

**Submission from the Life, Marriage and Family Centre,
Catholic Archdiocese of Sydney
to the
Standing Committee on Legal and Constitutional Affairs
*Inquiry into the Australian film and literature classification scheme.***

1. Introduction

1.1 As the Director of the Life, Marriage and Family Centre, and drawing on my experience as a family and parent advocate, I forward this submission on behalf of the Life, Marriage and Family Centre, Catholic Archdiocese of Sydney.

1.2 The Life, Marriage and Family Centre is an agency of the Catholic Archdiocese of Sydney and has been established to extend the research, policy, educational and pastoral activities the Church undertakes with respect to life, marriage and family issues. Currently there are some 589,000 Catholics in the Archdiocese of Sydney, constituting 32.3% of the general population living within the geographical boundaries of the diocese. Over one million Catholics live in the greater Sydney area and 1.9 million reside in the State of New South Wales. It is to these people, as well as the community more generally, that the Life, Marriage and Family Centre has its mission.

1.3 Social media has a significant impact upon the personal formation of children, adolescents and adults, as well as the wider culture. Whether as active consumers or passive recipients, social media affects all members of the community in positive, as well as potentially negative ways. With respect to the latter, the Pontifical Council for Social Communications states:

*'It is grossly irresponsible to ignore or dismiss the fact that 'pornography and sadistic violence debase sexuality, corrode human relationships, exploit individuals especially women and young people, undermine marriage and family life, foster anti-social behaviour and weaken the moral fibre of society itself.'*ⁱ

1.4 The emergence of new and more readily accessible forms of media makes children and adolescents increasingly vulnerable to potentially harmful content. For instance, youth in Australia are routinely exposed to sexually explicit images. Among 16- and 17-year-olds, three-quarters of boys and one-tenth of girls have ever watched an X-rated movie. Three-quarters of 16- and 17-year-olds have been exposed accidentally to pornographic websites, while 38 percent of boys and 2 percent of girls have deliberately accessed them.ⁱⁱ The Australian Psychological Society states that research consistently reports very high levels of childhood exposure to violence through electronic media, where persistent viewing of violence is linked to an increased likelihood of behaving aggressively in the long-term.ⁱⁱⁱ

1.5 Regulatory systems such as the National Classification Scheme play an important role in minimising the harm caused by excessively violent, sexually explicit or otherwise offensive material by assisting people to make informed decisions about what they, or the children and adolescents in their care, watch, read or listen to, and by prohibiting the viewing, sale, hire or distribution of highly offensive material. The effectiveness of any classification system depends, however, upon an extensive and transparent process of community consultation.

1.6 This submission does not address each of the Terms of the Inquiry, but outlines guiding principles for responsible classification and makes some general recommendations to the Committee. To this end “...the special contributions which the Church brings to the discussion of these matters are a vision of human persons and their incomparable dignity and inviolable rights, and a vision of human community whose members are joined by the virtue of solidarity in pursuit of the common good of all.”^{iv}

2. Guiding Principles

2.1 The Pontifical Council for Social Communications identifies several principles which ought to be broadly applied to the intent and operation of a national classification scheme. (*Ethics in Communications*, June 2, 2002.)^v

2.2 The media has an ethical responsibility: *It is no excuse to say the media reflect popular standards; for they also powerfully influence popular standards and so have a serious duty to uplift, not degrade, them.*

2.3 The human person and the human community are the end and measure of the use of the media of social communication; communication should be by persons to persons for the integral development of persons...*Everyone deserves the opportunity to grow and flourish in respect to the full range of physical, intellectual, emotional, moral, and spiritual goods. Individuals have irreducible dignity and importance, and may never be sacrificed to collective interests.*

2.4 The good of persons cannot be realized apart from the common good of the communities to which they belong...*Thus, while social communication rightly looks to the needs and interests of particular groups, it should not do so in a way that sets one group against another for example, in the name of class conflict, exaggerated nationalism, racial supremacy, ethnic cleansing, and the like.*

2.5 The presumption should always be in favour of freedom of expression, for “when people follow their natural inclination to exchange ideas and declare their opinions, they are not merely making use of a right. They are also performing a social duty” (*Communio et Progressio*, 45)^{vi}. **Still, considered from an ethical perspective, this presumption is not an absolute, infeasible norm.** *There are obvious instances - for example, libel and slander, messages that seek to foster hatred and conflict among individuals and groups, obscenity and pornography, the morbid depiction of violence - where no right to communicate exists. Plainly, too, free expression should always observe principles like truth, fairness, and respect for privacy.*

2.6 Professional communicators should be actively involved in developing and enforcing ethical codes of behaviour for their profession, in cooperation with public representatives. *Religious bodies and other groups likewise deserve to be part of this continuing effort.*

2.7 Public participation in making decisions about communications policy should be organized, systematic, and genuinely representative, not skewed in favour of particular groups.

3. Enhancing the effectiveness of the National Classification Scheme

While the above principles are broadly consistent with the principles of current National Classification Code, there is growing concern that the Code and related laws are neither adequately applied nor rigorously enforced across the range of social media. In particular, parents of children and adolescents are concerned that classification categories and decisions are not always an accurate reflection of community standards. The highly fragmented nature of the current classification system, where a range of different bodies assume responsibility for different media forms, introduces confusion and impedes public scrutiny and appeal of classification decisions. These concerns could be partly addressed by concentrated attention to the following areas:

I The development of a more transparent classification system for all social media and advertising that would enable the public to more readily engage with the process and more easily appeal classification decisions.

II The achievement of greater consistency of classification laws across Australia. The X18+-rated classification for films should be abolished and Commonwealth legislation introduced to prohibit the production and sale of these films in the ACT and the Northern Territory.

III Ensuring that the composition of the Classification Board is genuinely representative of community and religious groups. Given that concerns are regularly raised by parents with regard to the best interests of children, the Classification Board should include parents who have several children across a number of age groups.

4. Comments on specific terms of reference

f) the impact of X18+ films, including their role in the sexual abuse of children

g) the classification of films, including explicit sex or scenes of torture and degradation, sexual violence and nudity as R18+;

Given that there is no evidence that explicit, dehumanising sex scenes or scenes of torture, degradation, sexual violence and nudity that attract the R18+ classification contribute to or enhance social wellbeing, and given the growing evidence that, on the contrary, such explicit and dehumanising films do damage to the individual and the community,^{vii} their legal availability should be subject to a broad community review. The particular capacity of X18+ films to promote a distorted and dehumanised vision of interpersonal relationships and their potential to act as a stimulus for the sexual abuse of women and children provide compelling arguments for this material to be refused classification.

h) the possibility of including outdoor advertising, such as billboards, in the National Classification Scheme;

i) the application of the National Classification Scheme to music videos;

k) the effectiveness of the National Classification Scheme in preventing the sexualisation of children and the objectification of women in all media, including advertising;

There is increasing community concern about the premature sexualisation of children^{viii} and the objectification of women. A more stringent examination is needed of the process by which sexualising imagery is currently deemed permissible especially with regard to music videos and outdoor advertising. There is also concern that some films and television media currently classified as PG (Parental Guidance suggested) are contributing to the sexualisation of children at a premature stage of their development.^{ix} Given the role of the National Classification Scheme in both responding to and shaping community expectations, these would appear to be areas in which a body such as the Classification Board could contribute more broadly in the future.

In conclusion we acknowledge that there are a number of reviews currently planned or being undertaken at a federal level in relation to these issues. The concerns and principles we have expressed in this submission we believe are generally relevant and applicable to any broad review of the classification system.

Yours sincerely,

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1 March 2011

ⁱ Pontifical Council for Social Communications, *Pornography and Violence in the Communications Media: A Pastoral Response*, 10.

ⁱⁱ Michael Flood. "Exposure to pornography among youth in Australia," *Journal of Sociology* March 2007 vol. 43 no. 1 45-60 <http://jos.sagepub.com/content/43/1/45.abstract>

ⁱⁱⁱ "The Effects of Violent Media on Children," fact sheet extracted from an Australian Psychological Society Position Paper entitled *Media Representations and Responsibilities*.

http://www.psychology.org.au/Assets/Files/effects_of_violent_media_on_children.pdf

^{iv} Pontifical Council for Social Communications, June 2, 2002, *Ethics in Communications*, 30.

http://www.vatican.va/roman_curia/pontifical_councils/pccs/documents/rc_pc_pccs_doc_20000530_ethics-communications_en.html

^v *Ibid.*

^{vi} *Communio et Progressio* "On the Means of Social Communication." Holy See, 1971.

http://www.vatican.va/roman_curia/pontifical_councils/pccs/documents/rc_pc_pccs_doc_23051971_communio_en.html

^{vii} Elizabeth Oddone-Paolucci et al. *A meta-analysis of the published research on the effects of pornography*. University of Calgary, 1997. This analysis of 46 studies involving 12,323 persons and all forms of pornographic material, from "mild pornography" to "violent porn" concluded: "The results are clear and consistent; exposure to pornographic material puts one at an increased risk for developing sexually deviant tendencies, committing sexual offences, experiencing difficulties in one's intimate relationships, and accepting the rape myth."

^{viii} http://www.aph.gov.au/senate/committee/eca_ctte/sexualisation_of_children/report/report.pdf

^{ix} *Ibid.*