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Q1:

A new framework for classification is required as there is a broad feeling in many parts of the community that the existing framework does not adequately reflect community values and does an inadequate job of informing consumers about what kind of content is in a given publication due to the inconsistencies (or at least perceived inconsistencies) in the current framework.

Q2:

The primary objective should be to inform consumers so they are able to make an informed judgement of what they wish to consume. Guidance should be issued about what content is suitable for given maturity and age levels, and warnings should be provided as to what kind of content is in a publication for informational purposes. In a nutshell, the classification should be a tool by which an informed individual can make their own choices as to what they consume.

Q3:

Technology and/or platform should be considered for two reasons. Firstly, some media such as "small run" magazine publications for a niche community or online media generally needs to be actively sought after by enthusiasts who are self-selecting anyway so classification serves no significant function in informing their decision. Secondly, attempting to regulate online media would largely be an act of futility that will nonetheless erode the importance of freedom of speech as a paramount value in our community.

Q4:

The role of classification is to reflect community values, and so if no one has been offended by some content then ipso facto it doesn't need to be classified. For media (such as "fanzines" and websites) a complaint based mechanism makes a lot of sense. For modern media such as Youtube videos and iPhone applications, it would also present an oppressive burden upon content producers if they had to have every single item of content approved. A complaints based mechanism has been shown to work - with few exceptions - for advertising and televised media.

Q5:

Potential impact should be considered however it must be evidenced based. Impact should not be based purely upon the immediate and short term emotional impact some content may have, but upon potential for actual lasting harm. Put simply, "wowsers" shouldn't be allowed to use the potential impact argument to impose more stringent (and inconsistent) classification upon video games or pornography merely because of a high impact experience, but must instead present evidence based and tested reasons for why that impact should be avoided.

Q6:

Size and market position are potential considerations. Broadcast media (such as TV, radio) should be more subject to regulation than multicast media such as the internet due to their unavoidable pervasiveness in society. Potential mass market reach is a dubious reason however as the potential reach of anything is nearly total, and that if options exist for consumers to filter out a particular method

of distribution (i.e. via a self-imposed internet filter) then suitable protections already exist for that distribution method.

Q7:

Bona fide artwork should not be subject to classification. Consumer advice is appropriate, as is the provision of contextual advice on how more controversial or challenging artwork should be interpreted.

Q8:

When distributed via broadcast methods (such as radio or television) they should be subject to the same regulations as other content distributed via broadcast. The method of distribution is the key here, rather than the content itself that is being distributed. For example, a song heard over the radio is more difficult for a consumer to avoid than a song purchased and downloaded over the internet, so clearly broadcast distribution requires classification more so than online distribution, which requires consumer choice and consent to occur.

Q9:

No. Size of audience and composition are not the critical factors.

Q10:

Yes. Public consumption of media is imposed upon other members of the public who have not made a personal choice to access that content and so public consumption of content should be more subject to classification for that reason.

Q11:

The most important consideration is the level of personal choice the consumer has exercised in accessing that content - therefore the method of distribution of that content. Content that is not easily avoided by a consumer must be subject to classification that brings that content into line with broad community standards. If content is accessed in privacy and by an informed adult then they should not be restricted from accessing that content - although classification could still perform a role in adequately informing that consumer.

Q12:

"Net nannies" for children at individual homes, and properly informing parents of their availability coupled with police enforcement and greater international cooperation in removing truly unsuitable content. URL blocking would work for very specific URL's but is clearly a farcical solution that only makes the problem worse by giving the public the impression that it is actually making a difference.

Q13:

"Net nannies" for children at individual homes, and properly informing parents of their availability.

Q14:

There is not a significant problem of minors accessing this content, so far as I am aware.

Q15:

Content that is available in the public arena that is equal to or greater than MA15 rating should contain such warnings, as should content that is broadcast.

Q16:

There needs to be an advocate for freedom of choice (a censor of the censors). Censors should take an evidence based approach rather than the current, often inconsistent, approach where decisions are haphazardly based on whoever is currently sitting. Their decisions should be subject to review

and rules of consistency. Care should be taken that they are actually broadly reflective of community standards rather than assuming those who have the greatest interest in making those decisions are in fact suitably representative.

Q17:

In almost all cases, yes. This works very well for advertising and most televised content.

Q18:

Any content, if subject to a complaint based mechanism, would be able to fit this approach if repeated and sustained complaints were followed up by fines or penalties - thus creating a financial incentive to self regulate. The only content which wouldn't be incentivised to self regulate under such a process (i.e., small time websites or magazines) are not likely to participate in a compulsory scheme anyhow.

Q19:

If classification is imposed on work that is created for primarily cultural or artistic reasons then it should be subsidised. Equally, if an overly onerous classification process is imposed on small businesses (such as many self-publishers) then a simplified and subsidised process should be made available to them also.

Q20:

There is very wide misunderstanding of classification in the community. This is due to the inconsistent way in which classification has been applied, especially with regards to pornography and computer games. Violence in computer games is held to be more dangerous than violence in a movie, even though this does not reflect the broad public morality (i.e. why is one type of violence worse?). The test of "potential impact" does not reflect a conviction held by the community at large but is instead a confusing and misguided construct that does not appear to be based upon an evidence based approach. The negative impact of this is that the community is unable to adequately assess levels of violence in media as the classification scheme is inconsistent.

Q21:

The lack of an R18 rating for games is offensive and out of touch with the very large number of Australian's who play computer games on a regular basis and who explore culture and society through computer games. The lack of an R18 rating is perceived by that segment as meaning that their preferred mode of entertainment is considered "immature" or "for children" and denies that the medium is capable of exploring complex social/cultural issues. This is ironic as the lack of an R18 acts to restrict the potential growth of the medium to explore these mature concepts (for example, could you imagine a movie with the cultural impact of The Godfather or a Tarrantino movie being made if they had to be M15+ *and* had a higher burden to be non-violent..?)

Q22:

Via consistent application of a common set of rules that is applied by a board that sits on a regular basis and who are adequately trained in how to apply those rules in a consistent manner. Special case rules (such as the "potential impact" test) exacerbate this problem.

Q23:

Absolutely. It is not a sensible or defensible arrangement to have a separate set of classification standards for different types of media.

Q24:

Content that is offensive and demeaning to society as a whole should not be viewed. This is a high test to pass, and should only be applied to media whose very existence or production is itself detrimental to society. This should only apply to highly offensive content (i.e. actual child pornography).

Q25:

No. A more explicit "unacceptable content" category targeted at content that is highly offensive. would perhaps be appropriate.

Q26:

Classification laws should be placed in the hands of the Federal government to achieve a total level of consistency. It is inconceivable that the standard of what is acceptable to society differs greatly between the states of Australia.

Q27:

State and Territory governments should put this power into the Federal government. The need for a federally consistent scheme has obviously been recognised by them due to the existence of the "cooperative scheme", so that cooperative scheme should be properly made Federal.

Q28:

Yes.

Q29:

There is a common perception that special interest groups hold too much influence when determining what should or shouldn't be classified. This should be stopped by providing a common set of rules that are reasonably clear to all Australians. Additionally, a common set of rules should be provided so that content producers can better self-regulate by knowing where the line is.

Other comments: