

SENATE LEGAL AND CONSTITUTIONAL LEGISLATION COMMITTEE
OFFICE OF FILM AND LITERATURE CLASSIFICATION

Question No. 141

Senator Fielding asked the following question at the hearing on 25 May 2006:

Over the past couple of years the Classification Review Board has lowered around 60 per cent of the classification ratings of items previously classified MA, M and PG by the Classification Board. The CRB is an independent body and makes its own decisions, but can the OFLC throw any light on the reasons for this? Is the Classification Board getting it wrong more often? Are there differences of opinion about the interpretation of the present guidelines? How can these differences be resolved?

The answer to the honourable senator's question is as follows:

It is not appropriate for the Office of Film and Literature Classification to comment on the decisions of an independent statutory body such as the Classification Review Board. The OFLC is not a decision-maker and only provides administrative support to the Board and the Review Board.

No. Over the past two years (2003/04 and 2004/05) the Classification Board has made 16,301 classification decisions of which only 23 were the subject of review. An application for review, or a different decision on review is not indicative of a deficiency in the original classification decision. The Review Board is making a fresh classification decision.

No. The Classification Board and the Classification Review Board are independent from each other and each apply the classification guidelines in classification decision making. It does not follow that a difference in classification decisions means a difference in the interpretation of the guidelines, although there may be differences in application of the guidelines.

There is no need to resolve differences in classification decision making. The current arrangements are working effectively and research undertaken by the OFLC indicates a high degree of community confidence in the national classification scheme.