

***Submission***

for

**Inquiry into the Australian film and literature  
classification scheme**

Conducted by

**Senate Legal and Constitutional Affairs References Committee**

**Due: 4 March 2011**

from

**Salt Shakers**

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## **Section A – Our Key Concerns**

### **The Effect on children from films, publications and computer games**

Children are affected by the material they see and hear and are also affected by the computer games they play. As a community we have a responsibility to ensure that they are not adversely affected by films and computer games. We must err on the side of caution and seek to protect them in their developing years, up to age 18.

- In July 1999 the *Royal Australasian College of Physicians* released a report entitled, *Getting in the Picture*. It said that young children are not intellectually, socially and emotionally mature enough to interpret what they see on television. They cannot understand the emotional cause and effect which lies behind what they see on television. Consequently, they may copy the action they see without really understanding the consequences and may harm themselves or other children as a result (pp.10,11).

Of course this applies to what children see on film and video as well. We are extremely concerned about the amount of foul language, sex, violence and adult themes in today's movies and computer games and the adverse effect they have on children. This is even more important when one considers X-rated pornographic videos, given the explicit nature of the material.

In this initial section we will consider the various classifiable elements in the classification scheme, particularly with reference to the adverse effects of the material on children.

#### **1. Language**

The language of children is adversely affected by what they hear in films. When characters in a film swear profusely children think that this is acceptable behaviour. The change to regulations on television allowing swearing after 8.30 pm has led to declining standards and increased swearing on television. Films are becoming full of the 'f' word and this lowers the tone of the film and the subsequent language of children.

#### **2. Sex**

The viewing of sex scenes removes the natural inhibitions of children and teenagers. It alters their understanding and perception of how relationships develop and what is appropriate behaviour. Their understanding of relationships suffers when they see fleeting relationships and people having sex as soon as they meet. When these depictions appear in G-rated and PG films young children are affected by what is shown on the screen.

#### **3. Violence**

Children view thousands of shooting and murder scenes on television and in film by the time they are 18. This exposure affects the minds of children and teenagers and develops a culture that says violence is normal and acceptable.

Computer games that involve violence and killing affect the way children relate to other people.

An army educator, Col David Grossman, has written an insightful research paper highlighting the incredible reflexes found in young people who have repeatedly played computer games. He links that to the rise in school shootings in the USA where the accuracy rate is incredible because they have 'trained' their reflexes by playing computer games. Prior to that, he says that it was extremely difficult to train people to actually shoot at a target with the intent to kill and have any sort of accuracy.

His paper, along with further research, is located on <http://www.killology.com/index.htm> and now

posted on the Warrior Science Group website <http://www.warriorsciencegroup.com/> .

His main arguments are presented in this paper:

**Teaching Kids to Kill** at [http://www.killology.com/article\\_teachkid.htm](http://www.killology.com/article_teachkid.htm)

#### 4. Adult themes

Children exposed to nudity, adult themes and adult relationships are adversely affected by repeated viewing of these themes. They begin to think that such behaviour is normal and are prematurely sexualized.

In September 2010, the [American Academy of Pediatrics](#) launched a new policy statement that said ‘pediatricians, parents and media companies need to be more cognizant of the sexual material that children and teens are exposed to through television, music, the Internet and other media’.

Quote from report in [HealthDay/USA Today](#) and in article on *Medical News* at <http://www.medicalnewstoday.com/articles/200436.php>

**The policy statement:** *Sexuality, Contraception, and the Media*

At <http://pediatrics.aappublications.org/cgi/content/full/126/3/576>

#### **The Policy statement says**

“American children and teenagers spend more than 7 hours/day with a variety of different media.<sup>7</sup> Those media are filled with sexual messages and images, many of which are unrealistic.<sup>2</sup>”

They go on to say

“Numerous studies have delineated the media's powerful influence on adolescents' sexual attitudes, values, and beliefs.<sup>2,39-42</sup>

In particular, the statement considers the impact that exposure to sexual activity in films, magazines and TV leads to early sexual intercourse – in effect, the early sexualisation of our children.

#### **The statement says:**

“Nine longitudinal studies have given potential answers to the question of whether sexy media contribute to early sexual activity, and the answer seems to be "yes."<sup>41,55-62</sup>

Results of 7 of these studies have shown that exposure to sexual content in TV and other media in early adolescence— particularly for white teenagers—can as much as double the risk of early sexual intercourse. Adolescents whose parents limit their TV-viewing are less likely to engage in early sex.<sup>58</sup> Younger children who have viewed adult-oriented TV shows and movies are more likely to begin having sexual intercourse earlier.<sup>61</sup> The study samples together total nearly 10 000 teenagers nationwide, and the most ambitious studies included other media such as movies, music, and magazines.<sup>57</sup> In addition, a recent study revealed that early exposure to sexual content doubled the risk of teen pregnancy.<sup>60</sup> Clearly, the media play a major role in determining whether certain teenagers become sexually active earlier rather than later,<sup>63</sup> and sexually explicit media may be particularly important.<sup>41,64</sup>

Watching movies, whether on TV or in cinemas, are also included in this scenario.

Pornography has adverse effects on children and young people – as well as on adults.

The website *Protect Kids*, by Donna Rice Hughes, notes the harm done to children from pornography. She lists a variety of consequences, one of which is the acting out of the behaviours they view. This applies to explicit pornography as well as in lower rated material.)

*She says “Children often imitate what they've seen, read, or heard. Studies suggest that exposure to pornography can prompt kids to act out sexually against younger, smaller, and more vulnerable children. Experts in the field of childhood sexual abuse report that any premature sexual activity in children always suggests two possible stimulants: experience and exposure. This means that the sexually deviant child may have been molested or simply exposed to sexuality through pornography.”<sup>viii</sup>*

*In a study of six hundred American males and females of junior high school age and above, researcher Dr. Jennings Bryant found that 91 percent of the males and 82 percent of the females admitted having been exposed to X-rated, hard-core pornography. Over 66 percent of the males and 40 percent of the females reported wanting to try out some of the sexual behaviors they had witnessed. And among high schoolers, 31 percent of the males and 18 percent of the females admitted actually doing some of the things they had seen in the pornography within a few days after exposure.”<sup>ix</sup>*

See *How Pornography harms children*, <http://www.protectkids.com/effects/harms.htm>

## 5. Drug Use

The Classification Guidelines allow for depictions of drug use in films that are watched by children and teenagers. The adverse effects of drug taking are well-known and recent research has again highlighted the correlation between cannabis use and mental illness.

See ‘Cannabis use ‘accelerates’ mental illness’, The Australian, Feb 9, 2011.

<http://www.theaustralian.com.au/news/nation/cannabis-use-accelerates-mental-illness/story-e6frg6nf-1226002449477>

The following classification categories allow varying degrees of drug use to be depicted.

G rating: “Drug use should be implied only very discreetly, and be justified by context.

PG: “Drug use should be justified by context.”

This is the same in the M and MA15+ categories.

We contend that the depiction of ANY drug use in films is unacceptable, especially for those under 18.

Thus the Classification Guidelines on this matter should all be revised to remove the depiction of drug use in films viewed by those under 18.

## Effect on the general community

Adults can also be adversely affected in the same ways by exposure to violence, sex, drug use and ‘adult themes’ in film and computer games.

Ted Bundy, serial rapist and murderer in the USA, has described how he watched increasingly violent

and sexually explicit films before acting out these themes in real life. His story is recorded on the *Focus on the Family* video *Pornography: Progressive and Deadly*.

The interview is online at <http://www.pureintimacy.org/piArticles/A000000433.cfm>

For adults, violence in films encourages the belief that violence can solve problems. Repeated exposure to violence leads to an unbalanced view of life.

Poor relationships between men and women can be a consequence of viewing casual sexual relationships on the screen.

Repeated swearing reduces our ability to discern what is good and noble behaviour. Increased blasphemy in films (using the name of God or Jesus) reduces the respect for religion in the community.

## **Section B – Recommendations**

**Recommendation 1:** Implement a series of amendments to the classifiable categories to make the elements within the categories more appropriate for the allowable viewing age.

These proposed changes are outlined in the next section.

**Recommendation 2:** As an alternative to Recommendation 1, move all the categories up one level (eg: current G becomes PG etc) and create a new family-friendly G-rated category with no classifiable elements allowed.

**Recommendation 3:** Specify in the Guidelines how terms like “mild”, “moderate” and “strong” can be independently measured within a film or game. This will clarify and limit the discretionary scope that is allowed in the present Guidelines.

**Recommendation 4:** Every issue of a serial publication should be required to be submitted to the Classification Board to be classified. ‘Serial’ approved publications should not exist.

**Recommendation 5:** Category 2 publications should remain behind closed doors. At the very least, Category 1 magazines and publications should be relegated to under the counter and not placed on public display. Non-restricted pornographic material (such as *Playboy*, *Picture* or *People*) should be placed into the Category 1 classification for publications.

**Recommendation 6:** All artwork should be classified under the guidelines. In order to protect children, the so-called principle of “artistic merit” should not be valid in overriding the classification Guidelines.

**Recommendation 7:** Explicit sex, scenes of torture and degradation, sexual violence and nudity should all be elements that would cause a film not to be allowed as R18+.

Scenes of torture and degradation, sexual violence should be ‘refused classification’

Sexual violence should not be even implied in the R18+ category.

**Recommendation 8:** Advertising should come under the regulation of the classification scheme in order to protect women and children. This should apply not only to outdoor advertising such as Billboards, but to all advertising.

**Recommendation 9:** Music lyrics, themes and videos should be brought under the National Classification Scheme.

**Recommendation 10:** The classification Guidelines should be expanded to regulate advertisements of all types.

**Recommendation 11:** Television and internet content should come under the national classification scheme. All films and TV programs should be submitted to the censors prior to broadcast. People should be able to lodge a complaint about a program before the program is broadcast.

**Recommendation 12:** The Classification scheme should include the regulation of applications on the new technology, including mobile phone applications and so on.

**Recommendation 13:** The ‘Refused Classification’ category should retain all its current elements. In addition, all sexually explicit activities currently in the X18+ category should be classified RC and all sexual violence should be moved from the R18+ category to the RC category.

## **Section C - Classification Guidelines overhaul**

A major issue with the classification Guidelines is the ‘slippery slope’ effect that has occurred in the past. This “evolution” of the guidelines is reflected in the lack of clarity in terms such as “mild” or “moderate”.

### **Terms need to be identified in the guidelines rather than interpretation of censor:**

A further problem arises because films and games from all of the categories, if they contain *several* “classifiable elements”, have a greater impact than other films or games in the same category which have a single classifiable element.

For instance, a film may contain moderate themes, moderate sexual activity, moderate coarse language and moderate violence. However, because there are several different elements that are ‘moderate’ the sum total of the impact of the film is greater than an M-Mature film should be. Therefore the collective elements present in a film or game should be taken into consideration and may result in a higher classification.

This is particularly relevant in games because games are inclined to have greater amounts of violence packed into a reasonably-short (depending on the game) time-frame. The continuous flow of violence in a game needs to be taken into consideration when being classified. Just because a game’s violence only reaches a “moderate” level this does not mean the game should receive an M-Mature rating. Because of the frequency of the “moderate” level of violence the game should be classified as at least MA15+.

We recommend two approaches to ‘repair’ the guidelines. Firstly, if we were to persist with the Guidelines, in their current form, the allowable elements in each category needs to be altered.

Here is our recommendation as to what modifications should occur:

### **G – General**

At the moment General can contain ‘very mild sexual activity’, ‘very mild coarse language’, ‘very discreetly implied drug use’ and ‘nudity (justified by context)’.

**None** of these elements should exist in a G-rated film. Children of all ages watch these films and it is inappropriate for these elements to be shown to children.

### **PG – Parental Guidance**

At the moment PG - Parental Guidance films can contain ‘mild violence’, ‘mild sexual activity’ and ‘mild coarse language’ as well as ‘drug use (justified by context)’ and ‘nudity (justified by context)’.

As PG movies are available to children and young teens there should be no drug use, sexual activity or nudity. Violence and coarse language should be low or very mild and justified by context.

### **M – Mature**

As M-Mature films are viewed by young teens and, sometimes, children (even if this is not recommended) there should be no sexual violence, drug use or nudity.

The current Guideline allows ‘Moderate violence is permitted, if justified by context’, ‘Sexual violence should be very limited and justified by context’, Sexual activity should be discreetly implied, if justified by context’, ‘Coarse language may be used’, ‘Drug use should be justified by context’ and ‘Nudity should be justified by context’.

There should only be mild coarse language and violence.



### **MA15+ - Mature Accompanied**

MA15+ films and games allow too much violence and coarse language. These should be limited to moderate amounts.

There is no reason why sexual violence, drug use or nudity need to be included as elements in this category.

### **R18+ - Restricted**

Restricted films in the R18+ category have virtually no restrictions. We believe it is in everyone's best interests if violence, sex, themes and language had some restrictions upon them.

Relating to sex, the Guideline says "Sexual activity may be realistically simulated. The general rule is "simulation, yes – the real thing, no". "

We believe that this is too explicit for this category.

Regarding sexual violence, the Guideline says "Sexual violence may be implied, if justified by context."

We contend that sexual violence should not be permitted.

Furthermore, drug use and nudity should still be required to be "justified by context".

The second possible approach that we suggest would be a complete overhaul of the classification guidelines. This should be done by moving all material into the category above that in the guidelines.

In this way G-rated films and games should become PG classified; PG to M; M to MA15+; MA15+ to R18+ and R18+ to RC.

From this a new category of G-General should be created that has no classifiable elements.

Hence, a completely family-friendly category.

There seems to be a lack of understanding on the part of parents about what the film and game classifications actually mean for their children. While we respect the parent's right to choose for their children the protection of children is paramount. Protection from being sexualised by the material they are exposed to, and the protection from degrading films and games.

**Recommendation 1:** Implement a series of amendments to the classifiable categories to make the elements within the categories more appropriate for the allowable viewing age.

**Recommendation 2:** As an alternative to Recommendation 1, move all the categories up one level (eg: current G becomes PG etc) and create a new family-friendly G-rated category with no classifiable elements allowed.

**Recommendation 3:** Specify in the Guidelines how terms like "mild", "moderate" and "strong" can be independently measured within a film or game. This will clarify and limit the discretionary scope that is allowed in the present Guidelines.

## **Section D – Response to Specific Issues Identified by Committee**

In this section we have addressed each issue brought before this Inquiry in succession. We applaud the Committee and the Senate for investigating several valid issues regarding classification and the sexualisation of children in this inquiry into the Australian film and literature classification scheme.

### **a) the use of serial classifications for publications;**

Serial classification for publications, such as *Playboy*, do not work. There is no reason that each edition or magazine of a serial or regular publication should not undergo classification. It is rather redundant to classify only a handful of issues and apply them to the complete future series of publications.

Furthermore, there is a lack of stringency in the system that regulates these classifications and it is not unknown for a publication to lapse into releasing an edition that does not meet the requirements of the serial classification that has been imposed upon it. This is a further compelling reason to require every edition of a publication to be classified.

**Recommendation 4:** Every issue of a serial publication should be required to be submitted to the Classification Board to be classified. ‘Serial’ approved publications should not exist.

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

National standards provide uniformity and reliability in the display of publications and films. This is something we would encourage.

Regarding publications, both Category 1 and Category 2 publications should not be on display in shops. Category 1 publications should be under the counter out of sight, and Category 2 publications should be behind closed doors, as it already is required to be. This is in the interest of protecting children from seeing the display of these magazines in shops they frequent.

To this end, we believe, that non-restricted pornographic material (eg *Playboy*, *People* and *Picture* etc) should be classified Category 1 and be required to be placed under the counter or stoeps, thus not on public display. Again, it is in the child’s interests that such material is not available for perusal in the news agency or the local milk bar.

**Recommendation 5:** Category 2 publications should remain behind closed doors. At the very least, Category 1 magazines and publications should be relegated to under the counter and not placed on public display. Non-restricted pornographic material (such as *Playboy*, *Picture* or *People*) should be placed into the Category 1 classification for publications.

### **c) the enforcement system, including call-in notices, referrals to state and territory law enforcement agencies and follow-up of such referrals;**

The enforcement system, in regards to publications, requires a lot of attention. There needs to be stringent monitoring of the display and sale of pornographic material, whether film or publications. As

has occurred in the past, there can be inadvertent mis-display of category 2 publications as well as deliberate attempts to sell this material to minors in stores. This also occurs with the sale of Refused Classification and X18+ films – in adult shops and also markets etc.

There needs to be a better system that would allow citizens to work with law-enforcement agencies on this matter. Very few individuals know the difference between Category 1, Category 2 and non-restricted and 'Refused classification' pornographic material. Often they don't know that it is illegal to sell or display X18+ material in stores (even adult stores) around the states. Even if they do, and they notice breaches of the Guidelines the person does not know who to contact. If a person does not know what the classification system entails or how it is enforced, then often the classifying of publications is, at best, a token effort.

**d) the interaction between the National Classification Scheme and customs regulations;**

There needs to be consistent enforcement of the National Classification scheme. With the increase of online purchasing this could be difficult to enforce for purchases by an individual; however the scheme should be applied to such purchases, and customs need to work to enforce the classification scheme for imports by increasing the amount of inspection of imported goods.. When large quantities are imported by businesses then customs inspection and enforcement must ensure that the classification scheme is upheld and properly enforced.

**e) the application of the National Classification Scheme to works of art and the role of artistic merit in classification decisions;**

“Artistic merit” should play a limited or non-existent role in regards to its classification.

As “artistic merit” is subject to interpretation, any attempt to take this into consideration when applying the guidelines will cause a weakening of the classification guidelines, especially in G and PG.. Already the importance of context is taken into consideration.

Artwork should be regulated by the National Classification Scheme. There have been recent instances of the exploitation of children for “artistic merit”. The Henson incident highlights the fact that some aspects of the Guidelines are overlooked when ‘art’ is involved. In that case, children under the age of 16 were depicted in sexualized material which would not be allowed if the context was deemed to be ‘pornographic’.

Children should be protected from being sexualized at all costs. It seems reasonable that members of the art community should be held accountable for things like child nudity in their paintings and photographs.

**Recommendation 6:** All artwork should be classified under the guidelines. In order to protect children, the so-called principle of “artistic merit” should not be valid in overriding the classification Guidelines.

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

There is no doubting the impact of films that fall into the X18+ category have on the human mind and actions – even for adults. It desensitizes the viewer until they believe that what is actually occurring on the screen is reasonable to watch and then act out in real life.

Furthermore, regularly watching sexually explicit material influences the way the viewer interacts with other people. It influences their relationships and encourages the degradation of women.

Both of these attributes have the compounding effect of de-sensitising people and degrading relationships. For those who watch this material, which encourages people to go outside the bounds of committed monogamous relationships, it could cause them to experiment with other illicit relationships, including with children.

As noted above, when children watch sexualized material they are affected by this even more than adults are. The more this material is available in homes, the more children and teenagers will have access to it and be affected by it. In effect, this is an abuse of children.

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

We have spoken at length above in regards to our suggested improvements to the classification guidelines. However, the R18+ Restricted category requires further attention.

Any scenes of torture and degradation should not be present in any classified film. We know the damage that results from allowing these scenes and the influence they have on people, young or old.

Sexual violence should be dealt with similarly. At the moment it is allowed to be *implied*. While it may be seen to be important that people are allowed to choose what they watch, some elements, like sexual violence, influence society in such a damaging way that they should be refused classification.

Explicit sexual activity is currently allowed to be ‘simulated’ in the R18+ category. We are concerned about the amount of sexual activity allowed in the R18+ category. It certainly should remain simulated rather than the real thing. Actual sex must not be allowed in R18+ films, regardless of whatever ‘context’ might be considered to justify it.

R18+ films are available in mainstream shops on video/DVD/Blu-ray. Because of this, actual sex scenes should not exist on R18+. For uniformity's sake, the X18+ category, with actual sexual activity, should not exist in Australia (even in the Territories as is the current situation.) However, if it has to exist then keep the actual sex scenes from tainting cinemas and the film medium.

**Recommendation 7:** Explicit sex, scenes of torture and degradation, sexual violence and nudity should all be elements that would cause a film not to be allowed as R18+.

Scenes of torture and degradation, sexual violence should be ‘refused classification’

Sexual violence should not be even implied in the R18+ category..

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

## **Scheme;**

The current control of advertising rests with other bodies, such as the Advertising Standards Board. However, we believe that outdoor advertising such as Billboards should be also regulated under the Classification scheme in order to protect children from being sexualized and also to protect against the objectification of women in such advertising.

**Recommendation 8:** Advertising should come under the regulation of the classification scheme in order to protect women and children. This should apply not only to outdoor advertising such as Billboards, but to all advertising.

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

Music videos appear mainly on the internet and television shows. Both of these mediums are not controlled by the classification guidelines. However, these videos are still available in a film format and, therefore, should be classified under the guidelines.

When classifying music videos we suggest three elements should be taken into consideration: music, lyrics and actions.

Themes and all the classifiable elements (sex, drug use, nudity, language etc) should influence the classification of the lyrics.

In addition, the visual part of the music video should also be considered and classified. The lack of clothes and provocative dancing should influence how music videos are classified. For instance the recent music video by Christine Aguilera promoted the notion of group sex – hardly a theme or content appropriate for children and teenagers.

### **j) the effectiveness of the ‘ARIA/AMRA Labelling Code of Practice for Recorded Music Product Containing Potentially Offensive Lyrics and/or Themes’;**

This voluntary Code of Practice as used by ARIA to label albums isn’t working in the form it is in at the moment.

**Example:** Rihanna’s new album titled *Loud* has three songs that are quite expressive in their depiction of sexual activity.

*S & M* describes Rihanna’s fetish for “chains and whips” and the smell of sex.

*Skin* is in reference to her and her partner stripping. The musical depiction stops just short of the actual act of sex.

*What’s My Name*’s lyrics are littered with sexual innuendos and references as well as express mention of using weed.

Other tracks in the album have specific depictions of violence:

*Love the Way You Lie (Part II) & Man Down.*

To find out what **Loud** would be rated by the **ARIA Labelling Code of Practice** one cannot turn to the ARIA website. The website states the three levels as Level 1: Moderate, Level 2: Strong, Level 3: Restricted but does not have a way to see what albums are actually rated.

Even calling up **ARIA** General Inquiries did not help in determining the classification of this album.

**Loud** is available on both **Sanity** and **JB Hi Fi** websites for purchase but neither express any classification whatsoever. Only by physically looking at the album or, in this case, getting a **Sanity** employee to observe the album cover (we phoned the store and the employee couldn't tell us without going and looking at the album cover and reporting the 'rating' to us) did we discover that **Loud** is classified **PG** for "infrequent moderate coarse language".

This example raises four different issues with the ARIA/AMRA Labelling Code of Practice:

1. There is no notification on the internet as to what albums are classified as.
2. There is an increase in purchases of albums on the internet. Be that on the **Sanity** and **JB Hi Fi** website's or the increasingly popular **iTunes**.

At no stage are the classification of songs or albums available. iTunes has its own classification which does not align with any Code of Conduct nor is it particularly accurate (i.e. **S & M** is not mentioned as explicit).

3. The classification of Rihanna's **Loud** as PG is incorrect. Her album contains strong themes of sexual acts as well as depictions of violence. The Code of Conduct should dictate that her album be a level 3 "strong" – certainly not PG. In fact the rating by the store didn't use these numbers in their labeling of the CD.
4. The fact that the ARIA code is voluntary means there is little checking of what ratings are put on music and if they are actually appropriate. This needs to be rectified by having a compulsory rating system for music, lyrics, music videos and so on - that should come under the national classification scheme.

**Recommendation 9:** Music lyrics, themes and videos should be brought under the National 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;**

The National Classification Scheme is too liberal and is failing to prevent the sexualisation of children. See above (Section B) for our recommendations in regards to classification.

Advertising needs to be controlled and restricted. The use of sex to sell items and services is not a new phenomenon but it seems to be getting out of hand.

Parents lack control over what advertisements are shown on television. Because of this, broadcasting agencies should err on the side of caution and avoid using advertisements which have sexual themes. However, the broadcasting agencies have failed to do this and, therefore, it must fall to the National Classification Scheme to regulate advertisements in all areas.

**Recommendation 10:** The classification Guidelines should be expanded to regulate advertisements of all types.

**I) 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;**

ACMA, in regulating television content, and content on the internet for broadcasters, provides a voluntary code of practice. This is ineffective often been found to have breached the Code of Conduct – examples include Big Brother and Californication.

One problem is that the Code of Conduct is too liberal in what it allows, especially in the areas of sex, nudity, violence and coarse language.

A second problem with the rating system for television is that complaints cannot be made UNTIL AFTER the program has been broadcast. That means that the whole community has been exposed to the content which has later been found to be unacceptable. The most difficult issue with television is that once a show has aired it is too late

This has applied even to programs which have been broadcast overseas and are known to be problematic.

Once the program has been broadcast one can write and complain but has to wait until a reply is received before one can then make a complaint to ACMA.

By the time ACMA investigates and makes a decision it can be several months after the program has been broadcast.

One way of rectifying this is to bring the ratings for television – and internet content – under the national classification scheme where fixed standards can be applied. It is also important that people can complain BEFORE a show is broadcast.

In fact, all films and TV programs should be classified by the classification authority, not just the TV station, prior to being broadcast.

**Recommendation 11:** Television and internet content should come under the national classification scheme. All films and TV programs should be submitted to the censors prior to broadcast. People should be able to lodge a complaint about a program before the program is broadcast.

**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;**

If the National Classification Scheme is to remain relevant to new technologies its scope needs to be expanded. Mobile phones now have internet access and so many different downloadable apps.

The fact that children and young people now often have high-powered mobile phones means it is vital that we act to protect children and young people in particular.

All of these aspects need to be considered and the content regulated under the classification scheme.

**Recommendation 12:** The Classification scheme should include the regulation of applications on the new technology, including mobile phone applications and so on.

**n) the Government's reviews of the Refused Classification (RC) category; and**

Everything in the Refused Classification (RC) section should remain there. The excessive violence, sex and drug use that are depicted in these films and games should remain unavailable to the public.

Any form of sexual violence should be banned – thus it should be removed from film categories that allow even simulated sexual violence.

Everything in the X18+ category should be refused classification. There is no logical reason why the ACT and Northern Territory should be out of step with the rest of the States. In fact, allowing the two territories to have a further restricted category defeats the fact that all the States exclude and ban it from sale and display. Someone from one of the States can easily purchase these films and get them sent by domestic mail.

Any film or game that depicts group sex or homosexual sexual activity should be refused classification. Such portrayals damage society and adversely impact relationships.

Any films or games that degrade other humans should be refused classification.

**Recommendation 13:** The 'Refused Classification' category should retain all its current elements. In addition, all sexually explicit activities currently in the X18+ category should be classified RC and all sexual violence should be moved from the R18+ category to the RC category.

**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.**

NA