



THE SENATE  
**STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL  
AFFAIRS**  
**INQUIRY INTO THE AUSTRALIAN FILM AND LITERATURE CLASSIFICATION  
SCHEME**  
FROM  
**CATHOLIC WOMEN'S LEAGUE AUSTRALIA INC.**

Catholic Women's League Australia Inc. is a hands-on grass roots organisation with 7,000 members located over 600 branches with diocesan, regional, state and national structures collating the work of branches. The CWLA Objects state that the League is to advance the cause of women, spiritually and educationally, and to provide leadership in civic and cultural arenas.

A National Secretariat was established in Canberra in 1998 to facilitate networking with member organisations, government and other groups. CWLA is non-party political and an Non-Government Organisation in consultative (Roster) status with the Economic and Social Council of the United Nations; it is a member of the World Union of Catholic Women's Organisations (an umbrella organisation of 100 plus member organisations with a mega network of more than 30 million women.)

As a member organisation of The Worlds Union of Catholic Women's Organisations (WUCWO) CWLA is represented by WUCWO at the United Nations - New York, UNESCO, FAO, ILO & HRC and is present at the Council of Europe.

## **EXECUTIVE SUMMARY**

Catholic Women's League Australia Inc., recognise the power of film and literature and urges the Senate Standing Committee on Legal and Constitutional Affairs Inquiry into The Australian Film and Literature Classification Scheme, to be aware of the nations endemic problems of violence and sexual abuse. We encourage the Committee to do its utmost to ensure that the enquiry does all in its power to guard against film and literature becoming a training ground for violence and sexual perversion.

For this reason the submission has taken the unusual step of referring at length to the National Plan to Reduce Violence against Women and Children 2010-2022 because of its failure to highlight the violence of sexual abuse of women and children.

The Senate Standing Committee has a grave responsibility to curb the spread of pornography and violence in our society by ensuring that any proposed classifications protect viewers and readers from violent and pornographic material.

The brief summary of the current situation highlights some of our concerns

## **THE CURRENT SITUATION**

The Federal Government's Northern Territory intervention highlighted economic, sexual and physical violence but the fact that white Australians suffer the same atrocities at all levels of society is ignored.

On the 24<sup>th</sup> February, The Mercury reported the appearance in the Supreme Court of a retired high school teacher who admitted downloading, cataloguing and sharing a collection of 27,000 child pornography images sorted into 600 sub-directories. The images and videos depicted depraved sexual acts between young children and animals. The accused admitted accessing the material and said he became curious about child pornography after being exposed to some in a pop-up on his web browser. He admitted swapping passwords to child pornography sites with other people and uploading some material from his collection.

The news brings us stories of men in high places acting entirely inappropriately in the work place. Teachers both male and female have been dismissed following sexual liaisons with students.

Sex addiction is without doubt the fastest growing addiction in Australia and there are very few Clinical Psychologists equipped to deal with it.

Trusted priests and ministers have shocked the community by their sexual abuse of minors.

There are many people in similar positions who have not been caught. The sad thing is that people seem to forget that the children featured in pornography are 'real' and that they are suffering serial abuse.

You have most likely heard the heart-rending story of a 12 year old girl who was prostituted to over 200 men at a Hobart city hotel by her mother and her mother's male friend. The money the child earned went to buy her mother illegal drugs. The fact that the child was a State Ward at the time horrified the entire population and there were many letters to the paper demanding that the girl's customers be charged.

The Commissioner for Children Paul Mason wrote a damning report. No charges have been laid

against the men who used the girl. The mother and the pimp are in prison.

Tasmania's Children's Commissioner identified serious failings by child protection workers. An appalling injustice occurred to a young child and the very recommendations made by the Commissioner to ensure this never happens again are now sidelined along with the author of the 61 page report on how a 12 year old girl under state care was able to be prostituted.

The report was damning of the education, health and police departments that failed to protect this child.

It appears virtually impossible to quarantine offensive material from the internet despite Senator Conroy saying *I am not deterred. If the people equate freedom of speech with watching child pornography, then the Rudd Labor government is going to disagree.*

Sadly the Senator's promise has not come to pass and it seems that the only recourse is to impose severe penalties on the purveyors of this material, severe enough to deter its production, since the sexual exploitation industry is very profitable.

**Dr. Mary Anne Layden Ph.D. Co-director, Sexual trauma and Psychopathology Program and Director of Education, Centre of Cognitive Therapy, department of Psychiatry, University of Pennsylvania** states that: “ Pornography is available via print, video and internet. Then there is prostitution, which is street, indoor and massage parlours.

**There is prostitution light which is strip clubs and phone sex, and there's sex trafficking. All of these are variations of the abuse of women and children that involve money.**

**Pornography is mis-education. It teaches that sex is not about gentleness, vulnerability, responsibility, sweetness, intimacy, communication, commitment, procreation, marriage it's not any of these things. It is about selfishness, violence, stranger, groups, faeces, objects, children, manipulation, body parts, casual recreation, prostitution-al lingerie and using women's bodies as entertainment. Is that the message we want to send?**

**Those who think pornography is not involved in prostitution and sex trafficking don't know anything about pornography because they are all connected, simply variations on the same theme.”**

All are driven by demand and yet there has been very little focus on reducing demand for these harmful activities. The focus is on finding and helping the victims which is good, but we simply must curb demand. Many people are already addicted to physical and sexual violence and we don't want more. We want the Senate Committee to recognise the link between classified material and the commission of sexual and violent crimes and to give urgent consideration to applying RC classifications to prurient material.

Persons 'hooked' on pornography, print, video and internet will 'self abuse' for a time but ultimately they will 'act out' their inflamed appetite on vulnerable people.

Science has discovered mirror neurons that in my view is a refined definition of “monkey see monkey do!”

**Mirror neurons were first described in 1992.** A **mirror neuron** is a neuron that fires both when an animal acts and when the animal observes the same action performed by another. Thus, the neuron "mirrors" the behaviour of the other, as though the observer were itself acting. In humans, brain activity consistent with that of mirror neurons has been found in the premotor

cortex, the supplementary motor area, the primary somatosensory cortex and the inferior parietal cortex. However, despite the excitement generated by these findings, to date no widely accepted neural or computational models have been put forward to describe how mirror neuron activity supports cognitive functions such as imitation.

Some scientists consider this to be one of the most important recent discoveries in neuroscience. Among them is V.S. Ramachandran, who believes they might be very important in imitation and language acquisition.

This discovery has important consequences for the exposure of people, particularly the young, to violent and pornographic images, and has a bearing on the classification and availability of deviant material.

CWLA strongly believes THAT SUCCESSFUL PROTECTION BEGINS WITH PREVENTION. In the case of film, literature and video games etc. this means careful and adequate classification by people who are sensitive to aberrant images, and with the moral courage to refuse classification to sick material. The classifiers need to be changed every three years so that they don't become 'hardened' viewers. Classifiers should have the right to refuse classification.

## **ERADICATING THE PROBLEM AT ITS SOURCE**

Note: author's comments in italics

*The government seems to think that all our serious problems can be solved through education and regulation. We include the following comments because we feel that they are relevant to the classification of films and literature.*

A classic example of this approach is seen in the National Plan to Reduce Violence against Women and their Children 2010-2022. The plan released by the Minister for the Status of Women Kate Ellis and Attorney General Robert McClelland, and endorsed by Commonwealth, State and Territory Governments was released on Tuesday, 15th February 2011,

The National Plan is a single unified strategy that brings together government efforts to reduce violence against women.

*Although it says that The National Plan is the first of its kind to focus so strongly on prevention, including building respectful relationships amongst young people and working to increase gender equality to stop violence from occurring in the first place, we don't believe that it goes to the heart of the problem but puts a touching faith in reports, education, law and the consolation of victims, admirable but the flood keeps rising and it's not enough.*

Key actions under the National Plan include:

- Supporting local community action to reduce violence against women
- Commitment to support the inclusion of respectful relationships education in phase three of the Australian Curriculum.
- Provision of telephone support for frontline workers such as allied health, child care and paramedics to better assist clients who have experienced violence.
- New programs to stop perpetrators committing acts of violence and national standards for perpetrator programs.

- Establishing a national Centre of Excellence to evaluate the effectiveness of strategies to reduce violence against women.
- A Personal Safety Survey and National Community Attitudes Survey to be conducted by the ABC to track the impact of the new action plans every four years.
- Encouraging young people to develop healthy and respectful relationships through the continuation of The Line campaign and respectful relationships program.
- The Australian Law Reform Commission (ALRC) inquiry into the impact of Commonwealth laws on those experiencing family violence.

Minister Ellis said that the National Plan has been built from an evidence base of new research and extensive consultation with experts and the community, and sets out a framework for action over the next 12 years

*Why not consult the victims and the perpetrators? The 8 point plan never tackles the reason for violence or the reduction of violence per se.*

*It's a case of throwing money at it and helping those who suffer it, rather than identifying and eradicating the causes of violence.*

“Since April 2009, the Australian Government has committed over \$86 million to initiatives under the National Plan, to improve the lives of women who have experienced violence and most importantly to stop violence from occurring, Ms Ellis said.

**Attorney-General Robert McClelland said that domestic violence and sexual assault are the most pervasive forms of violence experienced by women in Australia, with one in three women reported to have experienced physical violence in Australia since the age of 15.**

*We wonder how that estimate would expand if child prostitutes were included! There is another statistic that claims one in three little girls are sexually abused by the time they are 15.*

“It is time for this to change, Mr. McClelland said. Today we send a clear message that violence is totally unacceptable.

*A clear and true message that lacks the capacity to stop the violence. The much criticized Northern Territory intervention went a long way towards identifying the sources of the problem by linking economic, physical, sexual, alcohol and other substance abuse.*

“Protecting children and families from harm is a critical issue for the Australian, State and Territory Governments”

*There is no mention of the damaging effects of pornography, print, video and internet that trigger violence against women.*

Minister Ellis said that under the National Plan the Australian Government would support a series of projects over the next three years to improve services for victims of domestic violence.

*New programs to stop perpetrators committing acts of violence and national standards for perpetrator programs is good and it would be helpful if we were given more information about them.*

“We will also fund the Personal Safety Survey and the National Community Attitudes Survey every four years to track the impact of the National Plan Ms Ellis said.

“Together with our State and Territory colleagues we are determined to back this commitment with action, and the National Plan sets out our framework for doing this over the next 12 years.

Studies commissioned by the Australian Government in 2009 show that in addition to the immeasurable emotional and personal impacts of violence, there is an enormous economic cost. Domestic violence and sexual assault perpetrated against women costs the nation \$13.6 billion each year.

*How about control over films and television programs that routinely show women being sexually and physically abused? The standard of television programs is deteriorating rapidly where sex and violence appears to be obligatory! Now these images are reaching people on their mobile phones!*

Minister Ellis said that it is the responsibility of all Australians to both reject and prevent violence.

*It's great that our government is concerned for the victims of violence but if ever we are going to change things we need to identify the source of the violence that pervades our nation.*

*The problem of violence has been around from the earliest days of settlement and I am reliably informed that so has the sexual abuse of children. The reasons for the violence ought to be known by now. Violence is a sickness that often proves fatal and as with any other sickness the source must be identified so that action can be taken to eradicate the problem and progress towards healthy relationships.*

*We fear that all the admirable aims listed in the National Plan are doomed to fail because violence grows from experiencing, witnessing and feeling the power of violence. Its victims are accustomed to cower and cringe before these bullies. Sometimes it is learnt from films and books but most often from firsthand experience of a tormentor who brooks no interference to his/her shouting, menacing and hurting. After all what can substitute for this power? If they abandon force, where can they get a comparable rush of adrenalin? Violence is an addiction that seriously harms the victim and rewards the perpetrators.*

*Finding the source of this national sickness, ridding the nation of alcohol abuse, drugs, violent games, films and publications and learning to identify and talk about our feelings COULD BE OF GREAT HELP TO AUSTRALIANS -- over time. We all have feelings and yet most of us are feeling illiterate which results in a build up of feelings that erupt as anger or cause depression.*

## **NOW TO THE TERMS OF REFERENCE FOR THE SENATE LEGAL AND CONSTITUTIONAL AFFAIRS REFERENCE COMMITTEE'S INQUIRY INTO THE AUSTRALIAN FILM AND LITERATURE CLASSIFICATION SCHEME.**

There are persons driven by money and greed, by sexuality and lust, sometimes by their own psychological damage, who would have us misunderstand, falsify, ignore and misuse sexuality. Unfortunately a lot of these people are in publishing and film making.

**(a) the use of serial classifications for publications** - *is good so long as it is clear what can be found under each category and everyone is clear as to what the classification means. An index of the title and content of the catalogued material ought to be available and individuals given the right to challenge the item's location and give reason why its classification should be changed.*

**(b) the desirability of national standards for the display of restricted publications and films;**

*Yes, an excellent idea but it does not mention any restriction on advertising or whether the public can enquire about the content of a restricted item. All restricted items should be kept out of video stores because once bought or hired they can be seen by simply anybody.*

*If a child returns an R rated DVD to a Video Store, the store should be obliged to report details to the police since the child should not have a film with this classification in their possession. A subsequent heavy fine should be applied as a deterrent.*

(c) the enforcement system, including call-in notices, referrals to state and territory law enforcement agencies and follow-up of such referrals; *should be reported to any police station with the police obliged to follow through on the report.*

(d) the interaction between the National Classification Scheme and customs regulations; *Must be harmonised so that nothing comes into the country without the scrutiny of the NCS*

(e) the application of the National Classification Scheme to works of art and the role of artistic merit in classification decisions; *people will complain and there will be talk of censorship but having seen a couple of images of bestiality with no artistic merit whatsoever at 'Mona' we strongly recommend a National Classification Scheme for works of art.*

(f) the impact of X18+ films, including their role in the sexual abuse of children; *having worked with abused children I would say that X18+ films provide a training ground for sexual abuse.*

(g) the classification of films, including explicit sex or scenes of torture and degradation, sexual violence and nudity as R18+; *We simply don't need these at all, they feed these sick behaviours why else would people want to view them?*

(h) the possibility of including outdoor advertising, such as billboards, in the National Classification Scheme; *yes many billboards are offensive and a standard must be applied.*

(i) the application of the National Classification Scheme to music videos; *Older people often cannot catch the message but the young are very aware and much influenced by the lyrics and images so the classifiers require a written 'translation' of the lyrics.*

(j) the effectiveness of the ARIA/AMRA Labelling Code of Practice for Recorded Music Product Containing Potentially Offensive Lyrics and/or Themes; *we leave it to others to decide how effective they are but strongly recommend that if they are not then it become the responsibility of the Australian Film and Literature Classification Scheme.*

(k) the effectiveness of the National Classification Scheme in preventing the sexualisation of children and the objectification of women in all media, including advertising; *nowhere near good enough at present for them to become effective. It requires a quantum leap!*

(l) the interaction between the National Classification Scheme and the role of the Australian Communications and Media Authority in supervising broadcast standards for television and Internet content; *little by little the standard of television is deteriorating it's distressing to watch the slow introduction and advance of objectionable material, we complain to the channel and get a bland answer so we suggest a further point of contact for complaints from the public.*

*"Today, subtle forms of dictatorship exist: a conformism, which becomes obligatory, thinking as everyone thinks, behaving as everyone behaves, and the subtle assaults on the church or even those that are less subtle show that this conformism can really be a true dictatorship *this could aptly describe the media's response to callers.**

[Benedict XVI homily, *L'Observatore Romano*, No 16 weekly edition in English, Apr. 21, 2010, P, 11 ]

(m) the effectiveness of the National Classification Scheme in dealing with new technologies and new media, including mobile phone applications, which have the capacity to deliver content to children, young people and adults; *this is a very real example of mirror neurons because once one child knows how to tap into forbidden stuff the knowledge will spread like wildfire and parents are helpless to prevent it.*

(n) the Government reviews of the Refused Classification (RC) category; *the RC category is seriously needed and must be retained. Any reviews of material already designated RC should be undertaken by people sensitive to dangerous material rather than battle weary case hardened classifiers.*

(o) any other matter, with the exception of the introduction of a R18+ classification for computer games which has been the subject of a current consultation by the Attorney-General's Department.

*The decision made as a result of the consultation is most satisfactory or was it only deferred?*

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## **CONCLUSION**

•We are all aware of the power and persistence of visual images that linger long in the memory. Baroness Susan Greenfield, Oxford University Neuroscientist, Britain's most distinguished female scientist, researched the impact on the human brain of computer games and the Internet. She has called attention to the potential impact of stimulus intensive video games, which deliver an uninterrupted stream of audio visual thrills, without real world consequences.

The words of Aldous Huxley in the 1958 preface of *A Brave New World* are prescient: *"Impersonal forces over which we have almost no control seem to be pushing us all in the direction of the Brave New Worldian nightmare; and this impersonal pushing is being consciously accelerated by representatives of commercial and political organisations who have developed a number of techniques for manipulating, in the interest of some minority, the thoughts and feelings of the masses."*

Huxley's bleak outlook is not hyperbole or paranoid delusion: It has been documented in the world most important studies on mass media. People are viewed as a bewildered herd - spectators of action rather than participants.