

Submitted by the Australian Family Association of WA

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

We acknowledge that with the advent of so many new technologies there is an enormous increase in the amount of material to be classified. We believe however that increasing self regulation will further rob our children of any protection they are afforded through a classification scheme. The additional burden on those responsible for classification could be lessened by ensuring that fines and prosecutions are strictly enforced.

Paramount however, is the protection of our children and the maintaining of community standards.

We recommend the implementation of an independent Classification Board, in consultation, not with the media industry, but with representatives of parents and concerned citizens and responsible to a specific ministry set up protect our children from a hyper -sexualized culture which is robbing them of their childhood.

Why classify and regulate content?

Question 2. *What should be the primary objectives of a national classification scheme?*

- to ensure that our children and vulnerable members of society are protected by a specified and codified body of guidelines which are based on community standards rather than on the (subjective) view of the person self-regulating.
- To ensure that community standards are taken into account in classification.
- To ensure that parents are informed re the content of the classified material.
- To ensure that children and vulnerable members of society are protected from unsuitable/harmful material.

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?*

No. However, we acknowledge the problems associated with classifying content with regard to some of the new technologies. These are areas that may need need further research?.

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

No, There have been problems with the complaints system. We believe that complaints made about the content of something “in general” should be taken seriously. The onus should not be on someone to prove that they are in breach of guidelines.

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

Content designed for children should be classified across all media. Just about All forms of media are accessible to children so it is important for the content to be classified for their protection.

However other industries need to take this issue on board as well. For example retailers should refuse to stock clothing (and not just children's clothing) featuring inappropriate and sometimes downright disgusting logos. Just recently a surf shop in Perth was selling T shirts which had the potential to encourage domestic violence.

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?*

No, this should not have any bearing. If one child is affected by unsuitable material it is one too many.

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

Yes: If there is any question re the suitability for the general public of the content. Artistic merit should not be used to justify an artwork depicting children in a manner that is highly sexualized, exploitative or in any way offensive. Such work should be Refused Classification

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

Yes. . It is obvious that self regulation has not worked. Many songs containing lyrics which are demeaning to woman and portray them as sex objects are currently permitted to be sold in Australia.

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

No standards should be maintained regardless of the size or composition of the audience.

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

No this should have no bearing. Standards should be maintained whether at home or in public. There has been a problem with tweens and even younger children attending concerts featuring totally inappropriate content such as a recent concert by Keisha. There needs to be some means for parents to be able to determine the suitability for young children of such concerts.

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

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?*

- A Mandatory internet filtering system at the ISP level would be the most effective way to control access to restricted material (RC, X18+ or R18+). Access to R18+ material on an opt-in basis could be an option, provided there is age verification.

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

As above. Supervision and Monitoring by parents is essential. Parents and educators need to keep updated on the potential dangers of on line access.

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

By ensuring that publications classified as restricted (R) are sold in an "adults only" area.

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

If at all possible and feasible, at all times but particularly if the content is such that classification is needed in order to protect children and those most vulnerable.

Parents depend on the various ratings so as to ensure that what their children are accessing is suitable.

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?*

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?*

Self regulation has been most ineffective to date. We would have to be assured that any code provides for the maintaining of community standards and the protection of children.

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

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?*

Classification categories and criteria

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

There appears to be some confusion re the M rating and the MA15+ rating .

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?*

- The existing classification categories should remain, apart from the X18+ category for films which should be abolished. Films containing explicit depictions of sexual acts should be Refused Classification. Such films exploit and demean women. They have been implicated in the sexual abuse and premature sexualisation of children.
- No R18+ classification should be introduced for computer games, because the violence in these games is associated with an increase in violent attitudes and behaviour.

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?.*

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?*

The important thing is for guidelines and codes to be based on what the community accepts as appropriate and rejects as objectionable

Refused Classification (RC) category

Question 24. *Access to what content, if any, should be entirely prohibited online?*

- Access to all material that would be classified RC, X18+ or R18+ should be prohibited to the general user. Opt-in access to R18+ could be provided, subject to strict age verification procedures.

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

As above

Reform of the cooperative scheme

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

Yes this is most important. We have seen the problems associated with the inconsistency in the laws: The fact that X rated films and DVS's are allowed to be sold in the ACT and Northern territory.

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

There needs to be a truly National Classification Scheme.

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?*

Other issues

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

Gillian Gonzalez
Vice President
Australian Family Association of WA