

Director's opening statement - Senate Estimates - February 2010

Thank you Senators for this opportunity to make an opening statement.

Since we last met, the Classification Board has continued to work efficiently to classify films, computer games and publications – and so fulfil its statutory duty and its role in the National Classification Scheme. As you know, the National Classification Scheme is a cooperative scheme between the Commonwealth and all Australian States and Territories. The Board's fundamental role is to make classification decisions. On the other hand, the States and Territories are primarily responsible for enforcement. Customs and Border Protection regulate what can and cannot be imported into Australia.

In the first half of this financial year, the Board received 3,783 applications, including applications to classify 2,471 films, 617 computer games and 155 publications. These figures are generally consistent with the number of applications the Board has received over the previous two years.

In recent Estimates hearings, Senators have expressed their concerns about the illegal sale of some adult magazines – concerns shared by the Board. Continuing the practice I have described to you in recent hearings, I have called in for classification 440 adult films and 36 adult magazines since July 2009. Unfortunately, none of the publishers of these films and magazines complied with these notices. Thus, they have all been referred to relevant State or Territory law enforcement agencies for appropriate attention and action. I am not in a position to advise you

what action these agencies may or may not have taken in regard to these referrals.

The Board continues to audit adult magazines that are covered by a serial classification declaration, and since July the Board has revoked the classification of seven magazines that featured content not permitted in the classification. This revocation also applies to future issues covered by the declaration.

While the Board has been conducting rigorous audits since the first serial declarations were granted, our audit schedule will be increased from this year onward to include an audit of every periodical covered by a declaration, to ensure that publishers do not abuse the system by including higher-level or entirely illegal content.

Since we last met the Board has also given further consideration to the issuing of serial declarations. When deciding whether to issue a serial classification declaration, the Board considers, amongst other things, the classification history of the periodical, statements from the applicant about the content of future issues and how the applicant intends to comply with conditions imposed by the Board. Given the recent history of non-compliance by some distributors, the Board has also been tending to issue shorter serial declarations – up to 12 months, rather than 24 months.

Overall, I can assure you that that the Board will continue to work with the Attorney-General's Department, officers of the Classification Liaison Scheme, industry and law enforcement agencies to try to increase industry compliance with State and Territory classification laws.

On another matter, at the October hearing I mentioned my concerns about consumers sometimes missing the very important advice the Board gives about films and computer games – advice such as ‘strong violence’ and ‘coarse language’. Providing such advice is a statutory requirement. Since then, the Board has started working with the Department on a project to improve access to and understanding of consumer advice. During the first half of this year, we will discuss options for improvements with industry and consumer representatives. The aim of the project is to increase the prominence of consumer advice on advertising and at points of sale, and to thereby help Australians make more informed choices about what they and their families view for entertainment. I hope to report to Senators about the progress and success of this project in future hearings.

2010 will be a period of some change for the Board. Deputy Director, Olya Booyar, recently left to take up a senior public service position, as her three-year term of appointment was drawing to a close. The Board’s Senior Classifier, Jeremy Fenton – currently acting as Deputy Director – will leave the Board in May, having served his full seven-year term. Other long-serving members have recently or will soon leave the Board. This week, advertisements have been placed on the internet and in newspapers across the country, including the regional press, to fill these positions. Members are appointed by the Governor-General, on recommendation of the Minister for Home Affairs, after consultation with State and Territory Censorship Ministers. I look forward to welcoming our new members.

Thank you.

