on the artistic qualities of the item.
Classification should be information provided clearly separate to the content.

Who should classify and regulate content?
Question 16. What should be the respective roles of government
agencies, industry bodies and users in the regulation of content?

Users should form the primary body regulating their use of content, with
industry bodies and government agencies providing informative roles
(Governments should provide classification, not censorship, and allow content
consumer to choose what content is right for them.)

Question 17.   Would co-regulatory models under which industry itself
is responsible for classifying content, and government works with industry on
a suitable code, be more effective and practical than current arrangements?

Yes, as the current arrangement is inefficient and seems to be incapable of
matching the volume of new content and incapable of staying relevant as new
media develops.

Question 18.   What content, if any, should industry classify because
the likely classification is obvious and straightforward?

As much content as possible.

Classification fees
Question 19.   In what circumstances should the Government subsidise
the classification of content? For example, should the classification of small
independent films be subsidised?

In all cases where classification is required.

Classification categories and criteria
Question 20.   Are the existing classification categories understood in
the community? Which classification categories, if any, cause confusion?

MA ratings for video games are a particular source of confusion.

Question 21.   Is there a need for new classification categories and,
if so, what are they? Should any existing classification categories be removed
or merged?

There is a long-overdue need for R and X rating-equivalents for video games.
Further, the current classifications apply poorly to media involving user-
generated content.

Question 22.   How can classification markings, criteria and guidelines
be made more consistent across different types of content in order to
recognise greater convergence between media formats?

By applying a greater focus on describing the nature of content rather than
applying a single-dimensional classification that rates the content on a scale
that may not match the consumer's idea of objectionable content.

Question 23.   Should the classification criteria in the Classification
(Publications, Films and Computer Games) Act 1995 (Cth), National
Classification Code, Guidelines for the Classification of Publications and
Guidelines for the Classification of Films and Computer Games be consolidated?

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Refused Classification (RC) category
Question 24.   Access to what content, if any, should be entirely
prohibited online?

No content should be prohibited - internet users have proven they will get
access to content regardless of the strength of access restriction. Any
requirement for restriction costs Australian taxpayers and content-generating
businesses and gives advantage to unregulated and international content
providers.

Question 25.   Does the current scope of the Refused Classification
(RC) category reflect the content that should be prohibited online?

No, it is far too broad and does not reflect community standards.

Reform of the cooperative scheme
Question 26. Is consistency of state and territory classification laws
important, and, if so, how should it be promoted?

Not terribly; in fact some variation allows people to choose where they get
their content from or locate their businesses.

Question 27.   If the current Commonwealth, state and territory
cooperative scheme for classification should be replaced, what legislative
scheme should be introduced?

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Question 28.   Should the states refer powers to the Commonwealth to
enable the introduction of legislation establishing a new framework for the
classification of media content in Australia?

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Other issues
Question 29.   In what other ways might the framework for the
classification of media content in Australia be improved?

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