

A N N U A L R E P O R T

1999-2000

*CLASSIFICATION BOARD
& CLASSIFICATION
REVIEW BOARD*



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LETTER OF TRANSMISSION



*The Hon. Daryl Williams AM QC MP
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The Hon Daryl Williams AM QC MP
Attorney-General
Parliament House
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Dear Attorney-General

I am pleased to forward this report on the management and administrative affairs of the Classification Board and financial statements for both the Classification Board and Classification Review Board for the year ended 30 June 2000.

This report has been prepared in accordance with section 67 of the *Classification (Publications, Films and Computer Games) Act 1995*.

A handwritten signature in black ink, appearing to read "Des Clark".

Des Clark
Director
29 September 2000

TABLE OF CONTENTS

LETTER OF TRANSMISSION	v
INTRODUCTION TO THE REPORT	1
DIRECTOR'S MESSAGE	2
CORPORATE OVERVIEW	6
Organisation Chart	8
Outputs and Outcomes	9
LEGISLATIVE BASE	10
CLASSIFICATION BOARD PROFILES	14
PERFORMANCE REPORTING	24
OBJECTIVE ONE	26
Key Outcomes	27
Classification Trends and Issues	27
Publications Classification	27
Film (including videotapes, DVDs etc) Classification	30
Computer Games Classification	33
Public Consultation and Research	37
Community Assessment Panels	37
Computer Games and Australians Today	38
Classification Guidelines Review	39
Telephone Message Services	40
Complaints	40
Speaking Engagements	43
OBJECTIVE TWO	44
Key Outcomes	45
Client and Industry Liaison	45
Publications Guidelines Review	45
Industry Training	46
Training for Authorised Assessors for Computer Games	47
Industry Conventions	47
Community Liaison Officer (CLO) Scheme	48
Film Festivals and Events	48
Advertising Exemption Scheme	49
OFLC Website	49
OFLC Customer Service Charter	50

OBJECTIVE THREE	51
Key Outcomes	52
Ministerial Council Meetings	52
Censorship Officials' Meetings	53
Police and Customs	53
International Liaison	54
Submissions to Government Committees/Inquiries	54
Ministerials	54
OBJECTIVE FOUR	55
Key Outcomes	56
Commercialisation Review	56
Improving our Services Project	56
Resource Management	57
Consultancies	57
Purchasing	58
Information Technology	58
Audit and Evaluation	58
Audit–internal/external	58
Evaluation	58
Decisions of Courts and Tribunals	58
OBJECTIVE FIVE	59
Key Outcomes	60
Performance Development and Review Scheme	60
Training and Development	60
Social Justice and Equity	60
Occupational Health and Safety (OH&S)	61
Participative Work Practices	62
CLASSIFICATION REVIEW BOARD	63
Letter of Transmission	64
Year in Review	65
Review Board Member Profiles	66
Legislative Base	69
Procedures	69
Decisions of the Classification Review Board	70

APPENDICES	
I	CLASSIFICATION GUIDELINES AND STATISTICS 71
	Guidelines for the Classification of Publications 72
	Publications (commercial) – by Classification 88
	Publications (commercial) – by Reasons for Refusal 89
	Publications (commercial) – by Country of Origin 90
	Guidelines for the Classification of Films and Videotapes 91
	Consumer Advice Lines – Films (including videotapes, DVDs etc) 104
	Films for Public Exhibition (commercial cinema features) – by Classification 106
	Films for Sale/Hire (commercial videotapes, DVDs etc) – by Classification 107
	Films for Public Exhibition (commercial cinema features) % – by Code Reasons for Classification 108
	Films for Sale/Hire (commercial videotapes, DVDs etc) % – by Code Reasons for Classification 108
	Films for Public Exhibition (commercial cinema features) – by Reasons for Refusal 108
	Films for Sale/Hire (commercial videotapes, DVDs etc) – by Reasons for Refusal 109
	Films for Public Exhibition (commercial cinema features) – by Country of Origin 110
	Films for Sale/Hire (commercial videotapes, DVDs etc) – by Country of Origin 111
	Film Festivals and Events 1999 – 2000 113
	Exemptions for Advertising Trailers 116
	Guidelines for the Classification of Computer Games 118
	Computer Games (commercial) – by Classification 124
	Computer Games (commercial) – by Reasons for Refusal 124
	Computer Games (commercial) – by Country of Origin 125
	Internet Content – by Classification 126
	Internet Content – by Reason for Refusal 126
	Police and Customs Workload 127
	Films (including videotapes, DVDs etc) and Computer Games referred for Classification by Police 127
	Publications referred for classification by Police 127
	Films (including videotapes, DVDs etc) and Computer Games referred for Assessment by Customs 128
	Publications referred for Assessment by Customs 128
II	REPORTS OF THE CLASSIFICATION REVIEW BOARD 129
III	FREEDOM OF INFORMATION 169
IV	STAFFING MATTERS 172
V	OUTPUTS AND OUTCOMES 177
VI	FINANCIAL STATEMENTS 181
VII	ADVERTISING AND MARKET RESEARCH 214
VIII	INDICES 215
	Compliance Index 215
	Glossary of Terms and Abbreviations 216
	Alphabetical Index 219

INTRODUCTION TO THE REPORT

This report is presented in accordance with the reporting guidelines for departmental annual reports and includes the reports of the Classification Board and the Classification Review Board as well as the financial statements for each.

The Office of Film and Literature Classification (OFLC) has five primary corporate objectives. These are as follows:

- One** to assist adults to make informed decisions about publications, films and computer games which they and those in their care may read, view or play, by providing classification advice which is consistent with community standards;
- Two** to enable the publishing, film and computer games industries to produce and market their products in accordance with public classification standards and pre-set conditions of sale and exhibition;
- Three** to establish the OFLC as a principal source of expert advice and information on classification issues for Government;
- Four** to ensure the optimum operation of the OFLC by pursuing continual improvement in the management of its resources; and
- Five** to develop the commitment and professionalism of staff to enhance the effectiveness of the OFLC.

The OFLC's activities during the year are discussed in relation to these corporate objectives in the section of the report entitled 'Performance Reporting'. Financial statements for the OFLC are in Appendix VI of the report.

DIRECTOR'S MESSAGE

Mr Des Clark, Director with Ms Robin Negle, Executive Assistant.

At the end of the reporting year I had held the position of Director for less than three months after taking up my appointment on 17 April 2000. I took up this position with a conviction of the importance for the Australian community of the work done by the Office of Film and Literature Classification and the Classification Board and an awareness of the need to keep closely in touch with community values in making classification decisions.

I arrived into an organisation in transition. The OFLC has been through substantial and continuing evolution and organisational change since the *Classification (Publications, Films and Computer Games) Act 1995* (the Act) came into effect in 1996. The pressures of technological change will ensure that the OFLC will continue to be subject to change requiring clear leadership and a strong sense of organisational direction.

As Director therefore, within the formal objectives of the organisation set out in this report, I have identified the following goals:

- To be responsible for an organisation which is open and accountable;
- To ensure that our classification decisions are clear, timely and able to be readily understood by the Australian community so that they can make informed entertainment choices for themselves and those in their care; and
- To provide to our industry clients a consistent, reliable and cost-effective service.

The year in review was characterised early in the reporting period by the tragic death of the previous Director, Ms Kathryn Paterson. Tributes to Kathryn were printed in last year's report. Her period as Director is remembered in the office by two framed limited edition photographs of the Australian landscape hung in the new office accommodation at Surry Hills which the OFLC moved into during her tenure.

Until my appointment in April 2000, Mr Simon Webb performed the role of Acting Director with distinction and commitment. I place on record here my gratitude and that of the Classification Board and OFLC staff for his conduct of the affairs of the office during this period.

There were a number of significant developments during the reporting year. These included:

- Revised Guidelines for the Classification of Publications were published on 1 September 1999, following the comprehensive review of the guidelines carried out in 1998–1999. The revised guidelines include stricter criteria for the 'Unrestricted' category and for public display and new consumer advice provisions. The review involved extensive public consultation and expert advice in accordance with the procedures determined by the Censorship Ministers for the sequential review of the classification guidelines;

- Seven full-time and four part-time members of the Classification Board were appointed in October 1999. The new Board members represent a good mix of backgrounds and experience, as can be seen from their profiles on pages 15–23. The Board is well placed to represent the views of the community;
- An intensive education and training program was conducted for Board members so that, by the end of the reporting period, the Classification Board was fully staffed and trained and operating effectively;
- A new program for the education, training and development of all staff has been successfully implemented;
- The Community Assessment Panel scheme continued to provide evidence that the decisions of the Classification Board are in line with community views. Further research was conducted in Perth, Adelaide and Bendigo by the independent social research and planning consultancy Keys Young Pty Ltd. The panels, who were selected to be broadly representative of the community, were asked to view and debate pre-release films. Their judgments were then compared to Board decisions to indicate whether the decisions of the Board can be considered to represent community standards;
- Preliminary work on the review of the Guidelines for the Classification of Computer Games commenced. The review will be advertised and public comment sought during the 2000–2001 reporting year. As the current computer games guidelines were drafted in 1994, there is considerable interest both within industry and the community in this review given the substantial development in computer games in the intervening period;
- Preliminary work on a review of the legislative requirements relating to advertising for publications, films and computer games also commenced, with the public comment phase of the review expected to be conducted in 2000–2001;
- On 1 January 2000, the Government's new regulatory scheme for online services came into effect. Under this scheme, the Classification Board is responsible for classifying Internet content referred by the Australian Broadcasting Authority, a significant new responsibility. A statistical breakdown of such material referred this year may be found at page 126.
- Improvements to the national classification scheme have been developed and are included in various amendments to the *Classification (Publications, Films and Computer Games) Act 1995* currently before the Parliament;

- To meet potential problems posed by Y2K (Year 2000) compliance, a comprehensive review of the OFLC database was undertaken. A trouble free transition into the new millennium was accomplished;

- Consequent on KPMG's recommendation that the OFLC Information Technology system be upgraded and made Y2K compliant, an improved system and national classification database, BOSS (Business Operation Support System), was developed in consultation with Fujitsu Australia Limited and commenced operation on 18 December 1999.

BOSS serves a dual purpose, enabling OFLC users to process applications for classification with greater ease and efficiency and external users, including OFLC clients, to have immediate access to up-to-date classification information;

- 1999–2000 marked the first year's operation of the new Commonwealth agency scheme for Accrual Budgeting. The OFLC successfully negotiated the transition. Under the scheme, asset replacement costs are debited against OFLC's budget, while its classification services continue to operate on a full cost recovery basis;

- The new Federal tax system including the Goods and Services Tax (GST) was implemented effectively;

- A new organisational structure was agreed with staff in November 1999. Significant progress has been made in the re-structure, with full implementation expected early in the next reporting year;

- The Classification Board's decision to classify the sexually explicit French feminist drama *Romance RC* (Refused Classification) generated intense public and media interest. The decision was subsequently reversed by the Classification Review Board. The film has since been widely exhibited throughout Australia. The full text of the Review Board's decision can be found on pages 158–163.

1999–2000 has been an eventful year with substantial accomplishments. I am looking forward to my first full year as Director with considerable optimism and a strong expectation that the year ahead will be one of development and challenge for the OFLC.

Des Clark
Director

CORPORATE OVERVIEW

The Commonwealth *Classification (Publications, Films and Computer Games) Act 1995* (the Classification Act), which commenced on 1 January 1996, established the Classification Board (the Board) as a full time statutory body within the Attorney-General's portfolio. The Office of Film and Literature Classification (OFLC) provides administrative support to the Board and is headed by the statutory office of Director.

The Director is required to report to the Commonwealth Attorney-General on the management of the administrative affairs of the Board in accordance with section 67 of the Classification Act.

The OFLC is partially funded through the Community Affairs Program, sub-program 3.3, of the Attorney-General's portfolio.

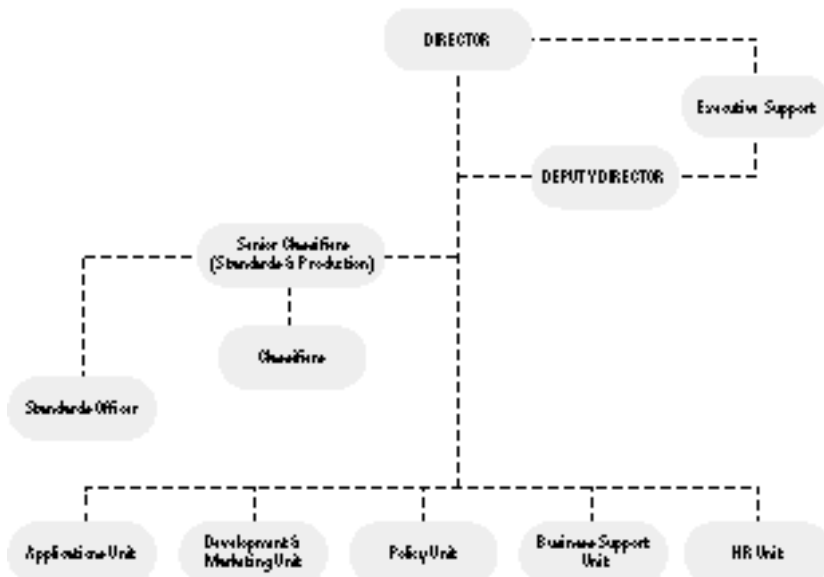
Section 52 of the Classification Act provides that the Director is responsible for ensuring that the business of the Board is conducted in an orderly and efficient way. Subsection 54(2) of the Classification Act states that:

For the purpose of the *Public Service Act 1999*:

- (a) the Director and the APS employees assisting the Director together constitute a Statutory Authority; and
- (b) the Director is the Head of that Statutory Agency.

The Chief Executive of the OFLC for the purposes of the *Financial Management and Accountability Act 1997* (the FMAAct), as specified in items 118, 119 and 135 of the schedule to Regulation #5 of the regulations made under the FMAAct, is the Director. Accordingly, the Director is required to prepare financial statements in accordance with section 48 of the FMAAct.

ORGANISATION CHART



The OFLC is structured along functional lines. Board members are responsible for the classification of publications, films (including videos, DVDs etc) and computer games. Classification management responsibilities of the Senior Classifiers cover standards and production.

The OFLC includes discrete areas responsible for policy and related activities, applications processing and client liaison (both industry and government clients), service development and marketing as well as a business support unit which provides administrative and IT support to the OFLC and a small HR unit.

OUTPUTS AND OUTCOMES

Under the Government’s accrual budgeting initiative, which commenced in the reporting year, the Office of Film and Literature Classification has one outcome:

Australians make informed decisions about films, publications and computer games which they, or those in their care, may view, read or play.

The following table details the relationship between the old Program structure, and the new Outcome structure for the OFLC’s Outcome 1.

PROGRAM MANAGEMENT BUDGETING	ACCURAL BUDGETING
	<p>Outcome 1 Australians make informed decisions about films, publications and computer games which they, or those in their care, may view, read or play.</p>
<p><i>Sub-programs</i> SUB-PROGRAM 3.3 Office of Film and Literature Classification</p>	<p>OUTPUT GROUP 1 Operation of the National Classification Scheme</p> <p>OUTPUT GROUP 2 Provision of services ancillary to the operation of the National Classification Scheme including research, the community liaison officer scheme, policy development and ministerial support.</p>
<p><i>Appropriations</i> SUB-PROGRAM 3.3 Special Appropriation Appropriation Bill 1</p> <ul style="list-style-type: none"> ■ Running Costs, including Section 31 receipts (121-1) ■ Compensation and Legal Expenses (120-04) <p>Appropriation Bill 3</p> <p>Running casts (138-1)</p>	<p><i>Appropriations for the Outcome</i> OUTPUT 1.1</p> <p>OUTPUT 1.2</p> <p>TOTAL FOR OUTCOME Appropriation Bill 1 \$6.007m</p> <ul style="list-style-type: none"> ■ Departmental outputs ■ Administered expenses

LEGISLATIVE BASE

The Classification Act is part of the Commonwealth's contribution to a cooperative classification scheme (the national classification scheme) which was agreed upon by the Commonwealth and the States and Territories and commenced on 1 January 1996.

The Classification Act established the Board, replacing the former Film Censorship Board. Members of the Board are appointed by the Governor-General under section 48 of the Classification Act for an initial period of, usually, three years and may be eligible for reappointment for a second term. No member may be appointed in their first term for more than five years and all members are subject to an overall statutory limitation on Board membership of seven years. The Classification Act provides that, in appointing members, regard is to be had to the desirability of ensuring that membership of the Board is broadly representative of the Australian community.

Under section 66 of the Classification Act, the Minister may appoint a person to act as a member of the Board during a vacancy in the office, and under section 50, temporary members may be appointed to ensure the efficient dispatch of the Board's business.

Under the national classification scheme the Board is responsible for the classification of publications, films, (including cinema films, videos, CDs and DVDs) and computer games. When making classification decisions the Board must apply the criteria which are set out in the National Classification Code (a schedule to the Classification Act) and classification guidelines which are approved by Commonwealth, State and Territory Censorship Ministers.

The National Classification Code (the Code) names and broadly describes the classification categories, including those that are advisory and those that are legally restricted. The Code also describes material that is to be classified 'RC' (Refused Classification).

Classification decisions are required to give effect to the following principles which are set out in the Code:

- a) adults should be able to read, hear and see what they want;
- b) minors should be protected from material likely to harm or disturb them;
- c) everyone should be protected from exposure to unsolicited material that they find offensive; and
- d) the need to take account of community concerns about:
 - i) depictions that condone or incite violence, particularly sexual violence; and
 - ii) the portrayal of persons in a demeaning manner.

The classification guidelines describe in more detail the nature of the different classification categories, and the scope and limits of material suitable for each category.

Separate classification guidelines exist for the classification of publications, films, and computer games. The 'RC' (Refused Classification) criteria in all three sets of guidelines were amended with the approval of Censorship Ministers on 15 April 1999 to include material that promotes or provides instruction in pedophile activity.

The matters which are to be taken into account when making a decision on the classification of a publication, a film or a computer game are set out in section 11 of the Classification Act and include:

- a) the standards of morality, decency and propriety generally accepted by reasonable adults;
- b) the literary, artistic or educational merit (if any) of the publication, film or computer game;
- c) the general character of the publication, film or computer game, including whether it is of medical, legal or scientific character; and
- d) the persons or class of persons to or amongst whom it is published or is intended or likely to be published.

When making classification decisions, the Board also determines appropriate consumer advice in order to assist consumers and parents to make more informed entertainment choices for themselves or for those in their care. Consumer advice and the classification markings which have been determined

under the Classification Act must be displayed on covers, packaging, cassettes and related advertising material.

Under the national classification scheme, the enforcement of classification decisions is the responsibility of the States and Territories. Accordingly, each jurisdiction has enacted enforcement legislation to complement the Classification Act.

Some jurisdictions have reserved censorship powers. Western Australia and Tasmania operate their own publications classification schemes. Western Australia, South Australia, Tasmania and the Northern Territory have reserved the power to review decisions made under the Classification Act. Queensland has retained the power to classify publications and computer games (as defined in the Queensland classification legislation) under its legislation if no decision exists under the Commonwealth Classification Act.

There have been no changes to the Classification Act during the reporting period. The *Classification (Publications, Films and Computer Games) Amendment Bill 1998* (the Amendment Bill) and the *Classification (Publications, Films and Computer Games) Charges Bill 1998* (the Charges Bill) (with Explanatory Memoranda) were tabled in the Parliament in the previous reporting period. The Amendment Bill was still awaiting passage at the end of this reporting period. The Charges Bill did not pass the Senate.

The *Classification (Publications, Films and Computer Games) Amendment Bill (No. 2) 1999* was introduced on 8 November 1999.

The Bill included a number of procedural amendments and the creation of a new category (Non-Violent Erotica – NVE) for X-rated videos. Censorship Ministers subsequently decided not to proceed with the new category and to retain the X title for sexually explicit videos but with changed content. At the end of the reporting period the Attorney-General's Department was preparing amendments to remove all references to the proposed NVE category from the Bill.

There have been no changes to the Classification (Publications, Films and Computer Games) Regulations in the reporting period.

CLASSIFICATION BOARD PROFILES

**DES CLARK***Director*

APPOINTED 17 April 2000

APPOINTMENT EXPIRES 16 April 2004

Des Clark, 55, was appointed as the Director of the OFLC on April 17 2000.

Prior to his appointment Des was working as an independent consultant in strategic communications. He was also Deputy Chairman of the Australian Film Commission and Chairman of the Melbourne International Film Festival. Under his Chairmanship the Festival more than doubled its audience and delivered a budget surplus.

Des has extensive experience of community development and consultation having served three terms as a Councillor at the City of Melbourne from 1986 to 1993 and a term as Lord Mayor in 1992–1993. During that time he played a leadership role in the restructure of the organisation and strategic planning for cultural development and inner city living.

He worked on the restructure of Local Government in Victoria, at the City of Port Phillip and in two other municipalities, where his management experience and community based skills were successfully utilised. Prior to working in Local Government, Des worked as a teacher and educational administrator. His professional training is in the visual arts.

He grew up in rural Victoria and has lived most of his adult life in Melbourne. He has travelled extensively. Des has been a member of many community organisations and boards. His interests are cinema, opera, ballet, tennis and racing. He is married to the artist Irene Clark.

**SIMON WEBB***Deputy Director*

APPOINTED 11 October 1999

APPOINTMENT EXPIRES 31 December 2001

Simon Webb, 42, is the Deputy Director of the Classification Board. He has previously managed the OFLC Policy functions. He has had wide experience of community life and a successful career in management.

Simon has a professional expertise in facilitating community involvement in policy making, planning and development. He has managed a number of private and community businesses and has a strong interest in community development, education and the arts. He was previously General Manager of the Arts Council (ACT). Simon has worked in hospitals, new suburban developments, special schools and a variety of community facilities with young people, migrants and people disadvantaged by age, gender, poverty and lack of skills.

Simon has a farming background. He has managed exploration camps in remote parts of Australia and has worked in the construction and tourism sectors and with community groups in Western Australia, New South Wales and the Australian Capital Territory. He has been an actor and producer of children's theatre, and worked with children and their families in urban, rural and remote communities in Western Australia. Widely travelled and with a broad life experience, Simon is the father of two children who brings a range of practical and creative management skills to the Board.

**PAULYNE WILLIAMS***Senior Classifier*

APPOINTED 19 March 1997

APPOINTMENT EXPIRES 31 May 2003

Paulyne Williams, 53, comes from a large country family and has three adult daughters. She has a Bachelor of Arts (majoring in History) from the University of Sydney, and is a Barrister at Law. She worked as a Duty Solicitor for the NSW Legal Aid Commission in the early 1980s and represented people of all persuasions in the Local and higher Courts. Her work also involved appearing for prisoners and psychiatric detainees. She worked briefly as assistant to a senior partner in a major Family Law firm before going into general practice at the Bar. Her interests include music, film, reading, travel and news and current affairs. Paulyne has travelled extensively with her husband in recent years and has come into contact with many people of diverse cultural backgrounds. She has always enjoyed mixing with people and listening to their views. Paulyne was appointed as an Acting Senior Classifier on 22 October 1998 and was formally appointed to the position on 2 June 2000.

**PAUL HUNT***Senior Classifier*

APPOINTED 1 June 2000

APPOINTMENT EXPIRES 31 May 2003

Paul Hunt, 33, grew up in Tasmania and has had a varied career, including working as a Building Contractor and an Environmental Health Consultant. He has held positions within local and state government, mainly in the environmental health and development services fields. In these positions he has gained experience in community consultation and team management skills, as well as considerable experience in balancing community expectations of statutory bodies with the needs of clients.

Immediately prior to joining the Board, Paul spent two years in a management position with the Halls Creek Shire in the Kimberley region of Western Australia. Paul's experience in remote Australia has given him an understanding of sensitive social justice and health issues relevant to rural and remote communities. Paul has an ability to interact with a very wide cross section of people, and brings to the Board an understanding of issues of primary concern to the community. Paul is married with two children.



SHARON TROTTER
Acting Senior Classifier

Sharon Trotter is a Senior Classification Officer with the New Zealand OFLC. She is the first participant in an exchange scheme with the Australian OFLC. Sharon commenced her term with the Australian OFLC on 3 February 2000. She has worked as an information and communications officer with the Ministry of Cultural Affairs (NZ) and as an archivist at the New Zealand Film Archive.



JILLIAN OL ARENSHAW
Board Member

APPOINTED 30 June 1998

APPOINTMENT EXPIRES 29 June 2001

Jillian Olarenshaw, 34, a mother of two young children, brings to the Board an excellent understanding of the needs and developmental stages of children, and how they absorb information from media sources and draw meaning from those messages. She has taken an active role in preschool councils including fund raising and instigating and establishing groups in new areas, and has been responsible for treasury duties and the provision of general support for the daily functioning of such centres. Prior to this Jillian worked in the video industry for approximately eight years in the States of Victoria and Tasmania. She has a wealth of industry experience and an understanding of consumer concerns. Jillian has also owned and operated her own business for many years. During this time she consulted and liaised effectively with other small businesses, finding niche markets for products and successfully achieving proposed sales targets. She believes life is about a diversity of experiences as is evidenced by the range of successfully completed courses in such areas as communication, writing, fitness, directing, acting and creative thinking, all of which have assisted in her professional development. Good judgement, sensitivity, common sense and the ability to make objective decisions are some of the many skills that Jillian brings to the Board.

**WENDY BANFIELD***Board Member*

APPOINTED 11 October 1999

APPOINTMENT EXPIRES 10 October 2002

Wendy Banfield, 37, is the mother of two pre-school aged children and had been living in Queensland for a number of years before moving to Sydney to take up her appointment. She was raised in South Australia and has worked as a secretary and law clerk in Australia and during working holidays in the United Kingdom. Wendy has studied in South Australia and Queensland obtaining a Bachelor of Arts (Psychology) and a Bachelor of Laws, becoming the first member of her immediate family to undertake tertiary study. She has been involved in her local community in Queensland through playgroups, children's gym and other sporting activities. While caring for her children, Wendy continued employment on a casual basis as a high school tutor and in a variety of clerical positions. She is interested in current affairs and social justice issues, particularly the welfare of children.

**YIAH C HAN***Board Member*

APPOINTED 11 October 1999

APPOINTMENT EXPIRES 10 October 2002

Born in Hong Kong, Yiah Chan, 31, has lived in Canberra, London and Brisbane and is studying towards a Bachelor of Laws Degree at the Australian National University. Yiah has travelled extensively in North America, Asia, Europe and the Pacific and speaks fluent Cantonese. She has been awarded degrees from universities in Australia and overseas including an MSc in Criminal Justice Policy from the London School of Economics. Yiah has interacted with high school students and a wide variety of organisations and community groups as a result of her professional involvement in several major social science research projects on crime and the criminal justice system such as juvenile delinquency, watchhouse overcrowding and the fear of crime. Yiah's interests include film, literature, collecting film posters, tennis and the Internet.

**DAVID GRIFFITHS***Board Member*

APPOINTED 11 October 1999

APPOINTMENT EXPIRES 10 October 2002

David Griffiths, 52, lived in Beechworth, Victoria, and has five children and four grandchildren. He has been actively involved in a number of social sports including sailing, cricket and football. David has had a varied working background as a security guard, park ranger, cable maker and furniture removalist before entering his previous field of psychiatric nursing. He has also worked in rural communities with youth, adults and the elderly and been involved with a range of community groups in South Western Victoria, such as Rotary, Lions, and Young Farmers.

**KATHRYN REIDY***Board Member*

APPOINTED 11 October 1999

APPOINTMENT EXPIRES 10 October 2002

Kathryn Reidy, 38, lived on a rural property in Howard Springs on the outskirts of Darwin in the Northern Territory, and is the mother of an infant daughter. Kathryn is well travelled and has wide experience living among people with varied backgrounds in different communities, including a country town in South Australia, a remote Aboriginal community in the Northern Territory, and the cities of Adelaide, Sydney and London. She has extensive experience working with children, and their parents, as a Master Teacher and Teacher/Librarian. Kathryn also has a special interest in children's literature, and was a member of a community writing group. She is a member of the Children's Book Council and, while living in the Northern Territory, acted as a judge for this organisation for the Young Territory Writers' Program.

**ROBERT T SANDERSON***Board Member*

APPOINTED 11 October 1999

APPOINTMENT EXPIRES 10 October 2002

Robert Sanderson, 26, is from Sutton, in regional New South Wales. Robert is a qualified accountant but has worked as a shop assistant for Target Australia while studying to obtain degrees in Commerce and Economics. He is a keen player of computer games and has been involved in a wide variety of social sports, including as a martial arts instructor and soccer referee. These activities and interests have provided him with many opportunities to interact with young children, teenagers and their parents, and gain an appreciation of their differing attitudes and needs. Robert was on a working holiday in Europe immediately prior to his appointment.

**LYNN TO WNSEND***Board Member*

APPOINTED 11 October 1999

APPOINTMENT EXPIRES 10 October 2002

Lynn Townsend, 56, lived in Hobart, Tasmania and is the mother of four adult children. Lynn has an extensive background as a consultant and researcher dealing with women's issues and providing education and professional training to social workers, youth workers and women's service workers. She has also authored a number of reports on complex and difficult social issues such as child abuse, sexual assault and domestic violence, and has been involved in extensive community consultation and education throughout her career.

**RACHEL WILLIAMS***Board Member*

APPOINTED 11 October 1999

APPOINTMENT EXPIRES 10 October 2002

Rachel Williams, 32, comes from Ipswich in Queensland and has travelled extensively throughout rural Australia. She is undertaking a Master of Arts Degree in English Literature at the University of Queensland, researching the travel journals of the young Florence Nightingale through Egypt. Rachel has a varied working background, most recently assisting to coordinate an equity program for young tertiary students. She has also worked in the regional arts industry and has been involved extensively in community and cultural activities in a voluntary capacity – mostly with young people and children. Rachel has been involved with the University of Queensland's Musical Society, and is a keen supporter of Bicycle Queensland. As a student of literature and feminism, Rachel has always been interested in the history and consequences of censorship, and brings with her a delight in people and a commitment to social justice.

**MARGARET CLANCY***Part-time Board Member*

APPOINTED 11 October 1999

APPOINTMENT EXPIRES 10 October 2002

Margaret Clancy, 50, lives with her spouse in Sydney and was a temporary member of the Classification Board. Margaret has a long and varied working background, including as a teacher of primary school and high school students and in adult literacy for migrant groups, as a journalist and translator, as a script writer for film, television, theatre and radio and as an actor in Australia and overseas. Margaret's community activities have included doorknocking for the Salvation Army on Red Shield days and involvement in establishing and running a Neighbourhood Watch Program.

**BRONWYN HEALY***Part-time Board Member*

APPOINTED 11 October 1999

APPOINTMENT EXPIRES 10 October 2002

Bronwyn Healy, 43, lives in the western suburbs of Sydney and is the mother of two primary school children. Bronwyn has had extensive involvement in community affairs, both through her work as a Health and Welfare professional, and as a parent. She has worked with a diverse range of community groups including women and children, people from non-English speaking backgrounds, people from low socio-economic status, people with disabilities, and the elderly. Bronwyn's community projects and activities have included the Ryde Safe Communities Project, the Ryde Healthy Lifestyle Program, Health Issues for Women Over Sixty, and Keeping Our Kids Safe. She has also been a member of the Management Committee of the Apple Cottage Child Care Centre, a member of the Ryde Hospital and Community Health Services Management Committee, Secretary of the Parent and Teachers Committee at her child's school, and an active participant in various sporting clubs.

GRAHAM SHIRLEY*Part-time Board Member*

APPOINTED 11 October 1999

APPOINTMENT EXPIRES 10 October 2002

Graham Shirley, 50, is a documentary film-maker researcher and film historian specialising in Australian cinema. Graham is the father of three teenage children and has also been a temporary member of the Board.

**KATHRYN SMITH***Part-time Board Member*

APPOINTED 11 October 1999

APPOINTMENT EXPIRES 10 October 2002

Kathryn Smith, 44, a Sydney mother of three school-aged children, has lived in Tasmania for most of her life. She has had wide community contact, having incorporated being a mother with part-time work as a social worker, TAFE teacher, and Employee Assistance Counsellor. She has also been involved in volunteer and community activities, including Lifelink, and as a committee member of the Launceston Family Day Care, Launceston Creche Inc, and Launceston Community Centre. Kathryn is currently studying part-time in a post-graduate Diploma of Counselling.

PERFORMANCE REPORTING

Performance against Outcome

The overall Outcome, as stated in the Outcomes and Outputs chart at page 9, is:

Australians make informed decisions about films, publications and computer games, which they, or those in their care may view, read or play.

Two Output Groups have been identified – Operation of the National Classification Scheme and Provision of Ancillary Services.

With respect to the operation of the National Classification Scheme, in a typical year the OFLC classifies over 6000 entertainment media products, and aims for a product turnaround time of 20 working days or less. Client satisfaction is measured in part by complaints about turnaround time, and the OFLC received 67 separate complaints in this regard. Service improvement initiatives implemented during the year included the introduction of a new classification database system incorporating work-flow functionality, and the development of a Customer Service Charter, including specific service targets. Together with an expanded Board complement, and developments in the classification training program, these changes are expected to result in improved turnaround times in the coming year.

Results from the research conducted under the Community Assessment Panels scheme indicate that OFLC classification decisions have a high level of consistency with general community standards.

With respect to the provision of services ancillary to the operation of the National Classification Scheme, including policy advice and ministerial support, a total of 457 briefs, submissions, papers and items of Ministerial correspondence was prepared. Three meetings of Censorship Ministers, supported by three meetings of censorship officials, were conducted satisfactorily during the year.

The Community Liaison Officer scheme, now in its fourth year of operation, continued to operate to the satisfaction of Censorship Ministers and Officials participating in the National Classification Scheme. A total of 963 site visits resulted in over 3000 identified breaches being drawn to the attention of proprietors, distributors and exhibitors for corrective action.

OBJECTIVE ONE

To assist adults to make informed decisions about publications, films and computer games which they and those in their care may read, view or play, by providing classification advice which is consistent with community standards.

Key Outcomes

- A total of 1 991 publications, 383 films for public exhibition, 2 747 videotapes for sale/hire, and 578 computer games were classified.
- 18 048 complaints were received by the OFLC. Over 17 500 of these were in the form of a postcard campaign against the film *Dogma*.
- The Community Assessment Panel scheme was extended for a further three Panels which were held in Perth, Adelaide and Bendigo.
- The Research project 'Computer Games and Australians Today' was completed and the findings released in December 1999.
- The computer games classification guidelines were under review.
- The publications classification guidelines were formally approved by Commonwealth, State and Territory Ministers in September 1999.
- The OFLC provided speakers to a number of organisations to talk on classification issues.

Classification Trends and Issues

Publications Classification

Publications are classified by the Board on behalf of New South Wales, Victoria, South Australia, Queensland and the Territories. Western Australia and Tasmania operate their own schemes. Publications can be classified as:

Unrestricted

no restrictions on sale or display;

Category 1 Restricted

only to be sold to persons 18 years of age and over and only to be displayed in a sealed wrapper (not to be sold in Queensland);

Category 2 Restricted

only to be sold to persons 18 years of age and over and only to be displayed on restricted premises (not to be sold in Queensland);
or

RC (Refused Classification)

not to be sold.

The classification scheme for publications is partially compulsory; only those publications likely to be restricted to adults ('submittable publications') must be classified before they can legally be advertised or distributed in Australia.

The classification of publications has been a responsibility of the Classification Board since January 1996 with the commencement of the Classification Act.

When making classification decisions the Board applies the criteria set out in the National Classification Code and the Printed Matter Classification Guidelines. The Board is also required to take into account matters such as generally accepted standards; literary, artistic or educational merit; the general character of the publication; and the persons amongst whom it is likely to be published.

The Board considers the impact of elements such as violence, sex and nudity in arriving at classification decisions. The Board considers the amount of detail in each element, the treatment of those elements (in terms of tone, emphasis and frequency for example), the cumulative impact of those elements, their placement within the publication and in the context of the character of the publication itself.

A major change this year has been the introduction of the revised publication guidelines, which came into effect on 1 September 1999.

Revised Publication Guidelines

The revised *Guidelines for the Classification of Publications* were approved by the Ministers and came into effect on 1 September 1999.

Prior to this, the OFLC conducted an information seminar on 25 August 1999 to which all OFLC publications clients were invited. Board members and relevant OFLC staff also attended the meeting. The Deputy Director, Simon Webb, explained the criteria set out in

the revised guidelines and how they may be interpreted by the Board. Members of the publications industry were invited to provide feedback on how best the classification process can accommodate production deadlines and requirements. Industry clients were also invited to request individual meetings when required.

The revised publications guidelines contain stricter criteria for the 'Unrestricted' category and for public display. They also introduce a scheme to provide the consumer advice, 'M- Not Recommended for readers Under 15 Years', on the covers of certain 'Unrestricted' publications. Determined markings incorporating this consumer advice are required for use by nominated members of the publications industry.

Pre-Classification

Advice Service Discontinued

Pre-classification advice has mainly been sought in the past by applicants in relation to the 'Unrestricted' category, and has been provided without prejudice to the Board's final classification decision. The aim of pre-classification advice was to signal to publishers/distributors material in a publication which may be debated on a classification border by the Board. Because pre-classification advice signaled which material may be debated, but did not anticipate the outcome of that debate, a number of distributors and publishers found the service unsatisfactory.

Consequently, it was decided to discontinue the pre-classification advice service for publications on implementation of the revised guidelines for publications on 1 September 1999. Members of the publications industry were invited to submit publications for classification prior to printing to obtain greater certainty about the classification outcome. A number of publishers/distributors (mainly in the 'Unrestricted' category) have taken advantage of this invitation and now regularly submit proof-prints for classification in the first instance. If the proof-prints (intended for the 'Unrestricted' category) are classified 'Category 1 – restricted' by the Board, the publisher has the opportunity to modify the proofs in accordance with the Board's decision, prior to final printing.

Consistency

Consistency in decision making is an issue for some distributors and publishers. The Board classifies publications on the basis of the impact of both individual elements, and of the impact of the publication as a whole. Thus a single image of nudity which borders on warranting restriction (in terms, for example, of explicit detail) may be accommodated in the 'Unrestricted' category, but the same image combined with other strong images may be considered to warrant restriction in terms of cumulative impact. Decisions are made on a majority vote basis.

This can cause confusion for some distributors/publishers who receive different classification decisions for

publications containing the same or similar elements. The Board recognises the desirability for consumers as well as for clients of consistent decision making, and is proactive in its approach, monitoring the consistency of its decisions, especially in areas which have been identified through complaints as being areas of most concern (such as advertising products and services).

The OFLC encourages communication between its staff and clients, in order that Board standards and practice are understood and consistently applied.

During 1999–2000 a total of 1991 commercial publications was submitted for classification. In each case, the Board was required to determine whether or not the publication warranted restriction to adults, and if so, in which category, or if the publication warranted RC classification.

The 'Unrestricted' Category

Most submittable publications are considered to warrant restriction to adults. Publications which considered by the Board to have an impact below that of the restricted classification categories may be classified 'Unrestricted'. During 1999–2000 a total of 342 publications was classified 'Unrestricted'. This represents 17.18% of all submittable publications classified, a slight decrease in numbers on the previous year's figures. This can be explained, inter alia, by the withdrawal from the market of two weekly publications, *Scoop* and *Dingo*.

‘Category 1 – Restricted’

During 1999–2000 a total of 1 301 publications was classified ‘Category 1 – Restricted’. This represents 65.34% of all publications classified and is the largest classification category.

A major issue for publishers and distributors of ‘Category 1’ publications is the suitability of covers for public display. The classification guidelines require that the covers of publications classified ‘Unrestricted’ and ‘Category 1 – Restricted’ be suitable for public display. There are specific criteria for the assessment of covers, which are more stringent than the criteria which apply to contents. (This accords with the principles of the National Classification Code, one of which states that everyone should be protected from exposure to unsolicited material they find offensive).

‘Category 2 – Restricted’

During 1999–2000 a total of 268 publications was classified ‘Category 2 – Restricted’. This represents 13.46% of all publications classified. This year this category mainly included magazines featuring depictions of explicit sexual activity. This is a slight decrease in numbers from the previous year’s figures.

‘RC’ (Refused Classification)

During 1999–2000, 80 publications were classified ‘RC’, representing 4.02% of classification decisions. An analysis of the reasons for these decisions indicates that the majority were classified ‘RC’ on the basis of descriptions of content which describes or depicts incest

(involving parents and children), sexual violence, and child pornography. This is an increase in numbers from the previous year’s figures and included quite a large number of books classified ‘RC’.

Film (including videotapes, DVDs etc) Classification***‘G’ films***

During 1999–2000 a total of 39 cinema films (10.24% of the total films classified) and 655 videos (23.84% of the total videos classified) were classified G. Amongst these films were the children’s titles *Fantasia 2000*, *Stuart Little*, *Muppets from Space* and *Flintstone’s Viva Rock Vegas*. Films classified G but attracting a mainly adult audience included *Buena Vista Social Club*, the Wim Wenders documentary about a group of Cuban musicians, and *Not One Less*, a Chinese film about a school teacher who travels from her rural home to the city to bring back a student forced to leave school to find work there.

‘PG’ films

A total of 42 cinema films (11.02% of the total) and 315 video releases (11.47% of the total) were classified PG. These included *Selkie*, an Australian film about a boy who discovers he is a magical creature, half man and half seal; *Wild Wild West*, a Will Smith comedy western “full of gadgetry and slapstick action sequences”; *Runaway Bride*, a romantic comedy about a woman who keeps leaving men at the altar, starring Julia Roberts and Richard Gere; and *Big Daddy*, an Adam Sandler comedy.

'M' films

Almost half the cinema films classified in 1999–2000 were at the M level – a total of 184 cinema films received this classification. By contrast, only 18.13% of videos received were classified M, a total of 498 titles.

M films included a number of Australian releases, including *The Wog Boy*, *My Mother Frank*, *Looking for Alibrandi*, and *Me, Myself and I*, the Rachel Griffiths comedy about a woman who gains an unexpected insight into what her life might had been like had she married her teenage sweetheart. Other M films of special interest for Australian audiences included *Mission Impossible II*, starring Tom Cruise and shot on location in Sydney, and *Gladiator*, director Ridley Scott's Roman epic starring Russell Crowe, the New Zealand born Australian actor.

Other M films included *All About My Mother*, Oscar winner for Best Foreign Language Film by Spanish director Pedro Almodovar; and, on appeal to the Board of Review, *The Blair Witch Project*.

'MA' films

Ninety films (23.36% of the total) and 224 videos (8.15% of the total) were classified MA in the 1999–2000 year. Examples in this classification included *American Beauty* and *End of Days*, in which Arnold Schwarzenegger again saves the world on the eve of the new millennium. *The Patriot*, starring Australians Mel Gibson and Heath Ledger as father and son fighting to save the newly formed American nation from the British, also attracted MA.

An Australian film classified MA was Jane Campion's *Holy Smoke*, starring Kate Winslet as an Australian traveller changed forever by her experiences with an Indian guru, and Harvey Keitel as the world weary American employed by her family to "deprogramme" her.

'R' films

A total of 27 films (7.09% of the total) and 123 videos (4.48% of the total) were classified R. Despite their small number, as always these films attracted a lot of attention. Titles included Stanley Kubrick's final film *Eyes Wide Shut*, starring Tom Cruise and Nicole Kidman as a couple whose attempts to inject some adventure into their sex lives lead to unexpected consequences. The Australian film *Chopper*, about crime figure Chopper Read, was classified R for depictions of violence. *American Psycho*, the screen adaptation of Brett Easton Ellis' novel about a Wall Street serial killer, was classified R for depictions of sex and violence.

'RC' films

One cinema film was classified RC by the Board in 1999–2000. This was the French film *Romance* by director Catherine Breillat about a woman exploring her sexuality, and classified RC by a majority of the Board for depictions of sexual violence within the context of a film containing explicit visuals of sexual activity. A minority of the Board argued that the film's artistic merit was such that it could be accommodated within an R classification. On appeal to the Board of Review, the RC decision was overturned and the film released at R.

59 videos (2.15% of the total) were refused classification in the past year. These were mostly for sexual content that exceeded the “X” Guidelines.

Decisions debated on particular classification borders

Classification decisions during the year were not all straightforward and some films required re-screens. When a cinema film is submitted for classification it is usually seen by a panel of three Board members. If this panel’s decision is not unanimous, or is unanimous but the panel believes that other members of the Board may have differing views or could provide further input, the film is referred to further panels and sometimes to the full Board. Such films are then discussed in detail at full Board meetings. When the final decision is not unanimous, the majority opinion determines the film’s classification. Feedback from the public on classification decisions often indicates that the community is similarly split in its views on the classification of a particular film.

Films which have been seen by several panels and/or debated on different classification borders in 1999–2000 include:

‘PG’/‘M’ films

Gone in Sixty Seconds, an American film starring Nicolas Cage and Angelina Jolie, was debated on the PG/M border. The film is about a retired car thief who must return to the crime business in order to save his brother’s life. The film was classified M with consumer advice Medium Level Violence. After debate, the Board decided in a unanimous decision that most of the depictions of violence did not contain detail and were not prolonged, and that those depictions that did contain detail were infrequent, not high in impact, and not gratuitous. A minority view noted that the consumer advice Low Level Violence would be appropriate, with many of the depictions of violence being able to be accommodated at a PG level; but it was also considered that the mature tone of the film, with its setting in the contemporary criminal underworld, lifted the impact of the violence out of the “mild” level required at the PG classification.

‘M’/‘MA’ films

The American teen comedy *American Pie* was discussed on the M/MABorder. It was classified MA on a majority vote, with consumer advice Medium Level Sex Scenes and Sexual References.

This film focuses on a group of American high school students struggling to come to terms with sex and relationships. Four male students make a pact to lose their virginity before Prom night, and then go to great lengths to fulfil their mission.

In the Board's majority view, the film warranted MA because of the level of detail, extended duration, and impact of the sex scenes and the sexual references. Specific depictions considered to warrant an MA classification include a scene in which a woman undresses and poses in a young male's room, whilst unbeknownst to her a hidden camera projects her image over the internet to a group of the male's friends; and the "pie" scene, in which a young man is caught masturbating with an apple pie. In the Board's minority view, the comic context and relatively discreet manner of the scenes meant the impact of the film was not so strong as to warrant restriction.

'MA'/'R'films

The British film *The Debt Collector* was debated on the MA/R border. Starring Billy Connolly as Nickie Dryden, an ex-murderer who has become a successful artist after his release from prison, the film deals with themes of rehabilitation and retribution, with Nickie, now living a comfortable middle class life, forced to re-address his past deeds and his violent nature when he is confronted by a policeman still determined to make him pay for his crimes. A majority of the Board considered that this film warranted an MA classification with consumer advice High Level Violence and High Level Coarse Language. The Board noted that high impact depictions of violence are not prolonged or gratuitous within the narrative. In the Board's minority view these depictions warranted an R classification, being presented in a

manner that required an adult perspective.

Computer Games Classification

When making classification decisions the Board applies the criteria set out in the National Classification Code and the Classification Guidelines. The Board is also required to take into account matters set out in section 11 of the Commonwealth Classification Act.

The guidelines for the classification of computer games were formulated prior to the commencement of a computer games classification scheme in 1994. They were drafted with the directive from Ministers responsible for Censorship that they should be applied more strictly than the equivalent film classification guidelines. This directive was motivated by the concern that the interactive nature of game play may have a more detrimental effect on children than the passive viewing of films/videos.

The three-stage research project *Computer Games and Australians Today* was publicly released late in 1999. This study provides excellent insight into the way that Australians play and view computer games, with particular reference to the role of aggressive content in games. The review of the *Guidelines for the Classification of Computer Games* will occur in 2000–2001 using an extensive public consultation process to assist in redrafting and updating the guidelines if necessary. The above study should provide valuable information for Government and the public when reviewing of the guidelines.

Classification Decisions

During 1999–2000 a total of 578 computer games was classified by the Board, a significant increase in the number classified last financial year (487), and more in line with the two previous years (571 and 604). The majority of games classified again fall into the advisory, rather than the restricted or refused, categories. A total of 533 games was classified in the advisory categories (G, G8+ and M15+).

Approximately 78% of games were classified G and G8+, which is similar to the proportion classified in the ‘General’ categories for the last two years (75% last year, and 71% in 1997–1998).

‘G’Decisions

This year the 297 games (51%) classified G were again dominated by sports games, including a large number of motor racing titles. An interesting twist to the motor racing type game was the release of *Star Wars Episode 1 Racer*, which is a racing game based on the Pod Racers from the prequel film to the Star Wars series. Also in this classification were several children’s titles based on toys or film and television characters, e.g. *Pokeman Stadium*, *LeggoLand*, *Looney Tunes*, *Barbie Super Sports* and *A Bug’s Life Activity Centre*.

The G classification does not consist entirely of titles that children would enjoy playing. Many of the flight simulator games require considerable skill in the use of the entire PC keyboard and other peripheral game controllers, and some younger children may soon

become frustrated with the difficulty, whilst the attraction to older players lies in this very complexity. Other titles based on popular board games, such as *Trivial Pursuit: The Last 1000 Years*, may also not be attractive to younger children, but do not contain any elements that warrant a higher classification.

‘G8+’Decisions

Games classified G8+ (not recommended for players under 8 years of age) have, for the most part, an element of stylised or unrealistic violence, which is mild in impact. A popular style of game generally considered suitable for the G8+ category, for example, is the war/strategy game. In this type of game, the player has certain missions to complete or opponents to defeat, and controls small graphics of soldiers, tanks, ships, aircraft, cavalymen etc., which represent battle units that must be strategically and tactically deployed for the player to win. This year the sequel game *Age of Empires II: The Age of Kings* was an example of this type of game.

Some games based on popular children’s animated characters are classified G8+ for elements of unrealistic or stylised violence that are included in the game play. Two examples from this year are *Tarzan* and *Spiderman*. Other games are classified G8+ due to the inclusion of mild horror themes (e.g. *Halloween Racer*) or other adult themes which might distress or disturb very young children (e.g. *Cluedo Chronicles – The Fatal Illusion*).

This year 157 games, or 27%, were classified G8+.

'M15+'Decisions

79 games (13%) were classified M15+ during 1999–2000. Games which are classified M15+ (not recommended for players under 15 years of age) generally feature low or medium level animated violence. In the past bloodless, stylised hand-to-hand combat games have dominated the M15+ classification, but fewer titles of this nature were classified this year. Many action and adventure games gain an M15+ classification due to depictions of realistic violence of low intensity. Examples include *Tomorrow Never Dies* (from the “James Bond” movie) and sequel titles *Final Fantasy* and *Tomb Raider* (*Final Fantasy VIII* and *Tomb Raider – The Last Revelation*).

South Park Rally, a game using the characters and images from the television program, was also classified M15+, but in this case it was due to coarse language.

'MA15+'Decisions

Generally games are classified MA15+ due to depictions of realistic violence of medium intensity, with a smaller number in this classification for other elements such as sexual references or coarse language. This year 45 games (8%) were classified MA15+.

As in the past, sequel games have featured in this category, for example *Quake III Arena*, *Resident Evil 3: Nemesis*, *Syphon Filter 2* and *Metal Gear Solid: Special Missions*. These games all received the MA15+ classification for medium or high level violence.

Some war/strategy games also move into this category. This is generally due to the “cut scenes” that are incorporated

into the game. These scenes are more realistic “video” action of various characters engaged in military type operations that assist in telling the story associated with the game. They may include depictions of violence such as the execution of prisoners or the aftermath of a bloody firefight. This year, the latest in the *Command and Conquer* series, *Command & Conquer – Tiberian Sun*, was classified MA15+ for this reason.

'RC'Decisions

No commercial computer games were classified RC this year. As discussed below there were a few that were debated on the MA/RC classification border, but none was refused classification.

Decisions Debated on Particular Classification Borders

The game *Shadow Company* was discussed around the M/MABorder regarding depictions of violence. This is a squad based military action game where players lead and control a team of special forces soldiers on various missions in a war situation. The game is focused on the player using the various specialist skills of the squad members in unison to achieve successful mission results, and the actual violence plays a somewhat secondary role in the game play. *Shadow Company* was classified M15+ with consumer advice of Medium Level Animated Violence as the Board was of the opinion that the depictions of realistic violence were of low intensity.

Last year one game which attracted some media attention was *Grand Theft Auto*, which was classified MA15+ with

consumer advice of Medium Level Animated Violence and Adult Themes. It is a third person perspective 'top-down' animated game in which the object is to score points by completing missions for a crime boss, including stealing cars. There were concerns regarding violence and themes based around doing "jobs" for a crime boss. The top down, unrealistic perspective of the game combined with disincentives for criminal acts mitigated the violence and adult theme of criminal activity sufficiently for the game to be classified MA15+. This year the sequel, *Grand Theft Auto 2*, was classified MA15+ for the same reasons.

Kingpin: Life of Crime was classified MA15+, due to elements of high level violence and high level coarse language, although there was a minority Board opinion that these elements were sufficiently strong to warrant the game being classified Refused Classification. This is a first person shooter game where you navigate through urban environments and try to become the "kingpin" of crime.

Silent Hill was also discussed at the MA/RC border. This game is essentially a first person shooter with some puzzle elements included. It has a horror setting with opponents that include zombies and werewolves. The depictions of violence and bloodshed are similar to other games in this genre and with an MA15+ classification. The setting is in a deserted town and the player passes between 'real' and 'haunted' versions of the town during game play. The townscape includes the deserted school which apparently has walls covered in blood.

The minority opinion was that the school setting for some of the violent elements

of the game (although no children are depicted in the game) offends against the standards of morality and decency generally accepted by reasonable adults to the extent that the game should be classified RC, but the majority opinion was that the horror scenario and lack of detail militate against the impact of the violence. The game was classified MA15+, with consumer advice of Medium Level Animated Violence and Horror Theme.

Thomas and Tim was the game that perhaps received the most intense discussion by the Board. The debate centred on the interaction of a pirate character and a breast nude mermaid. A minority opinion was that this element depicted sex and violence in such a way that it warranted RC, and a further minority considered it to be a mild sexual reference that could be accommodated at an M15+ classification. The majority opinion of the Board was that this part of the game was a strong sexual reference, and the game was classified MA15+ with the consumer advice Sexual References.

Authorised Assessor Scheme

In accordance with the Commonwealth Classification Act, a person who has been trained by the OFLC can submit an application for the classification of a computer game accompanied by a recommended classification and consumer advice, if the game is likely to be classified G, G8+ or M15+.

The OFLC encourages clients to take advantage of this option, as it generally ensures a speedier passage for the processing of the application. The classification fee is lower than for an application which is not accompanied by

a recommended classification. As this is a statutory obligation of the OFLC there is no fee charged for the training, which generally takes a few hours.

Clients meet with the Education and Training Manager at an agreed time. The training covers the legislative responsibilities and requirements of the computer games classification scheme, administrative requirements in terms of fees, application and recommendation forms, and the criteria of the National Classification Code and classification guidelines. Clients are generally shown examples of computer games in each category and discuss the classifiable elements and impact levels of the games, in the context of generally accepted standards.

The scheme ensures ongoing liaison and communication with clients, which the OFLC welcomes as being to the advantage of both industry and consumers, for the maintenance of consistent classification standards.



Mr Ron Robinson, ISO Manager with Ms Heather Cole, Applications Manager

Public Consultation and Research

In its 1991 Report into Censorship Procedure, the Australian Law Reform Commission recommended that the Board should have a research capacity to assist in the maintenance of its awareness of community standards. Accordingly, the OFLC commissions regular research to obtain feedback from the community on classification issues and standards.

Community Assessment Panels

On 27 December 1996 the Commonwealth Attorney-General announced a proposal to establish the Community Assessment Panel scheme (CAPS), to provide independent community assessments of films classified by the Board. The proposal and parameters of the scheme were unanimously supported by Censorship Ministers.

A Research Reference Group, comprising two independent research experts (Professor Peter Sheehan, Vice Chancellor of the Australian Catholic University, and Ms Kate Aisbett, the then Research Director of the Australian Film, Television and Radio School), senior Commonwealth officers and a representative from the State/Territory hosting the Panel, was established to oversee the scheme.

Following a competitive tender process Keys Young Pty Ltd was selected to coordinate the Community Assessment Panels initially for three Panels. Between October 1997 and March 1998, three Community Assessment Panels were conducted in Sydney, Brisbane and Wagga Wagga. Those Panels gave the films they viewed the same classification as the Board in six of the nine cases.

In October 1998, following the success of the initial set of Panels, Censorship Ministers agreed to extend CAPS and to engage Keys Young to conduct a further three Panels.

The first of the additional three Panels was conducted in Perth on 9–11 July 1999, the second in Adelaide on 29–31 October 1999, and the third in Bendigo on 14–16 April 2000.

The Panels gave the films viewed the same classification as the Classification Board in seven out of nine cases.

In one case, the Panel gave the film *The General's Daughter* a lower classification (MA) than the Board (R¹) and in the other instance gave the film *Tarzan* an evenly split decision (G/PG), closely mirroring the narrow majority decision of the Board (PG). There was also a high degree of correlation between the issues identified by the panels and those which had been raised by the Board.

These results clearly indicate that the Classification Board is making decisions that are in line with community standards.

Each Panel comprised approximately 20 people of various ages and backgrounds who were drawn from a broad cross-section of the Australian community. Films were selected for the Panels from those which had been classified by the Classification Board but not yet released, and which distributors were willing to make available. The selected films were broadly in line with overall trends in films submitted for classification.

Prior to film screenings, the Panels were briefed on the meaning and

application of the classification guidelines. Immediately after viewing each film, Panel members completed a questionnaire seeking their initial responses to the film including their choice of classification. Panellists then discussed the film and, in particular, the aspects of the film related to classification issues. After this discussion Panellists recorded their final classification choice for the film. The decisions of the Board were then distributed to Panellists and discussed.

Computer Games and Australians Today

At the 3 February 1995 meeting of the Standing Committee of Attorneys-General (SCAG), Censorship Ministers agreed to a research project proposal 'Computer Games and Australians Today'.

The research objectives were to investigate aspects of computer game play in Australia, with particular focus on issues surrounding aggressive content in computer and arcade games.

A three stage approach to the research was approved by Ministers, and a Research Reference Group, comprising Professor Kevin Durkin, Professor of Psychology, University of Western Australia, and Ms Kate Aisbett, then head of research at the Australian Film, Television and Radio School, the Director of the OFLC and the Senior Classifier for Computer Games, was established to oversee the final stage of the project.

¹ This decision was subsequently overturned on appeal by the Classification Review Board which gave the film an MA classification.

Stage 1 examined the extent, nature and relative popularity of aggressive content in top-selling computer games in Australia by gathering and analysing data on top-grossing arcade and home usage games and the industry. Stage 2 consisted of focus groups and intercept interviews in video arcades where respondents were observed by trained psychologists. Stage 3 tested and quantified the findings of stage 2.

The final monograph report summarising all three stages of the project was publicly released in December 1999. The report found that:

- aggressive content was not a feature in the majority of computer games surveyed;
- players reported that aggressive content was not the central attraction in game play, and few associated a feeling of aggression with the playing of their preferred games;
- many players found aggressive content fantastical and preposterous, and did not take it seriously; and
- there is some community concern with aggressive aspects of some games, although there is no evidence that the community perceived computer game use as a major social problem.

The report also noted that there was some level of community awareness of the computer game classification scheme.

Classification Guidelines Review

Classification guidelines are legislative instruments used by the Board when making classification decisions in respect of publications, films and

computer games. The Board is legally required to apply the principles of the Code and the criteria set out in the classification guidelines in its decision making process, and is also required to reflect generally accepted community standards. Amendments to the Code and the guidelines can only be made with the approval of all Commonwealth, State and Territory Ministers responsible for censorship.

With the commencement of the Classification Act and new national classification scheme on 1 January 1996, Commonwealth, State and Territory Ministers responsible for censorship approved a sequential review of the classification guidelines, beginning with a review of the *Guidelines for the Classification of Films and Videotapes*. A review process that included extensive public consultation, independent scrutiny and expert input was approved by Censorship Ministers and subsequently undertaken by officers.

The revised *Guidelines for the Classification of Films and Videotapes* were formally approved by the Censorship Ministers at its 11 July 1996 meeting and took effect from that date.

The review of the film guidelines was followed by that of the publications guidelines (previously termed Printed Matter Classification Guidelines). The review process once again included extensive public consultation, independent scrutiny and expert input.

After receiving Ministerial approval, the revised *Guidelines for the Classification of Publications* were published in the *Commonwealth of Australia Gazette (Government Notices)* in September 1999, and tabled in the

Commonwealth, State and Territory Parliaments. Copies of the new guidelines have been widely distributed, including copies to all those who made submissions to the review.

The process to review the computer games guidelines has been commenced and will be continued in 2000–2001 with the public consultation phase to be conducted in the next reporting year.

Telephone Message Services

The Classification Board has a contractual arrangement with the Telephone Information Services Standards Council (TISSC). It advises TISSC on complaints relating to alleged breaches by service providers of the TISSC Code of Practice in connection with the content and advertising of recorded services.

The Board provides advice on complaints referred by the Telephone Information Services Arbitrator.

During 1999–2000 no complaints were referred to the Board in respect of the TISSC Code of Practice.

Complaints

The total number of complaints received by the OFLC in 1999–2000 was 18 048 (32 telephone and 17 904 written, 100 e-mail and 12 fax), compared to 198 (49 telephone and 149 written) the previous year. This is a substantial increase on last year. However, approximately 17 500 of these complaints were as a result of a postcard campaign against the cinema release of *Dogma*, which was alleged to be blasphemous. Another 258 letters about *Dogma* were received, many of which were identically worded.

Several complaints were made concerning issues which fell outside the OFLC's area of responsibility, such as

Complaints received 1999–2000

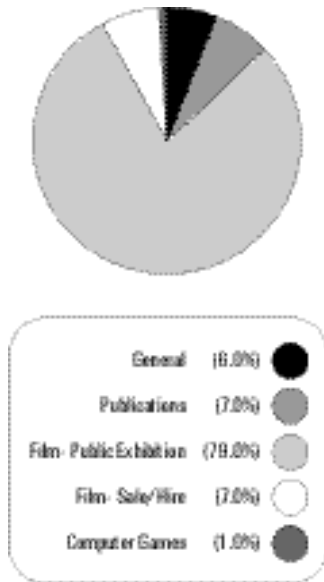
Complaints	Total	%	Excluding <i>Dogma</i> postcard campaign**	%
General	31	*	31	6%
Publications	42	*	42	7%
Film - Public Exhibition	17929	99%	444	79%
Film - Sale/Hire	41	*	41	7%
Computer Games	5	*	5	1%
Total	18048	100%	563	100%

* These figures in total make up the remaining 1%

** The above figures exclude 17 485 postcards which were received in an organised campaign and have the potential to distort the figures

television content (four complaints) and advertising (14 complaints), and these were referred on to the relevant regulatory bodies. Other general complaints reflected concern within the community about classifiable elements such as violence, nudity and sex in entertainment media. The OFLC also received four complaints about excessive censorship.

Complaints received % 1999 – 2000



Publications

Forty-two complaints were received by the OFLC about publications. Fourteen related to publications classified ‘Unrestricted’ being publicly available to minors. Nudity in ‘Unrestricted’ publications was the subject of another two complaints.

Two correspondents advocated censorship of books in school libraries, while another expressed the view that *Cosmopolitan* magazine should be given a restricted classification as the sexual content was not suitable for teenagers. The view that there is too much censorship of magazines for adults was expressed in another complaint.

Ten complaints were received about publications deemed to be offensive. They included general complaints about pornography and offensive comics and specific complaints about advertising for brothels in some newspapers.

There were ten complaints from industry, including three relating to classification turnaround times and seven relating to classification standards for publications.

Film – Public Exhibition

The OFLC received 17 929 complaints about films exhibited in cinemas. Of these, 17 743 were in relation to the classification of the film *Dogma*, which was classified MA15+. The majority of complaints, 17 485, were received in postcard form with no return addresses provided. All complainants expressed the view that the film *Dogma* should be banned because of its blasphemous content.

Of the remaining 186 complaints, 88 were in relation to the film *Romance*. The majority, 66, opposed the RC (Refused Classification) rating given to the film by the Classification Board. After the Classification Review Board overturned the Classification Board's decision and classified *Romance* R18+, other complaints expressed the view that the original ban of the film should have stood.

Excluding the complaints received about *Dogma* and *Romance* there were 98 complaints relating to specific films.

Seventeen complaints were received about the film *South Park – Bigger, Longer and Uncut* (MA15+). The majority expressed the view that the film was unsuitable for children and that it should have been classified R18+. There were nine complaints about the film *Big Daddy*, chiefly because of the perceived unsuitability of a homosexual kiss in a PG rated film.

Concerns that the film *Lolita* would encourage paedophilia were the basis of two complaints received within the reporting period.

Several complainants raised concerns about scenes or themes in films classified G (such as *Mulan*, *Hercules*, *Bingo* and *Babar*) and PG (such as *10 Things I Hate about You* and *Ed TV*) which they believed warranted a higher classification. Some expressed concern about consumer advice, one complainant declaring that there should have been some warning about nudity in *American*

Beauty, another that the violence in *Two Hands* was unexpected as the film had been described as a comedy. Another view was that rape should be noted in consumer advice.

Other complaints reflected concerns about the classifiable elements in specific films such as violence (*Gladiator*, *Lake Placid* and *The Sixth Sense*), language (*Magnolia*, *Double Jeopardy*, *The Insider* and *Wog Boy*), nudity (*American Beauty*) and sex scenes (*Eyes Wide Shut* and *American Pie*). The film *Me, Myself and Irene* provoked five complaints about the way the film dealt with the issue of schizophrenia. Two complainants felt that *Rules of Engagement* was offensive in terms of its racist content.

The OFLC also received complaints about what was felt to be excessively strict classification in such films as *Bringing out the Dead*, *Scream 3*, *Tackle Happy* and *Passion*.

Four complaints related to the presence of children at screenings of M and MA films; two to the inappropriate screening of film trailers with features of a lower classification; and one to inaccurate classification advertisements. These complaints were referred to the Community Liaison Officer or to the relevant State or Territory authorities where appropriate.

Two complaints were received from industry about classification fees.

Film – Sale/Hire (videotapes, DVDs etc)

A total of 41 complaints was received by the OFLC about films for sale/hire. Of these, seven were about unclassified films. Appropriate action was taken.

Fifteen complaints related to specific films, although no single film drew more than one complaint. Several complainants raised concerns about scenes or themes in films classified G (such as *The Prince of Egypt* and *Scooby Doo on Zombie Island*) and PG (such as *City Slickers*) which they believed warranted a higher classification. Other complainants expressed concern about consumer advice that was perceived to be inadequate.

Computer Games

Five written complaints were received in 1999–2000, compared to four in 1998–1999. Two complainants felt that the computer game *Kingpin* should be banned owing to excessive violence, while another felt that the advertising of the game *Army Men – Air Attack* promoted gratuitous violence. Another game *Vinyl Goddess from Mars*, which was part of a compilation titled *Family Games Volume 10*, depicted a female in an outfit that the complainants felt was unsuitable for a G rating.

Only one complaint was received from the computer games industry: the game *Shogun: Total War* was felt to be classified too strictly.

Speaking Engagements

During the reporting period the OFLC provided speakers to the following engagements:

Organisation	Location	Date	OFLC Speaker
Young Media Australia Conference – “Developing Child, Developing Media”	Sydney	21/7/99	Kathryn Paterson
Future Leaders of Australia – “Youth. Right Here, Right Now” workshop	Sydney	7/4/00	Yiah Chan and Robert Sanderson
St. Andrews Cathedral School	Sydney	7/6/00	Wendy Banfield
Young Liberal Movement (Vic)	Melbourne	1/5/00	Des Clark
Watch On Censorship – “Meet the New Censor” Forum on Censorship at the Sydney Film Festival	Sydney	21/6/00	Des Clark

OBJECTIVE TWO

To enable the publishing, film and computer games industries to produce and market their products in accordance with public classification standards and pre-set conditions of sale and exhibition.

Key Outcomes

- Several industry conventions were attended by OFLC staff, including the Deputy Director, and the Community Liaison Officers. These officers provided information about classification legislation and legal obligations under the national classification scheme.
- The revised Guidelines for the Classification of Publications were published in September 1999.
- The review of the computer games classification guidelines was commenced.
- The OFLC processed 42 applications for pre-classification advice for publications up to the 31 August 1999. The pre-classification advice service was suspended from 1 September 1999.
- The training and authorisation of 13 people to recommend classifications for computer games in the advisory categories in accordance with the Classification Act was undertaken.
- The Community Liaison Officer scheme covering all States and Territories continued.
- The OFLC granted classification exemptions for a number of film festivals and events.
- The number of advertising exemptions for eligible films for public exhibition permitted in any calendar year increased from 70 to 80.
- The OFLC's website was maintained and updated, with further up-grading planned.

- Consultation on the OFLC's Customer Service Charter took place and a draft Charter, based on customer surveys and staff feedback, was prepared.

Client and Industry Liaison

Publications Guidelines Review

In 1995 Commonwealth, State and Territory Ministers with Censorship responsibilities decided on a sequential review of the film, publication and computer games classification guidelines. The publications classification guidelines review began in 1997 and was completed in 1999. The publications classification guidelines had not been revised since 1992.

A consultative review process was approved by Ministers which included extensive public consultation. The views of complainants to the OFLC, industry groups and other interested parties were also sought. Submissions to the review were analysed by Professor Peter Sheehan, Vice Chancellor of the Australian Catholic University. Professor Sheehan is a noted psychologist with experience in the area of censorship and community standards. The revised guidelines were then scrutinised for clarity, readability and accessibility by a language expert, Associate Professor Judith Bowey of the University of Queensland.

The revised publications guidelines were formally approved by Censorship Ministers on 23 July 1999 and came into effect from 1 September 1999. They represent a Commonwealth-



Application staff: Mr Adam Harris, Ms Raji Vswanathan, Ms Lana Hoffman and Mr Brad Cooke

State–Territory consensus in this area and reflect as far as possible current attitudes in the Australian community.

The revised guidelines introduced stricter criteria in the ‘Unrestricted’ category and for public display. In addition, the revised guidelines provide for the consumer advice label ‘M – Not recommended for readers under 15 years’ on the covers of publications which are not recommended for people under 15, but which are not of sufficient strength to warrant restriction to adults only.

Copies of the new guidelines were printed and widely distributed, including copies to all those who made submissions to the publications guidelines review.

Industry Training

The Education and Service Development Manager position was permanently filled in November 1999. Jenny Rae, previously a member of the Classification Board and a Senior Classifier for a number of years, was appointed to the position. As well as being responsible for the training of Classification Board members, Classification Review Board members (on request), and other OFLC staff, the position is also responsible for providing information and education on classification standards to members of industry.

Distributors of imported ‘submittable publications’ (those which are likely to be restricted to adults and therefore require classification), in particular, have been keen to take advantage of this service, in order to be able to modify

publications prior to classification, to achieve a desired distribution category.

Some publishers of magazines and newspapers that are generally *not* considered to be 'submittable publications' have requested information and education on classification standards in order to ensure that their publications do not come within the ambit of the national classification scheme.

Training in classification standards and procedures has been provided to domestic airlines screening films for public exhibition. Some members of the film industry have been educated in the standards that apply to public display (when preparing advertising fliers, for example).

Training for Authorised Assessors for Computer Games

As stated on page 36 a person can be trained by the OFLC to be an authorised assessor who may then make a written recommendation to the Board for the classification of a computer game likely to be classified G, G8 or M. The OFLC encourages clients to take advantage of this option, as it generally ensures a speedier passage for the processing of the application.

This authorised assessor recommendation process does not extend to games likely to be classified MA15+ (restricted for sale to people over the age of fifteen unless accompanied by a parent or guardian), which must be viewed by the Board before classification.

Training sessions are currently free of charge, and are conducted on an as-needs basis. A letter of authorisation,

signed by the Director, is sent to the assessor on completion of training. Each training session takes a number of hours, and covers the legislative responsibilities and requirements of the computer games classification scheme, administrative requirements in terms of fees, application and recommendation forms, and the criteria of the National Classification Code and classification guidelines. Clients are generally shown examples of computer games in each category and the classifiable elements and impact levels of the games are discussed in the context of generally accepted standards.

In the reporting year 13 people were trained by the OFLC and authorised by the Director to recommend classifications for games in the advisory categories.

The scheme ensures liaison and communication with clients, which the OFLC welcomes as being to the advantage of both industry and consumers, for the maintenance of consistent classification standards.

Industry Conventions

In August 1999, the Deputy Director, the Senior Classifier and the Senior Community Liaison Officer of the OFLC maintained a stall at the Queensland Motion Pictures Exhibitors Association's National Convention and provided information to exhibitors about the classification scheme.

The OFLC's Community Liaison Officers also operated a stall at the Sexpo exhibitions in Perth in July 1999, in Melbourne in December 1999 and in Sydney in May 2000. The OFLC attended the Sexpo exhibitions to provide information to the distributors, exhibitors and retailers of adult publications, films (including videos and DVDs) about their legal obligations, and to assist members of the public with questions about the national classification scheme.

Community Liaison Officer (CLO) Scheme

The CLO scheme is a joint Commonwealth, State and Territory initiative which now has national coverage. New South Wales joined the scheme in July 1998 and Queensland in October 1998.

The aim of the CLO scheme is to assist retailers and distributors of publications, films and computer games to comply with their legal obligations under the national classification scheme. The CLOs visit premises and traders in participating jurisdictions and provide detailed information about classification laws and requirements. Such information includes advice about apparent breaches, restrictions applying to the sale or display of certain materials, labelling requirements and other related matters.

The CLOs also fulfil an educative role in support of enforcement authorities in participating jurisdictions. In some instances where serious breaches have been identified referrals have been made to relevant police.

The CLOs have made presentations to industry conferences and have briefed large national corporations about the legal requirements of the classification scheme.

CLO brochures, designed to meet the needs of particular States and Territories, have now been printed and distributed to each jurisdiction. The brochures are also being distributed by the CLOs and by the Office of Film and Literature Classification (OFLC) in order to illustrate compliance requirements and penalties clearly.

Since the commencement of the scheme, the CLOs have identified and recorded over 8 000 individual breaches of classification legislation relating to publications, films and computer games. The CLOs report that most breaches are resolved by CLO intervention and that very few matters require the involvement of police. Over 80% of breaches are rectified following a single visit by a CLO.

In the reporting period, the CLOs conducted 963 site visits, as well as attended 133 meetings with industry clients. Also during this time 1 118 telephone contacts were made and 3 009 breaches were detected.

Film Festivals and Events

Under the national classification scheme, State and Territory legislation provides that film festivals may become 'approved organisations'. This entitles them to apply to the appropriate authority to have their unclassified films exempted from the classification requirements of the relevant State/Territory laws provided they meet certain criteria set out in approved guidelines.

The appropriate authority for film festivals in Victoria, New South Wales, Western Australia, the Australian Capital Territory and the Northern Territory is the Director of the Classification Board. In South Australia exemption applications should be directed to the Attorney-General, the Hon K. Trevor Griffin MLC through Ms Rita Fameli at the South Australian Attorney-General's Department. Those seeking 'approved organisation' status or exemption in Tasmania or Queensland must apply to authorities in those States. The contact officer for applications in Tasmania is Mr Peter Maloney, Director of Legislation, Policy and Information Resources at the Tasmanian Department of Justice. In Queensland, applications should be directed to Mr David Cannavan, Film Classification Officer at the Queensland Office of Fair Trading.

Details of film festivals and other organisations granted exemptions during the reporting period will be found on page 113–115.

Advertising Exemption Scheme

Part 3, Division 2 of the Classification Act contains provisions relating to the advertising of films which have not been classified. It states that persons may apply to the Classification Board for a certificate of exemption for advertising purposes in relation to a film for public exhibition.

Certificates of exemption may only be granted in relation to an "eligible film" as defined by section 31 of the Classification Act, that is, any unclassified film for public exhibition which complies with conditions as

determined by the Commonwealth Attorney-General by notice in the *Commonwealth of Australia Gazette (Government Notices)*.

The *Classification (Eligible Films) Determination 1999* was approved by the Attorney-General on 13 September 1999. This determination increased the number of exemptions permitted in any calendar year from 70 to 80 (see pages 116–117 for a list of exemptions granted).

OFLC Website

The OFLC's world wide website is located at <http://www.oflc.gov.au>.

The website provides a useful tool to the OFLC in meeting its obligations to its industry clients by assisting them to produce and market their products in accordance with public classification standards and pre-set conditions of sale and exhibition.

The website assists this process in a number of ways.

Firstly, the website assists industry clients by providing them with access to information on their obligations. The site contains copies of the publications, films and videotapes, and computer games guidelines; links to the legislation; and general information about the classification system and the OFLC.

Secondly, and perhaps more importantly, the website provides consumers, industry clients and any other interested parties with access to a database of classification decisions, which, in the

case of films, includes details of decisions going back to 1971.

The provision of information on decisions to clients via a remote access database goes back to 1991 when the OFLC launched its database on the Telstra Discovery network.

The use of these database systems superseded the traditional method of publishing classification decisions via the *Commonwealth of Australia Gazette (Government Notices)*. Gazettal, which was employed until 1991, was slow and expensive and fell short of meeting the needs of clients for timely, easily accessible information about classification decisions.

The website has proved to be a valuable resource for industry, and is extensively used. The OFLC is committed to the continued improvement of the site.

OFLC Customer Service Charter

The OFLC is developing a customer service charter as part of the Government's reforms to promote a more open and customer-focused Public Service. The OFLC Customer Service Charter will comply with the Department of Finance and Administration's *Client Service Charter Principles* released in June 2000.

A draft version of the OFLC Customer Service Charter was prepared in 1999–2000 in consultation with all staff and based on survey information gathered from industry clients.

The OFLC Customer Service Charter will recognise that it has two separate groups of clients:

- the people and organisations that apply to have publications, films and computer games classified; and
- the consumers of these products in the wider Australian community.

The development of the Charter represents a commitment by the OFLC to provide all clients with high quality service. Feedback and comments on the Charter will be sought by the OFLC to assist it in improving the delivery of its services.

It is anticipated that the OFLC Customer Service Charter will be launched early in the next reporting year.

OBJECTIVE THREE

To establish the OFLC as a principal source of expert advice
and information on classification issues for Government.



Policy Unit: Ms Emma Bromley, Mr Joel Greenberg, Ms Cynthia Kaye (Manager), Ms Mite Ryce and Ms Catriona Taylor

Key Outcomes

The provision of:

- Secretariat and policy support for meetings of the Standing Committee of Attorneys-General (SCAG) and meetings of the Australian Censorship Officials.
- Classification and advice for Police and Customs referrals, and training seminars for Customs Officers in Sydney.
- High level advice to Government on a range of censorship matters.
- Prepared responses to Ministerial correspondence.

Ministerial Council Meetings

SCAG comprises the Attorneys-General of the Commonwealth, the States, the Northern Territory and the Australian

Capital Territory. For censorship matters the membership is the same as the SCAG except for the following States where the representative is a Minister other than the Attorney-General: in Western Australia it is the Minister for the Environment, Labour Relations; in Queensland the Minister for Fair Trading; and in the ACT the Minister for Justice & Community Safety. During 1999–2000 Ministers met on three occasions on censorship matters: in Sydney on 22–23 July 1999, Canberra on 11–12 November 1999 and Melbourne 24 March 2000.

Issues considered at such meetings include the operation and administration of the national classification scheme, classification legislation, enforcement of legislative requirements, classification guidelines and community attitudes. Secretariat support is provided by the OFLC.

Matters considered by the Censorship Ministers during 1999–2000 included:

- Free-to-air television
- Review of Classification guidelines for publications
- Legislative amendments
- X-rated videos and the proposed category of Non-Violent Erotica
- Advertising exemptions
- “Computer Games and Australians Today” research project
- Display of offensive material
- On-line services and content regulation
- Consequences of media convergence
- Guidelines amendment for films (Internet convergence)
- Community Assessment Panels scheme
- Offensive audio recordings
- Community Liaison Officers recommendations
- Expiation Notices
- Expanded determined markings
- Review of guidelines for computer games

Censorship Officials’ Meetings

During the reporting period, the OFLC hosted three meetings of Censorship Officials from each State and Territory in September 1999, February 2000 and June 2000. The meetings were held prior to SCAG Censorship Ministers’ meetings to consider SCAG agenda items.

Police and Customs

Since 1996–1997, the OFLC has provided training courses for officers from the Australian Customs Service in relation to the prohibited import/export status of publications, films and computer games. These seminars are attended by Customs officers from around Australia and form the focus of a concerted effort to streamline the referral process with respect to material seized by the Australian Customs Service. The training focuses on the application of Regulation 4A of the Customs (Prohibited Imports) Regulations and Regulation 3 of the Customs (Prohibited Exports) Regulations, with particular emphasis on provisions relating to child pornography.

In the reporting period, the Education and Service Development Manager has provided training to more than 30 Customs officers.

Representatives from the NSW Child Protection Enforcement Agency met with members of the Classification Board and relevant OFLC staff on 29 March 2000. Both the Board and OFLC staff found the visit a valuable exchange of information, in terms of both standards and procedures of both agencies.

OFLC officers and the CLOs maintained close liaison with Customs officers and Police in the States and Territories.

During the reporting period 146 individual publications and 196 individual films and computer games were referred by Police and Customs services for assessment by the OFLC. A detailed breakdown of these statistics is contained in Appendix I to this report.

International Liaison

During 1999–2000 contact was maintained with overseas colleagues who provide valuable information on international classification standards.

The Director of the New Zealand Office of Film and Literature Classification, Mr Bill Hastings, and a Senior Classifier, Ms Nicola McCully, visited the OFLC in early May 2000. They were accompanied by Mr Bill Hood who represented the New Zealand Film and Video Labelling Body Inc.

The New Zealand delegation met with the newly appointed Director of the OFLC, Mr Des Clark, to discuss current classification issues including the exchange scheme between the Australian and New Zealand classification offices. A New Zealand officer, Ms Sharon Trotter, was seconded to the Classification Board, and is currently acting as Senior Classifier.

Submissions to Government Committees/Inquiries

The OFLC provides advice to Ministers and their officials relating to classification of entertainment media and research findings, including community attitudes to classification issues. One of its major functions is to provide advice to Government in relation to these issues and this is performed in several ways.

The OFLC provided briefing material and secretarial support to meetings of Censorship Ministers and their officials, and within the reporting period the OFLC also made a submission to the Senate Legal and Constitutional Committee. This submission examined relevant research into the effects of exposure to sexually explicit material.

Ministerials

The OFLC processed 392 letters directed to Government Ministers and referred to the office by the Attorney-General's Department. The majority of these Ministerial letters (258) were in relation to the proposed changes to legislation which would have replaced the 'X18+' rated classification for videos with an 'NVE' (Non Violent Erotica) classification. The film *Dogma* attracted 14 letters to Ministers in the reporting period, whilst the RC (Refused Classification) rating assigned to the film *Romance* and subsequent overturning of this decision by the Classification Review Board attracted 19 letters. There were also a number of letters (13) about the film *Lolita* within the reporting period.

OBJECTIVE FOUR

To ensure the optimum operation of the OFLC by
pursuing continual improvement in the management of its resources.

Key Outcomes

- A revised operational structure and revised operational procedures were settled.
- The OFLC's information technology system was enhanced.
- The OFLC's new premises were outfitted.
- Internal and external audits of the OFLC were undertaken.

Commercialisation Review

KPMG management consultants were contracted to conduct a review of the OFLC in December 1997. The objective of this review was to assist the OFLC objective to realign its operations and corporate culture to reflect a transition from its traditional role of regulator and censor to its new role as a standards body and service provider.

The review arose out of the requirement that the OFLC operate on a cost recovery basis for classification services and the related need to ensure that the OFLC provides an efficient and effective service which meets the requirements of business and the community.

The comprehensive review, which has been conducted in consultation with staff, was completed in the current reporting period, and the final elements will be progressively implemented over the next reporting period.

The completed elements include:

1. reforming the OFLC's operational structures and processes;
2. refurbishing the OFLC information technology systems and facilities; and
3. relocating the OFLC to suitable city-fringe premises.

Improving Our Services Project

During the reporting period the process of structural and operational reform, undertaken in response to KPMG's review of the operations of the OFLC and in consultation with staff was completed. A new organisational structure was agreed with staff in November 1999. This structure is reflected in the organisation chart on page 8.

*Mr Paul Tenison, Business Manager with
Ms Amy Chang, Finance Officer*



The object of the reform process has been to ensure that the OFLC operational structures and processes are streamlined and the appropriate. The new structure allows the OFLC to be able to properly fulfil its statutory and service functions in accordance with the expectations of key stakeholders, while addressing changes in entertainment media technology and related community and industry requirements.

Duty statements for employment opportunities within the new structure were finalised and implementation of the new structure commenced in May 2000. It is expected that implementation of the new structure will be completed early in the next reporting year and associated recruitment will be completed progressively over the balance of the reporting period.

Resource Management

Consultancies

Where resources or expertise are not available in-house, the OFLC engages external consultants. Selection of consultants is in accordance with Commonwealth policy.

During the reporting year, a total of four new consultancy agreements was entered into by the OFLC. A further three consultancies, which had been commissioned in previous periods, were completed in the reporting period. Consultants were paid in aggregate \$163,881.

Payment details for the consultancies are provided below:

Name of Consultant	Purpose of Consultancy	Amount Paid \$	Selection Process used	Reasons for employment of consultant
KPMG	Review of OFLC Regional Operations and Functions	35,700	Extension to existing commission (originally open tender)	Need for independent study
Keys Young	Community Assessment Panels	86,566	Extension to existing commission (originally select tenders)	Censorship Ministers approved independent research project
Computer Sciences Corporation	IT Systems Security Audit	18,000	Select tenders	Need for independent assessment
Australian Protective Service	Physical Security Audit	4,875	Select tenders	Need for independent assessment
KPMG	Service and IT review	8,500	Completion of Existing Commission	Need for independent study
LAETA Pty Ltd	Computer games research	4,500	Completion of Existing Commission	Censorship Ministers approved independent research project
Durkin Consultancy	Computer games research	5,740	Completion of Existing Commission	Censorship Ministers approved independent research project

Purchasing

The OFLC's procurement policies and principles are in accordance with the Commonwealth Procurement Guidelines.

Information Technology

The OFLC's business operations are highly reliant on Information Technology, and in order to achieve maximum efficiency and effectiveness in its operations, the office is continually reviewing the adequacy of its automated systems. Recent years have seen the implementation of new Financial Management and HR systems (SUN and MicrOpay respectively), and in the reporting year, the new classification database system was implemented.

This new system – known as BOSS – replaces the “FLICS” system, which could not be certified as year 2000 compliant, and will provide the OFLC with substantial efficiency gains by incorporating “workflow technology” functionality. The workflow aspects of the new database electronically control flow of classification applications through the office, and will alert users to imminent deadlines and the progress of high priority applications. It also allows for electronic storage of relevant documents and files as well as more efficient access to client related information including the status of applications and prepayment account balances.

The system links up with the OFLC's financial accounting system, SUN, and has improved the details and accessibility of the OFLC's website.

Audit and Evaluation

Audit–internal/external

The activities of the OFLC are subject to examination by both the Australian National Audit Office (ANAO) and the OFLC's Audit Committee.

The role of the OFLC's Audit Committee is to ensure that delivery of the office's program outputs is efficient and effective

The financial statements contained in Appendix VI to this report have been audited by ANAO.

Evaluation

During the reporting year, the OFLC has gathered information to assess performance against planned level of achievements against outputs. This includes data on activities such as the handling of complaints and requests for information and advice issued, which will facilitate quantitative and qualitative evaluation of output achievement.

The results are reported in Appendix V.

Decisions of Courts and Tribunals

There were no matters dealt with in the High Court, Federal Court or the Administrative Appeals Tribunal during the reporting period.

OBJECTIVE FIVE

To develop the commitment and professionalism
of staff to enhance the effectiveness of the OFLC.

Key Outcomes

- Development of the OFLC's Performance Development and Review Scheme was completed and the scheme agreed with staff.
- The OFLC provided ongoing training and development assistance for staff including classification training for 13 new Board members.
- Development of the OFLC's *Workplace Diversity Program 2000–2001* was completed in consultation with staff.
- The Consultative Committee was established as provided for in the *OFLC Agency Agreement 1998–2000*, and operated as the key consultative forum for the OFLC.
- OFLC's Employee Assistance Program was continued and promoted, with a specific focus on managing the nature of the work within OFLC.

Performance Development and Review Scheme

Development of the OFLC's Performance and Development Review scheme was completed and agreed with staff. The scheme seeks to improve the overall performance of the OFLC through focussing on the development and improvement of individual staff performance against key result areas. The scheme is based on the establishment of Performance and Development Agreements and observation of these by both parties over a twelve month cycle and a final appraisal of the staff member. The scheme is also designed to determine salary advancement within classification levels.

Training and Development

There has been ongoing training, both formal and informal across a wide range of areas. The appointment of 13 new Board members during the reporting period required the provision of training in the classification of, and provision of advice on, the full range of media classified by the Board.

The implementation of the Performance and Development Review scheme, following training in participation of such a scheme for all staff, will introduce a more systematic approach to training and development for APS staff within OFLC.

Staff have been, and will continue to be, assisted in work-related study with both financial and leave assistance through the study assistance program.

Social Justice and Equity

OFLC sought to maintain a just, equitable and safe working environment to aid the development of a committed and professional OFLC staff.

A *Workplace Diversity Program 2000–2001* was developed to ensure the establishment of equity and diversity as key employment principles within OFLC. This program, developed in consultation with staff, will aim to create an inclusive environment that values and utilises the contributions of employees of different backgrounds, experiences and perspectives.

The program will be integrated into all OFLC activities, management practices, policies and procedures to improve



Human Resource Unit: Mr Tony Bovill, Mr Manus McFadyen (Manager) and Mr David Lock

productivity and generate new ideas and ways of doing things.

The Workplace Diversity Program is to be implemented early in the 2000–2001 reporting period.

The HR Manager has been designated by the Director as the officer responsible for Workplace Diversity. The role of the HR Manager in this regard is to provide advice to the Director on Workplace Diversity issues, as well as to oversee the implementation and operation of the Workplace Diversity Program within the OFLC.

All working parties and committees convened within the OFLC will incorporate Workplace Diversity objectives into their considerations.

In this context it is relevant that the Classification Board and the Classification Review Board are carefully selected to ensure broad representation of the Australian community.

Occupational Health and Safety (OH&S)

The OFLC, recognising the importance and value of taking all reasonable steps to ensure the safety and well-being of its staff, developed a draft OH&S policy and agreement for consultation with staff. Pending the establishment of its own policy the OFLC continues to recognise the OH&S Policy of the Attorney-General's Department.

The OFLC has its own qualified and accredited OH&S representative. Staff safety and welfare is monitored and any safety concerns are addressed through designated work group meetings and the consultative committee which operates as the OFLC's OH&S committee.

The HR Manager has been designated by the Director as the officer responsible for OH&S.

During the reporting period the OFLC's contract with its service provider for the Employee Assistance Program,

Citipsych, was renewed and the program was again promoted to all staff. Significantly, special purpose group sessions were conducted by Citipsych.

During the reporting period there were no accidents or dangerous occurrences arising out of the conduct of OFLC's undertakings that requires the giving of notice under section 68 of the *Occupational Health and Safety (Commonwealth Employment) 1991 Act* (the Act). Similarly, no OH&S investigations relating to undertakings carried on by OFLC were carried out during the reporting period and no directions or notices were given under the Act.

Participative Work Practices

The *OFLC Agency Agreement 1998–2000* makes specific provision for communication and consultation with staff on all workplace issues.

In accordance with this agreement a formal consultative mechanism, the Consultative Committee, was established and operated throughout the reporting period. The Consultative Committee, which included a representative from the Classification Board, was a forum for discussion and consultation on major developments within OFLC relating to the operation of the business or employment arrangements.

Consultation and discussion on a range of workplace matters also occurred through participative work practices and section and team meetings. Special group forums and information sessions were also used to brief and consult with staff on organisational and employment related developments.

CLASSIFICATION REVIEW BOARD

CLASSIFICATION REVIEW BOARD




Office of Film & Literature Classification
Locked bag 3 HAYMARKETNSW1240

The Hon Daryl Williams AM QC MP
Attorney-General
Parliament House
CANBERRAACT 2600

Dear Attorney-General

In accordance with Sub-section 85(1) of the *Classification (Publications, Films and Computer Games) Act 1995*, I am pleased to submit the report on the management of the administrative affairs of the Classification Review Board for the period 1 July 1999 to 30 June 2000.



Barbara Biggins
Convenor

29 September 2000

Year in Review

The seven-year term of Dr Brent Waters expired in late 1999. Dr Waters had served as Deputy Convenor for most of this period. His contribution to the review process was always well informed and constructive, and the insights offered from his psychiatric and community background were always enlightening. I greatly valued his support and keen mind.

On 20 February 2000 Mr Jonathan O’Dea commenced a three-year term as Deputy Convenor. We look forward to his contribution from the perspective of a family man, lawyer and senior corporate executive.

The Review Board considered applications for review in relation to 11 titles during the year. Of these nine were film and/or video titles, one a music CD with visuals, and one a publication. Three were upheld and eight dismissed.

The Review Board declined to conduct a review on an additional video title on the ground that the application for review was received significantly outside the statutory 30-day time limit, and insufficiently strong grounds were provided to justify the delay in lodging the application.

Romance

Considerable controversy surrounded the initial classification by the Classification Board of the French film *Romance* as RC (Refused Classification). On review the classification was changed to R 18+. The full reasons for this decision can be found on page 156.

G/PG Classification Border

Two films for children, both classified PG, were reviewed. In both cases the classification remained PG as the films

contained some scenes which, in the Board’s view, might frighten very young children. Both were considered by the Review Board to be quite suitable for older children (over seven years of age).

The Review Board had encountered similar children’s films in previous years and was concerned that older children could miss enjoyable films.

Policy Matters

The Review Board considers it to be part of its role to make useful, informed contributions to discussions about and inquiries into classification matters, drawing on its considerable experience in this area.

At its meetings this year, the Review Board considered the dissemination of the consumer advice lines (which are part of the assigned classification) via press advertisements. In this context the Board has assessed the usefulness to parents of the consumer advice lines associated with the G and PG classifications, which span a wide range of ages and developmental stages of children under the age of 15 years.

Death of Kathryn Paterson

The Review Board wishes to record its sadness at the untimely death of Kathryn Paterson, and its thanks for her support.

Secretary

Mr Joel Greenberg has given ongoing expert advice and practical support to the Review Board in his capacity as Secretary. We thank him for that.

BARBARABIGGINS OAM
Convenor



BARBARA BIGGINS O AM

Convenor

APPOINTED CONVENOR 27 June 1994

APPOINTMENT EXPIRES 22 July 2001

A recipient of the Medal of the Order of Australia, and a Churchill Fellow, Barbara Biggins, 62, has had a long and distinguished record of community service. She is a graduate of the University of Adelaide and of the University of South Australia and has made a lifetime study of the impact of the media on children. Barbara was a member of the Australian Broadcasting Tribunal's Children's Program Committee from 1982 to 1991.

During the 1980s, she convened the South Australian and National Advisory Councils of the Australian Broadcasting Corporation. She has also been a consultant to the Australian Law Reform Commission on children and the legal process and is currently President of the Australian Council for Children's Films and Television, and Executive Director of Young Media Australia.

In addition to her role as a parent, grandparent and community advocate, Barbara has been part-time Senior Librarian with Child and Youth Health, South Australia's statewide community preventive health service, since 1981. She is a member of the Australian Film Institute, and the Australian and New Zealand Communication Association, and is a Director of Netalert (a national education and advisory body on on-line content). She is also the editor of *small screen*, Australia's only news review of developments in children's media.

Barbara has served as Convenor of the Classification Review Board since 1994.



JON ATHAN O'DEA

Deputy Convenor

APPOINTED 20 February 2000

APPOINTMENT EXPIRES 19 February 2003

Jonathan O'Dea, 34, is married with two young children. He holds Bachelor Degrees in Arts/Law and a Master of Laws Degree from Sydney University and has authored a number of seminar papers and articles. He is currently studying towards an MBA (Technology Management) from Deakin University.

Employed at Royal & SunAlliance since early 1994, Jonathan is currently a senior insurance manager. Prior to moving into management, he worked as a lawyer for five years, including at one of Australia's leading law firms.

Jonathan has been a director on the Board of HCF, a major NSW health insurer, since 1995. He also has past experience as an office-holder of various community based organisations, including as a former local government Councillor.

**GLENDA A BANKS***Review Board Member*

APPOINTED 18 December 1997

APPOINTMENT EXPIRES 17 December 2000

A director of a corporate communications consultancy, Glenda Banks, 62, has an extensive mainstream media background as an issues based journalist, editor and broadcaster. She is the author of six books on social issues and a thesis on telehealth, and a co-author of an interactive computer accessed learning model for publication to CD-ROM. Glenda is a Fellow of the Australian Institute of Company Directors and has served on a number of boards and committees with a community focus. Current appointments include the Australian Council on Healthcare Standards. Memberships include the Australian Society of Authors and the National Press Club. She is currently undertaking research for a PhD in the Department of Medicine at the University of Melbourne.

**ROBIN HARVEY***Review Board Member*

APPOINTED 18 December 1997

APPOINTMENT EXPIRES 17 December 2000

Robin Harvey, 41, a psychologist, has worked extensively with young children displaying emotional and behavioural problems. She has also lectured in the areas of child development, behavioural management and the development of effective communication skills. Recently she has been involved in the development of the Western Australian curriculum and learning guides for the Diploma of Social Science (Child Care) and the National Child Care Curriculum primarily in the area of behaviour management. Her published work is widely used by a range of child care and training bodies. Robin is currently working as a part-time consultant for the Resource Unit for Children with Special Needs and for the Western Australian Department of Training. She is also completing her PhD in the Psychology Department of the University of Western Australia.

**ROSS TZANNES***Review Board Member*

APPOINTED 18 December 1997

APPOINTMENT EXPIRES 17 December 2000

A senior partner in the Sydney law firm, Pryor Tzannes and Wallis, Ross Tzannes, 60, has a long and impressive record of over twenty years' involvement in community affairs. He has served on many boards and councils, notably in the area of ethnic affairs, the environment and the arts. He is currently Senior Deputy Chairperson of the Federation of Ethnic Communities Councils of Australia, a Commissioner with the Ethnic Affairs Commission of New South Wales, a board member of the Australian Conservation Foundation and the Australian Multicultural Foundation, and a member of the Social Security Appeals Tribunal. He has been Vice Chair of the Film, Radio and Television Board of the Australia Council, past president of the Sydney Film Festival and board member of the Museum of Contemporary Art in Sydney.

**JOAN YARDLEY***Review Board Member*

APPOINTED 18 December 1997

APPOINTMENT EXPIRES 17 December 2000

Joan Yardley, 67, was until recently Chairman of Clemenger/Concept Brisbane, a division of Clemenger BBDO, International brand management, marketing and advertising corporation.

A respected member of the Brisbane business community, Joan earlier co-founded the agency which eventually became Mojo Brisbane. She has served on the Board of Queensland Rail and on the University of Queensland Senate, and currently sits on the Brisbane Water Advisory Board and the Queensland Institute of Medical Research Trust.

Having been involved as a corollary to her career with careful monitoring of attitudinal research, Joan brings to the Review Board an ongoing familiarity with changing community standards and an acute sensitivity to their subtleties.

Legislative Base

The Classification Review Board is established under the Classification Act, which commenced operation on 1 January 1996.

The Classification Act provides that the Review Board is to consist of a Convenor, a Deputy Convenor and at least three, but not more than eight, other members. At the close of the reporting period, the Review Board consisted of a Convenor (female), a Deputy Convenor (male) and four other members, three females and one male, all of whom serve part-time.

In advising the Governor-General in appointing members to the Review Board, the Federal Attorney-General must first consult with Ministers participating in the national classification scheme. The Governor-General must have regard to the desirability of ensuring that membership of the Review Board is broadly representative of the Australian community.

Procedures

Applications for review may be made by the Minister; the applicant for classification; the publisher of the film, publication or computer game; or a person aggrieved by the decision.

A 'person aggrieved' has been judicially defined to mean someone who can demonstrate a direct interest in the subject-matter of the appeal extending beyond that of a member of the general public.

Applications for review must be in writing, accompanied by the prescribed fee, and lodged within 30 days of the applicant receiving notice of the decision, or within such further period as the Review Board allows.

Review Board decisions are taken by majority vote in accordance with the National Classification Code and classification guidelines endorsed by Censorship Ministers, and taking into account matters set out in section 11 of the Classification Act.

If the members of the Review Board dealing with a matter are equally divided in opinion, and the Convenor is one of the decision-makers, the Convenor has a casting vote as well as a deliberative vote. In any other case, the Review Board may be reconstituted as the Convenor directs, to consider the matter again.

While three members may constitute a quorum, current policy is to try to convene all members whenever possible.

Applicants are advised of reasons for the Review Board's decisions in writing.

Decisions of the Classification Review Board

Title	Media Type	Against	Upheld	Dismissed
The Blair Witch Project	Film (PE)*	MA15+	1	
The Blair Witch Project	Film (S/H)**	MA15+	1	
Eyes Wide Shut	Film (PE)	R18+		1
Eyes Wide Shut	Film (S/H)	R18+		1
Fight Club	Film (P/E)	R18+		1
The General's Daughter	Film (PE)	R18+	1	
The General's Daughter	Film (S/H)	R18+	1	
The Iron Giant	Film (PE)	PG		1
The Iron Giant	Film (S/H)	PG		1
Human Traffic	Film (PE)	R18+		1
Human Traffic	Film (S/H)	R18+		1
Romance	Film (PE)	RC	1	
Romance	Film (S/H)	RC	1	
Madness	Film (S/H)	RC		1
Regurgitator: Unit Rebooted	Film (CD Rom)	M15+		1
Tarzan	Film (PE)	PG		1
Tarzan	Film (S/H)	PG		1
The Australian Rosie Bizarre #28	Publication	RC		1
TOTAL	18		6	12

*Public Exhibition

** Sale/Hire

Reports of the Classification Review Board can be found at Appendix II

Guidelines for the Classification of Publications 1999

Introduction

Certain publications, whether they are locally made or come from overseas, have to be classified before they can be sold, distributed or advertised in Australia.

Classification is done by the Classification Board which is located at the Sydney-based Office of Film and Literature Classification (OFLC).

The Classification Board (the Board) classifies publications for sale on behalf of New South Wales, Victoria, South Australia, Queensland and the Territories. Queensland does not, however, recognise the ‘Restricted’ categories (Category 1 – Restricted and Category 2 – Restricted). Western Australia and Tasmania operate their own schemes. (Western Australia, while operating its own classification scheme for publications, refers to and has regard to these guidelines).

When making its classification decisions, the Board is required to reflect contemporary community standards and must apply criteria which are set out in the National Classification Code (the Code).

The Code is determined under the *Classification (Publications, Films and Computer Games) Act 1995* (the Classification Act). The Code contains the general principles which form the basis of the Classification Guidelines (the Guidelines).

The Code states:

Classification decisions are to give effect, as far as possible, to the following principles:

- (a) adults should be able to read, hear and see what they want;*
- (b) minors should be protected from material likely to harm or disturb them;*
- (c) everyone should be protected from exposure to unsolicited material that they find offensive;*
- (d) the need to take account of community concerns about:*
 - (i) depictions that condone or incite violence, particularly sexual violence; and*
 - (ii) the portrayal of persons in a demeaning manner.*

Each principle is carefully considered by the Board in the decision making process.

The concept of demeaning spelt out in the Code applies in making decisions across all of the classification categories. It refers to descriptions and depictions, directly or indirectly sexual in nature, which debase or appear to debase the person or the character described or depicted.

The Code names and broadly describes the four classification categories for publications:

UNRESTRICTED

CATEGORY 1 – RESTRICTED

CATEGORY 2 – RESTRICTED

RC (REFUSED CLASSIFICATION)

The Guidelines describe in more detail the scope and limits of material suitable for each classification category. Separate guidelines exist for the classification of films (including videos) and computer games. Both the Code and the Guidelines are agreed to by Commonwealth, State and Territory Ministers with censorship responsibilities.

By law, the Board must apply both the Code and the Guidelines when making classification decisions. The Board must also take into account matters set out in section 11 of the Classification Act.

The relevant part of section 11 states:

The matters to be taken into account in making a decision on the classification of a publication include:

- (a) the standards of morality, decency and propriety generally accepted by reasonable adults; and*
- (b) the literary, artistic or educational merit (if any) of the publication; and*
- (c) the general character of the publication, including whether it is of a medical, legal or scientific character; and*
- (d) the persons or class of persons to or amongst whom it is published or is intended or likely to be published.*

Brief history

The classification and prohibition of publications was the duty of permanent officers in the Customs Department until the early 1970's, when the responsibility for the classification of publications was transferred to the Attorney-General's Department.

On 1 February 1984 the ACT *Classification of Publications Ordinance* (COPO) came into effect. The Commonwealth introduced the Ordinance in the ACT as model legislation for the States and the Northern Territory, covering the sale and hire of videotapes and publications. Publications were submitted for classification on a voluntary basis and classified under guidelines which covered the classification categories set up under the Ordinance.

In 1992 revised guidelines were drawn up and agreed to by State, Territory and Federal Ministers responsible for censorship. Since that time the Guidelines have been made publicly available in order to help consumers and industry representatives better understand the classification system.

With the commencement of the Commonwealth Classification Act in January 1996, the National Classification Code came into effect and the classification of publications became a function of the Classification Board.

These Guidelines have been revised to reflect the criteria of the National Classification Code and community standards.

Consultation process

The Guidelines are revised from time to time in consultation with members of the public, community groups and organisations, including contributors to research. The views of complainants, industry groups and other interested parties are sought. The revised guidelines are scrutinised by a language expert; community input and responses are reviewed by an independent person with expertise in the area of censorship and classification. Once approved by Commonwealth, State and Territory Ministers, the Guidelines must be formally gazetted and tabled in the respective Parliaments.

Guidelines contents and use

Purpose

The Board is legally required to apply both the Code and the Guidelines when making classification decisions. The role of the Guidelines is to amplify the criteria set out in the Code. Board members are therefore the primary audience for the Guidelines.

The Guidelines are also of interest to, and used by, members of the publications industry and members of the general public.

Objectivity / flexibility

The Guidelines aim to be as objective as possible, while retaining the flexibility needed to accommodate matters such as those set out in section 11 of the Classification Act.

In describing classification criteria, the Guidelines sometimes use language which can be interpreted in a number of ways. To clarify the way words are used in the Guidelines, a Glossary of terms is included (see page 85).

Criteria

Each classification category contains a list of the criteria used by the Board when making classification decisions. These criteria relate to such classifiable elements as violence, sex, drug use, nudity, adult themes and coarse language.

Impact

In considering each element, the Board makes classification decisions based on the impact of individual elements and their cumulative effect. Both the content and treatment of elements contribute to the impact. The Board takes into account the concepts underlying individual descriptions and depictions, and assesses factors such as emphasis, tone, frequency, context and the amount of visual or written detail in those descriptions and depictions.

The Guidelines clearly delineate between ‘descriptions’ and ‘depictions’, and in some cases ‘references’, in order to be able to describe, where appropriate, the different impact levels of images and text. Descriptions are representation through text. Generally, they are more detailed and lengthy than ‘references’, (which may include, for example, headlines, or captions accompanying a photographs). Depictions are representation through image. ‘Realistic depictions’ include photographs; ‘stylised depictions’ include cartoons and other illustrations. Generally, descriptions of classifiable elements may contain more detail than depictions, if the level of impact does not increase as a result. In general, stylised depictions are considered to have less impact than realistic depictions, especially photographs.

The way in which image, text and concept are combined also contributes to the overall impact, and therefore the classification decision, as does the context in which classifiable elements occur. Context can be established by the general character of the publication itself, by the location and juxtaposition of images and text within the publication, and by the relationship between particular images and text (for example, a caption beneath a photograph).

Age limits

In accordance with the Code, descriptions and depictions of sexual activity are permitted if they involve ‘consenting adults’. Therefore, descriptions and depictions of sexual activity involving minors under 18 generally warrant ‘RC’ classification as they ‘...deal with matters of sex.. in such a way that they offend against the standards of morality, decency and propriety generally accepted by reasonable adults’.

Also in accordance with the Code, sexualised descriptions and depictions of nudity involving minors under 18 generally warrant ‘RC’ classification as they ‘...deal with matters of sex... in such a way that they offend against the standards of morality, decency and propriety generally accepted by reasonable adults’.

Further, the Code states explicitly that publications which ‘describe or depict in a way that is likely to cause offence to a reasonable adult a person who is, or who looks like, a child under 16 (whether the person is engaged in sexual activity or not)’ will be classified ‘RC’.

Bona fide artworks

Bona fide artworks are not generally required to be submitted for classification as they are not generally considered to be ‘submittable publications’. Bona fide artworks which may offend some sections of the adult community may be classified in the ‘Unrestricted’ category when set in an historical or cultural context.

Levels of Restriction

State and Territory laws require that ‘submittable publications’ (those likely to warrant restriction to adults) must be submitted to the Board for classification before they can legally be sold, distributed or advertised.

Publications considered to be unsuitable for minors and likely to offend some sections of the adult community are classified in the Restricted categories.

However, when making its assessment, the Board may determine that a publication does not warrant restriction to adults. Such publications are classified ‘Unrestricted’. Some publications classified ‘Unrestricted’ may not be recommended for readers under 15 years of age.

Labelling and Consumer advice

In accordance with State and Territory enforcement legislation, all publications that are classified must be appropriately labelled with an official label showing the classification category and relevant consumer advice.

The following labels indicate the classification categories:

UNRESTRICTED

CATEGORY 1 – RESTRICTED

CATEGORY 2 – RESTRICTED

Consumer advice is generally not provided for publications.

However, material classified ‘Unrestricted’ that is not recommended for readers under fifteen years of age will be labelled with an ‘*Unrestricted*’ label and consumer advice that reads ‘*M – Not Recommended for Readers Under 15 Years*’.

Public Display

The National Classification Code states that minors should be protected from material likely to harm or disturb them, and that everyone should be protected from exposure to unsolicited material that they find offensive.

Particular attention is therefore paid by the Board to the covers of submittable publications to ensure that they are suitable for display in public.

A publication with a cover considered unsuitable for public display that does not in itself warrant ‘Category 2 – Restricted’ or ‘RC’ classification may be classified ‘Category 1 – Restricted’ on the basis that the publication is sealed in a plain opaque wrapper.

The Guidelines

UNRESTRICTED

The ‘Unrestricted’ classification encompasses a wide range of material. It is not likely to include material that offends a reasonable adult to the extent that it should be restricted.

‘Unrestricted’ publications may include material that is not recommended for some readers. ‘Unrestricted’ publications that include material that is not recommended for readers under 15 may be required to carry consumer advice labels, as follows:

‘Unrestricted’ – M – (not recommended for readers under 15 years).

The application of this consumer advice label to publications within the ‘Unrestricted’ classification will be determined by the Board in relation to the impact level of the publication.

Generally, descriptions and depictions of classifiable elements in publications classified ‘Unrestricted’ may contain some detail. However, the impact will not be so strong as to require legal restriction. The impact of covers of ‘Unrestricted’ publications will be low.

Publications which emphasise both violence and sexual activity and/or nudity will not be permitted in this classification category.

Publications which deal with sexual matters and/or nudity should not be exploitative.

Bona fide artworks which may offend some sections of the adult community may be classified ‘Unrestricted’ when authentically set in a particular historical or cultural context.

‘UNRESTRICTED’ CONTENTS:

<i>Violence</i>	<p>Generally, descriptions and depictions of violence should not have a high impact or be offensive.</p> <p>Descriptions and depictions of violence with a high impact must not be:</p> <ul style="list-style-type: none"> – gratuitous; or – emphasised; or – exploitative. <p>Publications that emphasise violence, including fighting or combat, in a sporting or career context, such as the armed forces, may be permitted.</p> <p>Prominent and frequent realistic depictions of violence will not be permitted.</p> <p>Stylised depictions of violence may be more detailed and more frequent than realistic depictions if this does not increase the impact.</p> <p>Descriptions and depictions of violence in a sexual context, should be low in impact. They should not be:</p> <ul style="list-style-type: none"> – gratuitous; or – emphasised.
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'UNRESTRICTED' CONTENTS:(continued)

<i>Violence</i>	<p>Written and visual references to sexual violence must not be:</p> <ul style="list-style-type: none"> – frequent; or – gratuitous; or – emphasised; or – exploitative.
<i>Sex</i>	<p>Descriptions and depictions of, and references to, sexual activity involving consenting adults should not be:</p> <ul style="list-style-type: none"> – exploitative; or – offensive. <p>Realistic descriptions of sexual activity involving consenting adults should not be:</p> <ul style="list-style-type: none"> – gratuitous; or – very detailed. <p>Sexual activity involving consenting adults may be discreetly implied in realistic depictions. It should not be high in impact.</p> <p>Descriptions and stylised depictions of sexual activity involving consenting adults may be more detailed than realistic depictions if this does not increase the impact.</p>
<i>Nudity</i>	<p>Descriptions and depictions of, and references to, nudity should not be:</p> <ul style="list-style-type: none"> – exploitative; or – offensive. <p>Realistic depictions of sexualised nudity should not be high in impact. Realistic depictions may contain discreet genital detail but there should be no genital emphasis. Prominent and/or frequent realistic depictions of sexualised nudity containing genitalia will not be permitted. Realistic depictions in which sexual excitement is apparent are not permitted.</p> <p>Stylised depictions of nudity may contain more detail than realistic depictions if this does not increase the impact.</p> <p>Descriptions of nudity may contain more detail than depictions if this does not increase the impact.</p>

'UNRESTRICTED' CONTENTS:(continued)

*Coarse**Language*

Coarse language may be used.

Coarse language that is strong, aggressive or sexually detailed should not:

- have a high impact; or
- be exploitative; or
- be offensive.

*Adult**Themes*

Descriptions and depictions of adult themes should not:

- have a high impact; or
- be offensive.

The treatment of themes with a high degree of intensity should:

- be discreet;
- low in impact; and
- and not exploitative.

Generally, the stronger the theme, the more discreet the treatment.

Descriptions and depictions of sexual products and services that are restricted to adults, should be:

- be discreet; and
- have a low impact.

Drug Use

Drugs and drug use may be discreetly described and depicted.

Detailed descriptions or depictions of drug use should not:

- have a high impact; or
- be offensive.

Drug use should not be promoted or encouraged.

The misuse of non–proscribed drugs should not be promoted or encouraged, nor described in gratuitous detail.

'UNRESTRICTED' COVERS:

Covers must be suitable for display in public. The impact of any descriptions, depictions and references on covers should be low. Publications with covers which are not suitable for public display will not be permitted in the 'Unrestricted' category.

<i>Violence</i>	<p>Written references to violence should be discreet.</p> <p>Realistic depictions of violence should be discreet. Stylised depictions may contain more detail if the impact remains low.</p> <p>Descriptions and depictions of sexual violence and non-consent are not permitted.</p> <p>Written references to sexual violence and non-consent should be discreet and should not be:</p> <ul style="list-style-type: none"> – gratuitous; or – exploitative in any way.
<i>Sex</i>	<p>Written references to sexual activity involving consenting adults should be discreet.</p> <p>Depictions which show or imply sexual activity involving consenting adults are not permitted.</p>
<i>Nudity</i>	<p>Depictions of nudity should be very discreet. Depictions of sexualised nudity, whether obscured or otherwise, are not generally permitted.</p>
<i>Coarse Language</i>	<p>Mild coarse language may be acceptable but should not be emphasised. Coarse language that is strong, aggressive or sexually detailed is not permitted.</p>
<i>Adult Themes</i>	<p>Written references to adult themes should be discreet. Depictions of adult themes should be discreet. Promotion of adult sexual products and services should be:</p> <ul style="list-style-type: none"> – very discreet; and – low in impact.
<i>Drug Use</i>	<p>Generally, drug use should not be described or depicted.</p> <p>Written references to drug use should be discreet.</p> <p>Drug use may not be promoted or encouraged.</p>

CATEGORY 1 – RESTRICTED

Not available to persons under 18 years. (Not to be sold in Queensland.)

This classification is legally restricted to adults. Material which is given a restricted classification is unsuitable for those under 18 years of age. It may offend some sections of the adult community.

Material classified ‘Category 1 – Restricted’ must be distributed in a sealed wrapper.

Covers must be suitable for public display. Publications with covers which are considered not suitable for public display will not be permitted in this classification category unless sealed in plain opaque wrapping.

CATEGORY 1 – RESTRICTED CONTENTS:

- Violence* Publications which promote, incite or instruct in violence are not permitted.
- The treatment of realistic violence may be detailed. Descriptions and depictions of violence that are excessive are not permitted.
- Descriptions and depictions of violence in a sexual context should not be exploitative.
- Descriptions and depictions of sexual violence should not be detailed. They should not be:
- gratuitous; or
 - exploitative.
- Gratuitous, exploitative or offensive depictions of cruelty or real violence will not be permitted.
- Sex* Detailed descriptions of sexual activity involving consenting adults may be permitted. However sexual themes with a very high degree of intensity should not be described.
- Actual sexual activity may not be shown in realistic depictions. Simulated or obscured sexual activity involving consenting adults may be shown in realistic depictions. Genital contact is not permitted to be shown in realistic depictions.
- Stylised depictions of sexual activity involving consenting adults may be more detailed than realistic depictions.
- Nudity* Realistic depictions of nudity may contain genital detail and emphasis. Realistic depictions of obvious sexual excitement may be permitted. Realistic depictions may include touching of genitals.
- Coarse Language* There are virtually no restrictions on coarse language in this category.

CATEGORY 1 – RESTRICTED CONTENTS: (continued)

*Adult**Themes*

Themes with a high degree of intensity may be dealt with. The treatment should not be exploitative.

Themes with a very high degree of intensity may be referred to, but not described in detail. The treatment should not be exploitative.

Descriptions and depictions of fetishes should not be exploitative. Descriptions and depictions of fetishes in which non-consent or physical harm are apparent are not permitted. Descriptions and depictions of *revolting and abhorrent phenomena* are not permitted.

Descriptions of fetishes may contain detail.

Depictions of mild fetishes may be permitted.

Depictions of stronger fetishes are not permitted.

Drug Use

Descriptions and depictions of drug use may be permitted.

Detailed instruction in drug use is not permitted.

Drug use should not be promoted or encouraged.

CATEGORY 1 – RESTRICTED COVERS:

As for 'Unrestricted'.

CATEGORY 2 – RESTRICTED

Not available to persons under 18 years. (Not to be sold in Queensland.)

This category is legally restricted to adults. Material which is given a restricted classification is unsuitable for those under 18 years of age. It may offend some sections of the adult community.

Material classified 'Category 2 – Restricted' may not be publicly displayed and may only be displayed in premises that are restricted to adults.

The classification criteria for the covers of 'Category 2 – Restricted' publications are therefore the same as for the contents of 'Category 2 – Restricted' publications.

CATEGORY 2 – RESTRICTED CONTENTS AND COVERS:

<i>Violence</i>	as for ‘Category 1 – Restricted’.
<i>Sex</i>	Detailed descriptions of sexual activity involving consenting adults may be permitted. Actual sexual activity involving consenting adults may be realistically depicted.
<i>Nudity</i>	Realistic depictions of nudity may include actual sexual activity.
<i>Coarse Language</i>	as for ‘Category 1 – Restricted’.
<i>Adult Themes</i>	The treatment of themes with a very high degree of intensity should not be exploitative. Descriptions and depictions of stronger fetishes may be permitted. Descriptions and depictions of fetishes in which non-consent or physical harm are apparent are not permitted. Depictions of revolting and abhorrent phenomena may be permitted. Stylised depictions and written descriptions may be more detailed than realistic depictions.
<i>Drug Use</i>	As for ‘Category 1 – Restricted’.

RC REFUSED CLASSIFICATION

Publications which contain elements which exceed those set out in the above classification categories are classified ‘RC’.

Publications which fall within the criteria for ‘RC’ classification cannot be legally imported or sold in Australia.

The National Classification Code sets out the criteria for classifying a publication ‘RC’. These include publications that:

- *describe, depict, express or otherwise deal with matters of sex, drug misuse or addiction, crime, cruelty, violence or revolting or abhorrent phenomena in such a way that they offend against the standards of morality, decency and propriety generally accepted by reasonable adults to the extent that they should not be classified; or*
- *describe or depict in a way that is likely to cause offence to a reasonable adult a person who is or who looks like a child under 16 (whether the person is engaged in sexual activity or not), or;*
- *promote, incite or instruct in matters of crime or violence.*

RC REFUSED CLASSIFICATION (CONTINUED)

Publications that appear to purposefully debase or abuse for the enjoyment of readers/viewers, and which lack moral, artistic or other values to the extent that they offend against generally accepted standards of morality, decency and propriety will be classified 'RC'.

Publications will be classified 'RC':

(a) if they promote or provide instruction in paedophile activity;

or if they contain:

(b) descriptions or depictions of child sexual abuse or any other exploitative or offensive descriptions or depictions involving a person who is or who looks like a child under 16;

(c) detailed instruction in:

(i) matters of crime or violence,

(ii) the use of proscribed drugs;

(d) realistic depictions of bestiality;

or if they contain gratuitous, exploitative or offensive descriptions or depictions of:

(e) violence with a very high degree of impact which are excessively frequent, emphasised or detailed;

(f) cruelty or real violence which are very detailed or which have a high impact;

(g) sexual violence;

(h) sexualised nudity involving minors;

(i) sexual activity involving minors;

or if they contain exploitative descriptions or depictions of:

(j) violence in a sexual context;

(k) sexual activity accompanied by fetishes or practices which are revolting or abhorrent;

(l) incest fantasies or other fantasies which are offensive or revolting or abhorrent.

GLOSSARY OF TERMS

<i>Abuse</i>	Maltreat or assault, especially sexually.
<i>Adult Themes</i>	Adult themes may include references to and depictions associated with issues such as violence, sex, nudity, crime, suicide, drug and alcohol dependency, fetish, death, serious illness, and racism.
<i>Cultural context</i>	In relation to bona fide works of art, includes works of literary note.
<i>Coarse language</i>	Mild coarse language might include “bloody” or “bugger” and infrequent use of words such as “shit”. Strong coarse language includes “fuck” language and derivatives.
<i>DemEAN</i>	A description or depiction, directly or indirectly sexual in nature, which debases or appears to debase the person or the character depicted.
<i>Depiction</i>	Representation through image. Realistic depictions include photographs and illustrations which are close to real life; stylised depictions include cartoons and other unrealistic illustrations and images.
<i>Description</i>	Representation through text. Generally, descriptions of classifiable elements may contain more detail than depictions.
<i>Detail</i>	The amount of verbal or visual information in the representation of a subject.
<i>Discreet</i>	With little or no detail and generally not prominent.
<i>Disturb/ disturbing</i>	Cause emotional trauma or anguish.
<i>Drug use</i>	The use of proscribed drugs. Proscribed drugs are those specified in Schedule 4 (referred to in Regulation 4A(1A) (e)) of the Customs (Prohibited Imports) Regulations.
<i>Elements</i>	Classifiable elements include violence, sex, adult themes, coarse language, drug use, nudity – the Classification Board assesses the impact of these when making classification decisions.
<i>Emphasised</i>	Given prominence or strong focus. Factors include placement (within the publication or on the page), size (of image, article or text), style (including colour, clarity, realism), pose (of model), length of verbal description, and frequency.
<i>Excessive</i>	Treatment which exceeds reasonable limits, especially in terms of detail, length of verbal description or frequency

<i>Exploitative</i>	Appearing to purposefully debase or abuse for the enjoyment of readers/ viewers, and lacking moral, artistic or other values.
<i>Fetish</i>	An object, an action, or a non–sexual part of the body which gives sexual gratification. Mild fetishes include stylised domination and rubberwear. Stronger fetishes include bondage and discipline.
<i>Genital Contact</i>	Genital manipulation, including penetration, in actual sexual activity.
<i>Gratuitous</i>	Material which is unwarranted or uncalled for, and included without the justification of a defensible story–line or artistic merit.
<i>Harm/ harmful</i>	Cause damage.
<i>Historical context</i>	In relation to a bona fide work of art, includes a documentary or biography.
<i>Impact</i>	The strength of the effect on the reader/viewer.
<i>Implied</i>	Depiction/s of a subject in which an act or thing is inferred or indicated without actually being seen.
<i>Intensity</i>	Strength of treatment or subject matter.
<i>Material</i>	The covers and content of publications.
<i>Nudity</i>	Nudity can consist of frontal or rear below waist visuals, full frontal or full rear visuals for both sexes, or breast nudity for females. The amount of detail is determined not only by the content of the nudity shown, but by other factors including closeness and size of visuals, realism, and clarity.
<i>Offensive</i>	Material which causes outrage or extreme disgust. The Guidelines distinguish between material which may offend some sections of the adult community, and material which offends against generally accepted standards, and is therefore likely to offend most people.
<i>Plain opaque wrapping</i>	Opaque material covering the cover of a publication with the exception of the title of the publication, unless the title itself (including depictions and text) is unsuitable for public display.
<i>Publication</i>	Has the same meaning as ‘publication’ in the Commonwealth <i>Classification (Publications, Films and Computer Games) Act 1995</i> .
<i>Real</i>	Actual.
<i>Realistic</i>	(see Depiction)
<i>Reasonable Adult</i>	Possessing common sense and an open mind, and able to balance personal opinion with generally accepted community standards.
<i>Reference</i>	References may be visual or verbal. References refer or relate to classifiable elements such as violence, sex, nudity and drug use.

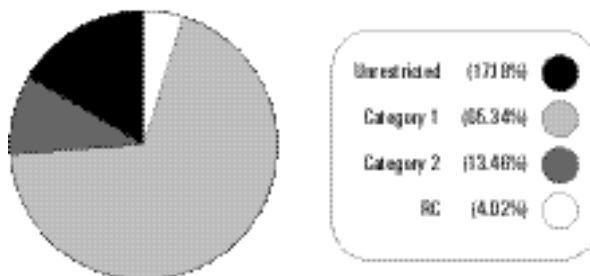
<i>Revolting and abhorrent phenomena</i>	Fetishes or practices, sometimes accompanied by sexual activity, which are considered offensive.
<i>Sexual Activity</i>	Matters pertaining to sexual acts but not limited only to portrayals of sexual intercourse.
<i>Sexual Context</i>	A sexual context may be established by the nature of the publication itself, by the frequency of depictions or descriptions of or implying sexual activity, by the placement (including juxtaposition) of images and text, or by the relationship between image and text (for example a caption accompanying a realistic depiction).
<i>Sexual Excitement</i>	Includes the male erection.
<i>Sexual Violence</i>	The act of sexual assault or aggression, in which the victim does not consent.
<i>Sexualised Nudity</i>	Includes poses, props, text and backgrounds that are sexually suggestive.
<i>Simulation</i>	Simulated sexual activity is not real, but looks realistic.
<i>Submittable Publication</i>	Has the same meaning as ‘publication’ in the Commonwealth Classification (Publications, Films and Computer Games) Act 1995.
<i>Stylised</i>	(see Depiction)
<i>Tone</i>	The quality or feeling of material, such as its sadness, humour, menace, lightness, or seriousness.
<i>Touching of Genitals</i>	Displaying of genitals, or implying sexual activity.
<i>Treatment</i>	The way in which written or pictorial material is handled, with regard to such factors as detail, emphasis and tone.
<i>Unsuitable</i>	Material that is not appropriate to readers/ viewers under 18 years, because of its ability to harm or disturb .
<i>Violence</i>	Includes not only acts of violence, but also the obvious threat of violence or its result.
<i>Violence in a Sexual Context</i>	Violence in a sexual context. as distinct from sexual violence, refers to a relationship between the elements of violence and sex/sexualised nudity. The relationship may be established by the placement, juxtaposition, style or content of images and text, and/or by a story–line.

Commercial Applications – by Classification

Publications

Classification	1998-1999		1999-2000	
	No.	%	No.	%
UNRESTRICTED	356	20.67	342	17.18
CATEGORY 1	1071	62.20	1301	65.34
CATEGORY 2	293	17.01	268	13.46
RC	12	0.70	80	4.02
Total	1732	100.00	1991	100.00

Publications – by Classification 1999 – 2000



Commercial Applications by Reasons for Refusal

Publications

Reason	1998 - 1999 No.	1999 - 2000 No.
Child Pornography	5	1
Coercion	-	1
Contents	-	1
Instruction In Crime / Promote In Matters Of Crime	-	1
Minors	6	9
Non-Consent	-	2
Non-Consent / Child Pornography	-	1
Offensive Advertisements	-	1
Offensive Fantasy	-	19
Offensive Fantasy / Minors	-	1
Offensive Fantasy / Sexual Violence	-	1
Offensive Fetish	-	2
Offensive Incest Fantasy	-	1
Promote In Matters Of Crime	-	6
Revolting Or Abhorrent Phenomena	-	1
Sexual Violence	1	28
Sexual Violence & Cruelty	-	1
Sexual Violence & Cruelty / Offensive Fantasy - 1	-	-
Sexual Violence / Offensive Fantasy / Offensive Fetish	-	1
Sexualised Violence	-	1
Total	12	80

Commercial Applications – by Country of Origin

Publications

Country	1998 – 1999	No.	1999 – 2000
	%		%
AUSTRALIA	39.45	769	38.62
CANADA	1.02	61	3.06
CANADA / USA	0.00	3	0.15
CHINA	0.05	-	0.00
DENMARK	1.17	17	0.85
EUROPE	0.05	2	0.10
GERMANY	2.03	-	0.00
HONG KONG	0.00	6	0.30
JAPAN	0.25	8	0.40
NETHERLANDS	1.37	-	0.00
NEW ZEALAND	0.15	4	0.20
POLAND	0.05	-	0.00
SINGAPORE	0.10	2	0.10
SOUTH AFRICA	0.25	4	0.20
SPAIN	0.66	28	1.41
SPAIN / UK	0.00	1	0.05
SWEDEN	0.00	1	0.05
SWITZERLAND	0.10	-	0.00
TAIWAN	0.05	-	0.00
THAILAND	0.05	-	0.00
UK	24.96	498	25.01
UK / SPAIN	0.00	8	0.40
UNKNOWN	1.83	9	0.45
USA	26.39	567	28.48
USA / CANADA	0.00	1	0.05
USA / GERMANY	0.00	1	0.05
USA / UK	0.00	1	0.05
TOTAL	100.0	1991	100.00

Guidelines for the Classification of Films and Videotapes

INTRODUCTION

Films and videotapes, whether they are locally made or come from overseas, have to be classified before they can be sold, hired or shown publicly in Australia.

Classification is done by the Classification Board (the Board) which is located at the Sydney-based Office of Film and Literature Classification. When making its classification decisions, the Board is required to reflect contemporary community standards and must apply criteria which are set out in the National Classification Code (the Code).

The Code is determined under the Classification (Publications, Films and Computer Games) Act 1995 (the Classification Act). The Code contains the general principles which form the basis of the Classification Guidelines (the Guidelines).

The Code states:

Classification decisions are to give effect, as far as possible, to the following principles:

- (a) adults should be able to read, hear and see what they want;*
- (b) minors should be protected from material likely to harm or disturb them;*
- (c) everyone should be protected from exposure to unsolicited material that they find offensive;*
- (d) the need to take account of community concerns about:*
 - (i) depictions that condone or incite violence, particularly sexual violence; and*
 - (ii) the portrayal of persons in a demeaning manner.*

Particular attention is paid, when classification decisions are made, to the protection of minors from material that is disturbing or harmful.

The concept of demeaning spelt out in the Code applies in making decisions across all of the classification categories. It refers to depictions, directly or indirectly sexual in nature which debase or appear to debase the person or the character depicted.

The Code names and broadly describes the six classification categories. G, PG and M are advisory categories. MA and R are legally restricted categories. X is a special category which is also legally restricted. The Code also describes material that is refused classification.

The Guidelines describe in more detail the nature of the different classification categories, and the scope and limits of material suitable for each category. Both the Code and the Guidelines are agreed to by Commonwealth, State and Territory Ministers with censorship responsibilities.

By law, the Board must apply both the Code and the Guidelines when making classification decisions. The Board must also take into account other matters contained in the Classification Act, set out in Section 11.

The relevant part of section 11 states:

The matters to be taken into account in making a decision on the classification of a film include:

- (a) the standards of morality, decency and propriety generally accepted by reasonable adults; and*
- (b) the literary, artistic or educational merit (if any) of the film; and*
- (c) the general character of the film, including whether it is of a medical, legal or scientific character; and*
- (d) the persons or class of persons to or amongst whom it is published or is intended or likely to be published.*

Brief history

Film classification guidelines were first written in 1980. These were intended simply as a working document for members of the Film Censorship Board (now known as the Classification Board). In 1984 and again in 1988 revised guidelines were drawn up by the Board and agreed to by State and Federal Ministers responsible for censorship. Since that time the Guidelines have been made publicly available in order to help consumers better understand the classification system. They have been distributed in schools, for example, as part of an educational campaign about the classification scheme.

In 1993 the Guidelines were up-dated to include the new MAcategory. This category was introduced in response to community concern about the impact of some of the stronger material classified M. That is, material which was recommended for mature audiences, but to which children had unrestricted access.

While the Guidelines are intended primarily for use by the Board in making its decisions, they are also designed to inform consumers about the basis for those decisions.

Consultation process

The Guidelines are revised from time to time in consultation with members of the public, community groups and organisations, including contributors to research. The views of complainants, industry groups and other interested parties are sought. The revised guidelines are scrutinised by a language expert; community input and responses are reviewed by an independent person with expertise in the area of censorship and classification. Once approved by Commonwealth, State and Territory Ministers, the Guidelines must be formally gazetted and tabled in the respective Parliaments.

Guidelines contents and use

The Guidelines aim to be as objective as possible, while retaining the flexibility needed to accommodate notions of merit and community standards (s. 11, the Classification Act).

The Guidelines contain descriptions of each of the classification categories. The categories indicate the most suitable audience for the film, in terms of age and legal restriction.

Each classification category contains a list of the criteria used by the Board when making classification decisions.

These criteria relate to the classifiable elements of violence, sex, coarse language, adult themes, drug use and nudity.

In considering each element, the Board makes classification decisions based on the impact of individual elements and their cumulative effect. The content and treatment of elements contribute to the impact. The Board takes into account factors such as tone, duration, frequency and the amount of visual or verbal detail. The relationship of classifiable elements to the narrative also contributes to the impact of a film, and therefore its classification.

In describing classification criteria, the Guidelines sometimes use language which can be interpreted in a number of ways. To clarify the way words are used in the Guidelines, a glossary of terms is included.

Consumer advice

In making classification decisions, the Board also decides what consumer advice should be provided. The law requires that consumer advice is shown with the classification symbol on posters, advertisements and video jackets.

Consumer advice is designed to alert consumers to the elements that have contributed to the classification. It should help people to make informed choices about the films and videos they choose for themselves or for their children.

Consumer advice is generally not provided for material classified G. As this category is suitable for viewing by all ages, it can be expected not to contain anything which might require consumer advice.

The Guidelines



GENERAL (Suitable for all ages)

This is a category which is considered suitable for all viewers.

The G classification symbol does not necessarily indicate that the film is one that children will enjoy. Some G films contain themes or story-lines that are of no interest to children.

Parents should feel confident that children can watch material in this classification without supervision. Material classified G will not be harmful or disturbing to children. Whether or not the film is intended for children, the treatment of themes and other classifiable elements will be careful and discreet.

Violence Violence may be very discreetly implied, but should:

- have a light tone, or
- have a very low sense of threat or menace, and
- be infrequent, and
- not be gratuitous.

Sex Sexual activity should:

- only be suggested in very discreet visual or verbal references, and
- be infrequent, and
- not be gratuitous.

Coarse

Language Coarse language should:

- be very mild and infrequent,
- and
- not be gratuitous.

PG***Parental Guidance (Parental guidance recommended for persons under 15 years)***

The PG classification signals to parents that material in this category contains depictions or references which could be confusing or upsetting, to children without adult guidance. Material classified PG will not be harmful or disturbing to children.

Parents may choose to preview the material for their children; some may choose to watch the material with their children. Others might find it sufficient to be accessible during or after the viewing to discuss the content.

Violence Violence may be discreetly implied or stylised, and should also be:

- mild in impact, and
- not shown in detail.

Sex Sexual activity may be suggested, but should:

- be discreet, and
- be infrequent, and
- not be gratuitous.

Verbal references to sexual activity should be discreet.

Coarse

Language Coarse language should be mild and infrequent.

Adult

Themes Supernatural or mild horror themes may be included.

The treatment of adult themes should be discreet and mild in impact.

More disturbing themes are not generally dealt with at PG level.

Drug

Use Discreet verbal references and mild, incidental visuals of drug use may be included, but these should not promote or encourage drug use.

Nudity Nudity outside of a sexual context should not be detailed or gratuitous.



MATURE (Recommended for mature audiences 15 years and over)

The Mature category is advisory and not legally restricted. However, material in this category cannot be recommended for those under 15 years.

Films classified M contain material that is considered to be potentially harmful or disturbing to those under 15 years. Depictions and references to classifiable elements may contain detail. However, the impact will not be so strong as to require restriction.

Violence Generally, depictions of violence should:

- not contain a lot of detail and
- not be prolonged.

In realistic treatments, depictions of violence that contain detail should:

- be infrequent and
- not have a high impact.
and/or
- not be gratuitous.

In stylised treatments, depictions of violence may contain more detail and be more frequent if this does not increase the impact.

Verbal and indirect visual references to sexual violence may only be included if they are:

- discreet and infrequent, and
- strongly justified by the narrative or a documentary context.

Sex Sexual activity may be discreetly implied.

Nudity in a sexual context should not contain a lot of detail, or be prolonged.

Verbal references to sexual activity may be more detailed than depictions if this does not increase the impact.

Coarse

Language Coarse language may be used.

Generally, coarse language that is stronger, detailed or very aggressive should:

- be infrequent and
- not be gratuitous

Adult

Themes Most themes can be dealt with, but the treatment should be discreet, and the impact should not be high.



(continued)

Drug

Use

Drug use may be discreetly shown.

Drug use should not be promoted or encouraged.

Nudity

Nudity outside of a sexual context may be shown but depictions that contain any detail should not be gratuitous.



MATURE ACCOMPANIED (Restrictions apply to persons under the age of 15*)

*The MA category is legally restricted. Children under fifteen will not be allowed to see MA films in the cinema or hire them on video unless in the company of a parent or adult guardian.

Material classified MA deals with issues or contains depictions which require a mature perspective. This is because the impact of individual elements or a combination of elements is considered likely to be harmful or disturbing to viewers under 15 years of age.

Violence Generally, depictions of violence should not have a high impact.

Depictions with a high impact should be infrequent, and should not be prolonged or gratuitous.

Realistic treatments may contain detailed depictions, but these should not be prolonged.

Depictions of violence in stylised treatments may be more detailed and more frequent than depictions of violence in close to real life situations or in realistic treatments if this does not increase the impact.

Visual suggestions of sexual violence are permitted only if they are not frequent, prolonged, gratuitous or exploitative.

Sex

Sexual activity may be implied.

Depictions of nudity in a sexual context which contain detail should not be exploitative.

Verbal references may be more detailed than depictions, if this does not increase the impact.

Coarse

Language Coarse language may be used.

Coarse language that is very strong, aggressive or detailed should not be gratuitous.



(continued)

Adult

Themes The treatment of themes with a high degree of intensity should be discreet.

Drug

Use Drug use may be shown, but should not be promoted or encouraged.

More detailed depictions should not have a high degree of impact.



RESTRICTED (Restricted to adults 18 years and over)

The R category is legally restricted to adults. Material which is given a restricted classification is unsuitable for those under 18 years of age. Material classified R deals with issues or contains depictions which require an adult perspective.

The classification is not intended as a comment on the quality of the material. Some material may be offensive to some sections of the adult community. Material which promotes or incites or instructs in matters of crime and/or violence is not permitted.

Violence Depictions of violence which are excessive will not be permitted.

Strong depictions of realistic violence may be shown but depictions with a high degree of impact should not be gratuitous or exploitative.

Sexual violence may only be implied and should not be detailed.

Depictions must not be frequent, gratuitous or exploitative.

Gratuitous, exploitative or offensive depictions of cruelty or real violence will not be permitted.

Sex Sexual activity may be realistically simulated; the general rule is “simulation, yes – the real thing, no.”

Nudity in a sexual context should not include obvious genital contact.

Verbal references may be more detailed than depictions.

Coarse

Language There are virtually no restrictions on coarse language at R level.

Adult

Themes The treatment of any themes with a very high degree of intensity should not be exploitative.

Drug

Use Drug use may be shown but not gratuitously detailed.

Drug use should not be promoted or encouraged.

Detailed instruction in drug misuse is not permitted.



CONTAINS SEXUALLY EXPLICIT MATERIAL (Restricted to adults 18 years and over*)

* Available only on video; available only in the ACT and Northern Territory

This classification is a special and legally restricted category which only contains sexually explicit material. That is material which contains real depictions of actual sexual intercourse and other sexual activity between consenting adults, including mild fetishes.

No depiction of sexual violence, sexualised violence or coercion, offensive fetishes, or depictions which purposefully debase or abuse for the enjoyment of viewers is permitted in this classification.

RC

REFUSED CLASSIFICATION

As pointed out in the introduction, films and videos must be classified. A film or video which does not have the authorised classification symbols or the consumer advice is either an unclassified film or video, or it has been refused classification.

Films or videos which contain elements beyond those set out in the above classification categories are refused classification.

Films or videos which fall within the criteria for refused classification cannot be legally brought into Australia.

The Classification Code sets out the criteria for refusing to classify a film or video. The criteria fall into three categories. These include films that:

- depict, express or otherwise deal with matters of sex, drug misuse or addiction, crime, cruelty, violence or revolting or abhorrent phenomena in such a way that they offend against the standards of morality, decency and propriety generally accepted by reasonable adults to the extent that they should be classified RC;
- depict in a way that is likely to cause offence to a reasonable adult a person who is or who looks like a child under 16 (whether or not engaged in sexual activity); or
- promote, incite or instruct in matters of crime or violence.

Films and videos will be refused classification if they appear to purposefully debase or abuse for the enjoyment of viewers, and which lack moral, artistic or other values, to the extent that they offend against generally accepted standards of morality, decency and propriety.

RC *(continued)*

Films and videos will be refused classification:

(a) if they promote or provide instruction in paedophile activity;

or if they contain:

(b) depictions of child sexual abuse or any other exploitative or offensive depictions involving a person who is or who looks like a child under 16;

(c) detailed instruction in:

(i) matters of crime or violence,

(ii) the use of proscribed drugs;

(d) depictions of practices such as bestiality;

or if they contain gratuitous, exploitative or offensive depictions of:

(e) violence with a very high degree of impact or which are excessively frequent, prolonged or detailed;

(f) cruelty or real violence which are very detailed or which have a high impact;

(g) sexual violence;

(h) sexual activity accompanied by fetishes or practices which are offensive or abhorrent;

(i) incest fantasies or other fantasies which are offensive or abhorrent.

GLOSSARY OF TERMS

<i>Abuse</i>	Maltreat or assault, especially sexually.
<i>Adult Themes</i>	Issues dealing with aspects of adult life that are potentially harmful to minors, or disturbing. Adult themes may include verbal references to and depictions associated with issues such as suicide, crime, corruption, marital problems, emotional trauma, drug and alcohol dependency, death and serious illness, racism, religious issues.
<i>Advisory</i>	(applies to G, PG and M) These classifications do not legally restrict anyone from seeing or hiring the film. They recommend the most suitable audience for the film, in terms of age and level of parental supervision.
<i>Coarse language</i>	At G level, this might include “bloody” or “bugger”. At PG level, it might include “shit”. At M, it includes “fuck”.
<i>Coercion</i>	The use of threat to force agreement to sexual activity.
<i>Demean</i>	A depiction, directly or indirectly sexual in nature, which debases or appears to debase the person or the character depicted.
<i>Depiction</i>	Representation, portrayal on screen.
<i>Detail</i>	The amount of verbal or visual information in the representation of a subject. Detail can include close-up visuals, repeated, prolonged or slow-motion visuals, and accentuation through lighting.
<i>Discreet</i>	With little or no detail and generally brief.
<i>Disturb/ disturbing</i>	Cause emotional trauma.
<i>Drugs</i>	Detailed instruction in the use of proscribed drugs is refused classification. Proscribed drugs are those specified in Schedule 4 (referred to in Regulation 4A(1A) (e)) of the Customs (Prohibited Imports) Regulations.
<i>Elements</i>	Classifiable elements include violence, sex, coarse language, adult themes, drug use, nudity – the Classification Board assesses the impact of these when making classification decisions.
<i>Excessive</i>	Treatment which exceeds reasonable limits, especially in terms of detail, duration or frequency
<i>Exploitative</i>	Appearing to purposefully debase or abuse for the enjoyment of viewers, and lacking moral, artistic or other values.

<i>Fetish</i>	An object, an action, or a non-sexual part of the body which gives sexual gratification. Fetishes range from mild to offensive. An example of a mild fetish is rubber wear. Offensive fetishes include abhorrent phenomena such as coprophilia.
<i>Gratuitous</i>	Material which is unwarranted or uncalled for, and included without the justification of a defensible story-line or artistic merit.
<i>Harm/harmful</i>	Cause developmental damage.
<i>Impact</i>	The strength of the effect on the viewer.
<i>Implied</i>	Depiction/s of a subject in which an act or thing is inferred or indicated without actually being seen.
<i>Intensity</i>	Strength of treatment or subject matter.
<i>Material</i>	The content of films or videos.
<i>Nudity</i>	Nudity can consist of frontal or rear above and below waist visuals, full frontal or full rear visuals for both sexes, or breast nudity for females. The amount of detail is determined not only by the content of the nudity shown, but by other factors including closeness and duration of visuals, repetition, and clarity.
<i>Offensive</i>	Material which causes outrage or extreme disgust to most people.
<i>Real</i>	Actual
<i>Realistic</i>	(see Treatment)
<i>Reasonable</i>	
<i>Adult</i>	Possessing common sense and an open mind, and able to balance personal opinion with generally accepted community standards.
<i>Sexual</i>	
<i>Activity</i>	Matters pertaining to sexual arousal but not limited only to portrayals of sexual intercourse.
<i>Sexual</i>	
<i>Violence</i>	The act of sexual assault or aggression, in which the victim does not consent.
<i>Sexualised</i>	
<i>Violence</i>	Where sex and violence are connected in the story, although sexual violence may not necessarily occur.
<i>Sexually</i>	
<i>Explicit</i>	
<i>Material</i>	Real sex on screen.

<i>Simulation</i>	Simulated sexual activity is not real, but looks realistic.
<i>Suggested</i>	Mild, discreet treatment of a subject in which an act or thing is hinted at.
<i>Suggestion</i>	Mild, discreet treatment of a subject in which an act or thing is hinted at, generally through discreet focus on part of, rather than the whole picture.
<i>Stylised</i>	(see Treatment)
<i>Tone</i>	The quality or feeling of material, such as its sadness, humour, menace, lightness, or seriousness.
<i>Treatment</i>	<p>The artistic handling of a scene or a film, especially with regard to style.</p> <p>In a realistic treatment, the material appears real to the viewer. It may be close to real life, and feel authentic.</p> <p>In a stylised treatment, the viewer is conscious of the unreality; examples include musicals, horror films, animation and fantasy.</p>
<i>Unsuitable</i>	Material that is not appropriate to viewers under 18 years, because of its ability to harm (cause developmental damage) or disturb (cause emotional trauma).
<i>Violence</i>	Includes not only acts of violence, but also the threat or result of violence.
<i>Visual Reference</i>	An image related to, but not of, classifiable elements such as violence, sex, and drug use.

Consumer Advice Lines – Films (including videotapes, DVDs etc)

G Some scenes may be unsuitable for very young children.

PG

<i>Violence</i>	Low level violence Medium level violence
<i>Sex</i>	Low level sex scenes Medium level sex scenes
<i>Language</i>	Low level coarse language Medium level coarse language
<i>Other</i>	Drug references Adolescent themes/issues Adult themes Nudity Sexual references War footage Supernatural theme Comic horror Martial arts instruction Safety awareness Motor accident footage

M 15+

<i>Violence</i>	Low level violence Medium level violence
<i>Sex</i>	Low level sex scenes Medium level sex scenes
<i>Language</i>	Low level coarse language Medium level coarse language
<i>Other</i>	Nudity Drug references Drug use Adolescent themes/issues Adult themes Sexual references Supernatural theme Horror theme War footage Martial arts instruction

Consumer Advice Lines – Films (including videotapes, DVDs etc) (continued)

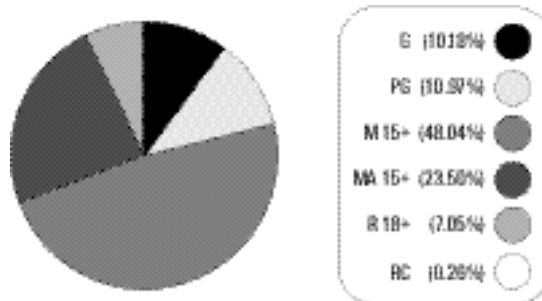
MA15+Violence	Medium level violence High level violence
<i>Sex</i>	Medium level sex scenes High level sex scenes
<i>Language</i>	Medium level coarse language High level coarse language
<i>Other</i>	Drug use Nudity Sexual references Adult themes Horror theme Martial arts instruction Contains graphic images of injuries
R	
<i>Violence</i>	Medium level violence
<i>Sex</i>	Medium level sex scenes High level sex scenes
<i>Language</i>	Medium level coarse language High level coarse language
<i>Other</i>	Drug use Nudity Sexual references Sex education Health education Drug education Adult themes Horror theme Martial arts instruction Mainly concerned with sex (special genre only)
X	Contains sexually explicit material

Commercial Applications – by Classifications

Films for Public Exhibition (commercial cinema features)

Classification	1998-1999		1999-2000	
	No.	%	No.	%
G	30	8.82	39	10.18
PG	57	16.76	42	10.97
M15+	167	49.12	184	48.04
MA15+	71	20.88	90	23.50
R18+	15	4.41	27	7.05
RC	0	0.00	1	0.26
Total	340	100.00	383	100.00

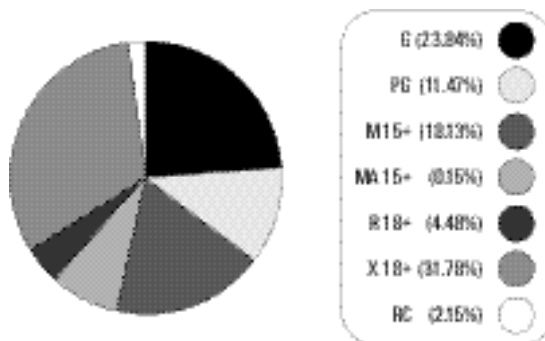
Films for Public Exhibition (commercial cinema features) % 1999 – 2000



Films for Sale/Hire (commercial videotapes, DVDs etc)

Classification	1998-1999		1999-2000	
	No.	%	No.	%
G	587	23.15	655	23.84
PG	369	14.55	315	11.47
M 15+	467	18.41	498	18.13
MA 15+	191	7.53	224	8.15
R 18+	83	3.27	123	4.48
X 18+	813	32.06	873	31.78
RC	26	1.03	59	2.15
Total	2536	100.00	2747	100.00

Films for Sale/Hire (commercial videotapes, DVDs etc) % 1999 - 2000



Commercial Applications – by Code Reasons for Classification

Films for Public Exhibition (commercial cinema features) %

	SEX		VIOLENCE		LANGU AGE		OTHER	TOTAL
	i	f	i	f	i	f		
PG	1.85	0.00	38.89	0.00	25.93	0.00	33.33	100.00
M 15+	8.19	0.00	33.11	1.37	32.08	3.07	22.18	100.00
MA 15+	16.00	0.00	24.67	6.00	12.00	9.33	32.00	100.00
R 18+	13.89	2.78	44.44	0.00	0.00	0.00	38.89	100.00

i = infrequent *f* = frequent

Films for Sale/Hire (commercial videotapes, DVDs etc) %

	SEX		VIOLENCE		LANGU AGE		OTHER	TOTAL
	i	f	i	f	i	f		
PG	0.78	0.00	37.31	6.99	15.03	0.00	39.90	100.00
M 15+	6.77	0.00	29.76	2.04	32.06	3.19	26.18	100.00
MA 15+	13.69	0.23	21.35	26.45	13.46	6.26	18.56	100.00
R 18+	10.74	9.40	16.11	4.70	1.34	2.01	55.70	100.00
X 18+	0.00	0.00	0.00	0.00	0.00	0.00	100.00*	100.00

i = infrequent *f* = frequent *: see description of the X 18+ classification at page 98

Commercial Applications – by Reasons for Refusal

Films for Public Exhibition (commercial cinema features)

Reason	1998-1999 No.	1999-2000 No.
Sexual Violence	-	1
Total	-	1

Films for Sale/Hire (commercial videotapes, DVDs etc)

Reason	1998-1999 No.	1999-2000 No.
Bestiality	1	-
Child Pornography	2	5
Child Pornography / Exploitative Child Nudity	-	1
Child Pornography / Minors / Sexual Violence / Non-Consent	-	1
Coercion 1 1 Coercion / Sexual Violence	-	1
Minors / Incest Fantasy / Offensive Fantasy / Coercion	-	1
Demeaning Portrayal	1	-
Instructs in matters of violence	1	-
Minors	1	-
Non-Consent	1	12
Offensive Fantasy	-	10
Offensive Fantasy / Coercion	-	1
Offensive Fantasy / Non-Consent	-	2
Offensive Fetish	1	4
Offensive Practice	1	-
Sexual Violence	7	7
Sexual Violence + Offensive Fetish	1	-
Sexualised Violence	6	11
Sexualised Violence / Offensive Fantasy	-	2
Violence	2	-
Total	26	59

Commercial applications – by Country of Origin

Films for Public Exhibition (commercial cinema features)

Country	1998-1999		1999-2000	
	No.	%	No.	%
ARGENTINA / SPAIN	1	0.29	-	-
AUSTRALIA	36	10.59	53	13.84
AUSTRALIA / SRI LANKA	1	0.29	-	-
AUSTRIA	2	0.59	-	-
BHUTAN / AUSTRALIA	-	-	1	0.26
BRAZIL	1	0.29	1	0.26
CANADA	3	0.88	4	1.04
CANADA / ITALY	1	0.29	-	-
CANADA / UK	1	0.29	-	-
CHINA	1	0.29	3	0.78
CHINA (HONG KONG)	6	1.76	2	0.52
CHINA / FRANCE / JAPAN	-	-	1	0.26
DENMARK	1	0.29	3	0.78
FRANCE	5	1.47	11	2.87
FRANCE / ROMANIA	1	0.29	-	-
FRANCE / RUSSIA / SPAIN / BULGARIA	-	-	-	0.26
FRANCE / UK / USA	-	-	1	0.26
GERMANY	1	0.29	2	0.52
HONG KONG	6	1.76	-	-
INDIA	27	7.94	42	10.97
IRAN	1	0.29	-	-
IRELAND	1	0.29	1	0.26
ISLE OF MAN	1	0.29	-	-
ITALY	3	0.88	3	0.78
ITALY / UK	1	0.29	-	-
JAPAN	7	2.06	9	2.35
KOREA	-	-	3	0.78
NEW ZEALAND	3	0.88	3	0.78
POLAND	-	-	5	1.31
RUSSIA / FRANCE	1	0.29	-	-
SINGAPORE	1	0.29	-	-
SPAIN	-	-	2	0.52
SRI LANKA	-	-	2	0.52
UK	31	9.12	30	7.83
UK / CANADA	1	0.29	-	-
UK / FRANCE	1	0.29	-	-
UK / USA	1	0.29	-	-
UNKNOWN	-	-	2	0.52
USA	188	55.29	196	51.17
USA / CANADA	1	0.29	-	-
USA / GERMANY	-	-	1	0.26
USA / UK	1	0.29	-	-
VIETNAM	1	0.29	-	-
YUGOSLAVIA	2	0.59	1	0.26
Total	340	100.00	383	100.00

Films for Sale/Hire (commercial videotapes, DVDs etc

Country	1998-1999		1999-2000	
	No.	%	No.	%
ARGENTINA	1	0.04	-	-
ARGENTINA / SPAIN	1	0.04	-	-
AUSTRALIA	343	13.53	306	11.14
AUSTRALIA / CHINA	1	0.04	-	-
AUSTRALIA / IRELAND / UK	-	-	1	0.04
AUSTRALIA / UK	-	-	6	0.22
AUSTRALIA / USA	-	-	2	0.07
AUSTRIA	2	-	0.08	-
BHUTAN / AUSTRALIA	-	-	1	0.04
BRAZIL	26	1.03	23	0.84
CANADA	21	0.83	30	1.09
CANADA / CZECHOSLOVAKIA	1	0.04	-	-
CANADA / FRANCE	1	1.04	4	0.15
CANADA / FRANCE / GERMANY	1	0.04	-	-
CANADA / ITALY	1	0.04	-	-
CANADA / UK	4	0.16	1	0.04
CANADA / UK / HUNGARY	1	0.04	-	-
CANADA / USA	1	0.04	4	0.15
CHINA	1	0.04	4	0.15
CHINA (HONG KONG)	2	0.08	-	-
CHINA / FRANCE / JAPAN	-	-	1	0.04
CZECH REPUBLIC	1	0.04	3	0.11
CZECHOSLOVAKIA	2	0.08	-	-
DENMARK	0.04	7	0.25	-
FINLAND / FRANCE / UK	-	-	1	0.04
FRANCE	31	1.22	56	2.04
FRANCE / CANADA / GERMANY	-	-1	0.04	-
FRANCE / GERMANY	1	0.04	-	-
FRANCE / RUSSIA / SPAIN / BULGARIA	-	-	1	0.04
FRANCE / ROMANIA	1	0.04	-	-
FRANCE / UK / USA	-	-	1	0.04
GERMANY	72	2.84	134	4.88
GREECE	1	0.04	2	0.07
HONG KONG	1	0.04	1	0.04
HUNGARY	-	-	5	0.18
INDIA	-	-	4	0.15
IRAN	1	0.04	-	-
IRELAND	1	0.04	5	0.18
ISLE OF MAN	1	0.04	-	-
ITALY	8	0.32	2	0.07
ITALY / UK	1	0.04	-	-

Films for Sale/Hire (commercial videotapes, DVDs etc)

1998-1999 Country	1999-2000		No.	%
	No.	%		
ITALY / USA	1	0.04	-	-
JAPAN	9	0.35	4	0.15
JAPAN / NETHERLANDS	1	0.04	1	0.04
JAPAN / USA	7	0.28	12	0.44
KOREA	-	-	1	0.04
LEBANON	-	-	1	0.04
MEXICO / USA	1	0.04	1	0.04
NETHERLANDS	8	0.32	6	0.22
NEW ZEALAND	8	0.32	5	0.18
NEW ZEALAND / USA	1	0.04	-	-
NORWAY	1	0.04	-	-
NORWAY / UK	1	0.04	-	-
RUSSIA	6	0.24	4	0.15
SCOTLAND	-	-	1	0.04
SINGAPORE	1	0.04	-	-
SPAIN	4	0.16	9	0.33
SWEDEN	33	1.30	54	1.97
SWITZERLAND	1	0.04	-	-
THAILAND	-	-	2	0.07
TURKEY / ICELAND / FRANCE	-	-	1	0.04
UK	248	9.78	253	9.21
UK / AUSTRALIA	1	0.04	-	-
UK / FRANCE	1	0.04	-	-
UK / IRELAND	1	0.04	1	0.04
UK / USA	1	0.04	4	0.15
UNKNOWN	78	3.08	91	3.31
USA	1581	62.34	1686	61.38
USA / CANADA	2	0.08	-	-
USA / GERMANY	1	0.04	1	0.04
USA / IRELAND	-	-	1	0.04
USA / UK	2	0.08	-	-
VARIOUS	4	0.16	1	0.04
VIETNAM	1	0.04	-	-
YUGOSLAVIA	-	-	1	0.04
Total	2536	100.00	2747	100.00

FILM FESTIVALS AND EVENTS 1999–2000

Organisation	Event	Event Dates
Foundation for Creative Enterprise	1999 Penrith Valley Video Festival	July 1999
Melbourne International Film Festival	1999 Melbourne International Film Festival	July 1999
Western Australia Film & Television Institute	1999 Western Australian Screen Awards	July 1999
Sinhala Cultural & Community Service Foundation	Pavuru Valalu	July 1999
Australian Film Institute	Captured: Experimental Cinema	August–September 1999
Society of Polish Culture in Victoria	Hrabina Cosel	August 1999
ReAngle Pictures Pty Ltd	Paradise Bent: boys will be girls in Samoa	August 1999
Women in Film & Television NSW	1999 Women on International Film Festival	September 1999
Mexican Consul (Sydney)	Mexican Cultural Festival	September 1999
Australian Film Institute	The Swedish Cinema of Bergman, Stiller & Sjostrom	September–October 1999
Cinemedia	Adult Learner's Week	September 1999
Auburn Community Development Network	2nd Edition Auburn International Film & Video Festival for Young Children & Young Adults	September–October 1999
Women in Film & Television NSW	1999 Women on Women Film Festival	September–November 1999
Museum of Contemporary Art	An Eccentric Orbit	September–November 1999
Students for Land Justice & Reconciliation (University of Melbourne)	Speaking Strong: Indigenous Struggles on Film	September–October 1999
Queer Screen	QueerDoc '99	October 1999
Black on Black Film Group	Dawn of the DMF's	October 1999
Society of Polish Culture in Victoria	Leper (Tredowaka)	October 1999
Western Australia Film & Television Institute	1999 WA Gay & Lesbian Film Festival	October 1999
Catholic Education Office (Victoria)	Asia in Focus	October 1999
Western Australia Lesbian & Gay Film Festival	1999 WA Lesbian & Gay Film Festival	October 1999
University of Canberra	4th Canberra International Film Festival	October 1999
Women in Film (Victoria)	Careers Forum Day - Working Women	October 1999
Sutherland Shire Council	Cronulla Shorts Film Festival	October 1999
Sydney Travelling Film Festival	1999 Sydney Travelling Film Festival	October–December 1999

Organisation	Event	Event Dates
Long Lives on Screen	Long Lives on Screen Film Festival '99	October–December 1999
University of Technology Sydney	The 6th Goldeneye Awards	October 1999
Australian Film Institute	Short Circuit	October–December 1999
Experimenta Media Arts	Zen Cinema	November 1999
City of Sydney	1999 Goat Island Film Festival	November 1999
Jewish Film Foundation of Australia Inc	1999 Festival of Jewish Cinema	November 1999
Western Australian Academy of Performing Arts	1999 Academy Screen Showing	November 1999
Brekfast	1999 Brekfast Short Film Festival	November 1999
Goethe Institute Sydney	Bertolt Brecht Workshop	November 1999
Popcorn Taxi	Popcorn Taxi	November 1999
Museum of Contemporary Art	Seppelt Contemporary Art Awards	November 1999–February 2000
Australian Film Institute	Hong Kong Film Festival	November–December 1999
Sri Lanka Association of Victoria Inc	Maldeniye Simino	November 1999
Dancehouse	Dance Lumiere – International Festival of Dance for the Screen	November 1999
Instituto Italiano di Cultura (Melbourne)	1999 Italian Film Festival	November 1999
Rosebud Cinemas	Swing	November 1999
Documentary Foundation	Concert of Wills	December 1999
Sinhala Cultural & Community Service Foundation	Death on a Full Moon Day	December 1999
Australian–Latvian 47th Cultural Festival	Latvian Film Festival	December 1999
Australian Film Institute	Through Young Eyes Film Festival	December 1999
Museum of Contemporary	Art Hitchcock: Art, Cinema & Suspense	December 1999–April 2000
Flickerfest	Flickerfest	January 2000
Griffith Adult Learning Association (GALA)	Show Us Your Shorts	January 2000
Media Resource Centre	Eastern Connection II (ec2)	February–March 2000
REVELation Independent Film Festival	3rd REVELation Independent Film Festival	February 2000
Queer Screen Ltd 2000	Mardi Gras Film Festival	February 2000
Tropfest Pty Ltd	Tropfest 2000	February 2000
Asian Australian Artists' Association Inc	Sydney Asia Pacific Film Festival	March–April 2000
Queer Film Australia & Video Festival	Melbourne Queer Film March–April 2000	March–April 2000
Sri Lanka Association of Victoria Inc	Bahu Bharya	March 2000
Australian Film Institute	Berlin Alexanderplatz	March 2000
Comedy Channel Short Film Festival 2000	Comedy Channel Short Film Festival	March 2000
Alliance Francaise de Sydney	French Film Festival 2000	March–April 2000

Organisation	Event	Event Dates
Melbourne International Comedy Festival	Tackle Happy	April 2000
Queer Film Australia	Not Chicken Youth Program	April 2000
Australian Film Institute	Israeli Film Festival	April 2000
Antipodes Festival Inc	8th Greek Film Festival 2000	April 2000
Korean Embassy	Korean Film Festival	May-June 2000
Museum of Sydney	Worlds Collide!	April-May 2000
Society of Polish Culture in Victoria	The Quack	April 2000
Brisbane Animation Festival	Brisbane International Animation Festival 2000	April-May 2000
Purity Films	Science Falsely So Called	April 2000
Marathi Association Sydney Inc	Sarkanama	May 2000
Australian Film, Radio & Television School	Students Screenings Tour	May 2000
The One Extra Dance Company	Reeldance International Dance on Screen Festival	May 2000
Philippines Sports Association of Victoria	Minsan Minahal Kita	May 2000
Australian Film Institute	On Wheels	May-August 2000
Australian Film Institute Spanish Fiesta	May 2000	
Independent Sri Lanka Filmmakers Network	Bahu Bharya	May 2000
Australian Film Institute	Short & Sweet: Short Films from Germany/Frank Beyer Retrospective	May 2000
Sri Lankan Study Centre for the Advancement of Technology & Social Welfare	Irabata Tharuwa	May 2000
Women in Film & Television	Women in Motion	May 2000
City of Port Phillip	St Kilda Film Festival	May-June 2000
Embassy of Portugal	European Union Film Festival	June 2000
Sydney Film Festival	Sydney Film Festival	June 2000
Croatian Consulate	Sydney Croatian Film Festival	June-September 2000
Society of Polish Culture in Victoria	The Twenties, The Thirties	June 2000
Australian Film Institute	MuVit/Hot Pics from the St Kilda Film Festival	June 2000
Orbis Express International Travel	Polish Film Festival	June-July 2000
The Australian Chinese Cultural Foundation Inc	Chinese Film Festival 2000	June 2000
Foundation for Creative Enterprise	Penrith Valley Film & Video Festival	June 2000
Australian Film Institute	Robert Bresson: Radiant Light	June-July 2000
Consulate General of the Republic of Poland (Sydney)	Polish Film Festival	June 2000

EXEMPTIONS FOR ADVERTISING TRAILERS

Title	Distributor	Conditions
Deep Blue Sea	Roadshow	M
American Pie	UIP	M
The Thomas Crown Affair	UIP	M
Blue Streak	Columbia Tristar	M
Stuart Little	Columbia Tristar	No restrictions
Anna And The King	20th Century Fox	No restrictions
Fight Club	20th Century Fox	M
The Messenger - The Story Of Joan Of Arc	Columbia Tristar	No restrictions
Random Hearts	Columbia Tristar	M
The Bone Collector	Columbia Tristar	M
The Story Of Us	Universal	M
The Blair Witch Project	REP Film Distributors	M
Sleepy Hollow	Roadshow	M
The Insider	Buena Vista International	M
Pokemon The First Movie	Roadshow	No restrictions
Magnolia	Roadshow	M
Three Kings	Roadshow	M
Muggers	REP Film Distributors	MA
Bicentennial Man	Columbia Tristar	No restrictions
American Beauty	UIP	M
Boys Don't Cry	20th Century Fox	M
Deuce Bigalow: Male Gigolo	Buena Vista International	M
Girl, Interrupted	Columbia Tristar	M
Being John Malkovich	UIP	M
Mission Impossible 2	UIP	M
Dinosaur	Buena Vista International	No restrictions
Man On The Moon	REP Film Distributors	M
Human Traffic	REP Film Distributors	MA
Gone In Sixty Seconds	Buena Vista International	M
Selkie	UIP	No restrictions
Hanging Up	Columbia Tristar	No restrictions
The Hurricane	Roadshow	M
The Talented Mr. Ripley	Roadshow	M

Title	Distributor	Conditions
The Adventures Of Rocky And Bullwinkle	UIP	No restrictions
Scream 3	Roadshow	MA
Sample People	REP Film Distributors	M
The Green Mile	UIP	M
Titan A.E.	20th Century Fox	No restrictions
The Road To El Dorado	UIP	No restrictions
The Tigger Movie	Buena Vista International	No restrictions
Play It To The Bone	Roadshow	M
Any Given Sunday	Roadshow	M
Erin Brockovich	Columbia Tristar	M
28 Days	Columbia Tristar	M
Gladiator	UIP	M
Rugrats In Paris - The Movie	UIP	No restrictions
The Perfect Storm	Roadshow	M
Frequency	Roadshow	M
Mission To Mars	Buena Vista International	M
The Patriot	Columbia Tristar	MA
Final Destination	Roadshow	M
Flintstone's Viva Rock Vegas	UIP	No restrictions
U-571	Roadshow	M
The Next Best Thing	Buena Vista International	M
X-Men	20th Century Fox	M
Me, Myself & Irene	20th Century Fox	M
Pokemon The Movie 2000	Roadshow	No restrictions
Keeping The Faith	Buena Vista International	M
Rules Of Engagement	Roadshow	M
Hollow Man	Columbia Tristar	M
Shaft	UIP	M
Nutty Professor II - The Klumps	UIP	M
Big Momma's House	20th Century Fox	M
The Magic Pudding	20th Century Fox	No restrictions
Coyote Ugly	Buena Vista International	M
The Dish	Roadshow	No restrictions
Charlie's Angels	Columbia Tristar	No restrictions
Disney's The Kid	Buena Vista International	No restrictions
102 Dalmatians	Buena Vista International	No restrictions
Bedazzled	20th Century Fox	M
Space Cowboys	Roadshow	M

Guidelines for the Classification of Computer Games

Computer games, whether they are locally made or come from overseas, have to be classified before they can be sold, hired or demonstrated in Australia.

Classification is done by the Classification Board (the Board) which is located at the Sydney-based Office of Film and Literature Classification.

When making its classification decisions, the Board is required to reflect contemporary community standards and must apply criteria which are set out in the National Classification Code (the Code).

The Code is determined under the *Classification (Publications, Films and Computer Games) Act 1995* (the Act). The Code contains the general principles which form the basis of the Guidelines for Classification of Computer Games (the Guidelines).

The main features of the classification scheme for computer games are:

- Computer games offered for sale, hire or arcade use are subject to classification against an agreed set of guidelines. The exceptions are: (i) 'Bulletin Board Systems' are not regulated under this scheme; and (ii) business, accounting or educational software is not regulated unless it contains 'adult' type material.
- These guidelines are, at the direction of Commonwealth, State and Territory Ministers, to be applied more strictly than those for the classification of film and videotape. The Ministers are concerned that games, because of their 'interactive' nature, may have greater impact, and therefore greater potential for harm or detriment, on young minds than film and videotape.
- Under this scheme, classification decisions are to give effect, as far as is possible, to the principles spelled out in the Code that:
 - (a) adults should be able to read, hear and see what they want;
 - (b) minors should be protected from material likely to harm or disturb them;
 - (c) everyone should be protected from exposure to unsolicited material that they find offensive; and
 - (d) the need to take account of community concerns about:
 - (i) depictions which condone or incite violence and, in particular, sexual violence; and
 - (ii) the portrayal of persons in a demeaning manner.
- The stronger computer games are banned, some material is restricted for sale to those 15 years and over.
- Consumer information is displayed on packaging and advertising. These measures are designed to assist parents to choose material for themselves and those in their care.
- There are substantial penalties under State and Territory laws for selling unclassified games, particularly those subsequently classified restricted or refused classification.

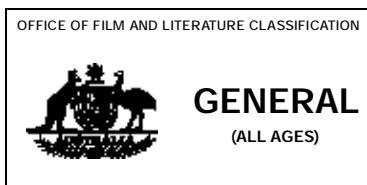
The structure of the classification system is:

- General** This category is suitable for all persons under 15 years. It may be recognised by the display of the following words on packaging or advertising matter:
- ‘Suitable for all ages’.
- General (8+)** This category is also suitable for persons under 15 years but may not be appropriate to younger children under 8 years who may have difficulty distinguishing between fantasy and reality. It may be recognised by the display of the following words on packaging or advertising matter:
- ‘Suitable for children 8 years and over’.
- Mature** This category is suitable for persons 15 years and over. Additional information may be provided by the display of the following words on packaging or advertising matter:
- ‘Suitable for persons 15 years and over’.
- MA** This category is restricted to persons 15 years and over.
- Refused Classification** Material so classified may not be sold, hired, exhibited, displayed, demonstrated or advertised.

GENERAL ‘G’

(Suitable for All Ages)

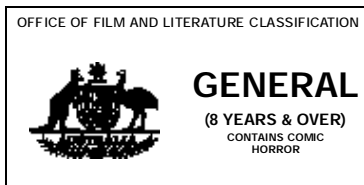
Material considered to be ‘suitable for all ages’ is to include on the front cover of its packaging a marking (prominent text on a contrasting background) such as



This classification is suitable for the youngest child and should not require parental supervision.

GENERAL 'G(8+)'**(Suitable for children 8 years and over)**

'General' material considered to be 'suitable for children 8 years and over' is to include on its packaging an appropriate warning (prominent text on a contrasting background) such as

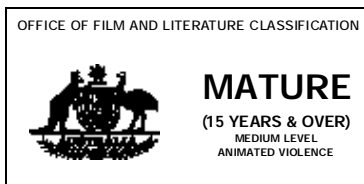


Material which falls into this category would contain elements which might disturb or distress very young children. Elements which might warrant this category would include:

- computer depictions of unrealistic or stylised violence even where these are considered mild
- computer mild horror or potentially frightening fantasy characters or situations
- computer the mildest expletives, but only if infrequent.

MATURE 'M(15+)'**(Suitable for persons 15 years and over)**

'Mature' material considered 'suitable for persons 15 years and over' is to include on its packaging an appropriate warning (prominent text on a contrasting background) such as



Material which falls into this category would contain elements which might disturb, harm or offend those under 15 years to the extent that it is recommended for use by those 15 years and over. Elements which might warrant this category would include:

- depictions of realistic violence of low intensity (eg punches, kicks, blows to realistic animated characters or real-life images);
- supernatural or horror scenarios, but not if graphic or impactful;
- mild sexual references;
- low level coarse language, but not if excessive.

‘MA(15+)’**(Restricted to persons 15 years and over)**

Computer games or images classified ‘MA’ may not be sold, hired or demonstrated to persons under 15 years. The packaging for this category of games will display (prominent text on a contrasting background) a marking such as



Material which falls into this category would contain elements likely to disturb, harm or offend those under 15 years to the extent that it should be restricted to those 15 years and over. Elements which might warrant this category would include:

- depictions of realistic violence of medium intensity (eg impactful punches, kicks, blows and blood–shed to realistic animated characters or real–life images);
- graphic or impactful supernatural or horror scenarios;
- strong sexual references;
- use of frequent crude language, but not if excessive, unduly assaultative or sexually explicit;
- nudity, including genital detail, but only if there is a ‘bona fide’ educational, medical or community health purpose.

RC REFUSED CLASSIFICATION

Material which includes any of the following will be refused classification:

- Violence*
- Depictions of realistic violence, even if not detailed, relished or cruel (eg. excessive and serious violence such as realistic depictions of dismemberment accompanied by loss of blood to real life images);
 - extreme 'horror' scenarios or special effects; or
 - depictions of unduly detailed and/or relished acts of extreme violence or cruelty.
- Sex*
- Nudity, including genitalia unless there is a 'bona fide' educational, medical or community health purpose;
 - simulated or explicit depictions of sexual acts between consenting adults;
 - any depiction of sexual violence or sexual activity involving non-consent of any kind; or
 - depictions of child sexual abuse, bestiality, sexual acts accompanied by offensive fetishes, or exploitative incest fantasies.
- Language*
- Use of sexually explicit language.
- Other*
- Promotion or provision of instruction in paedophile activity.
 - Detailed instruction or encouragement in:
 - (i) matters of crime or violence; or
 - (ii) the abuse of proscribed drugs;
 - depictions which encourage the use of tobacco or alcohol, or which depict drug abuse; or
 - depictions which are likely to endorse or promote ethnic, racial or religious hatred.

CONSUMER ADVICE LINES

Consumer advice lines reflect the principal element(s) that contributed to the classification of a game/image (eg, the words 'contains frequent animated violence'). They are displayed on packaging and advertising and are intended to assist the purchaser to make an informed choice for personal use or for use by persons under his/her care.

CONSUMER ADVICE LINES (PROVISIONALLIST)

- | | |
|----------------|--|
| G(8+) | comic/mild horror
fantasy elements unsuitable for young children
low level animated violence
low level coarse language
adult themes |
| M(15+) | low level violence
medium level violence
low level animated violence
medium level animated violence
low level coarse language
medium level coarse language
horror theme
adult themes
sexual references |
| MA(15+) | medium level animated violence
high level animated violence
medium level violence
high level violence
medium level coarse language
horror theme
adult themes
sexual references |

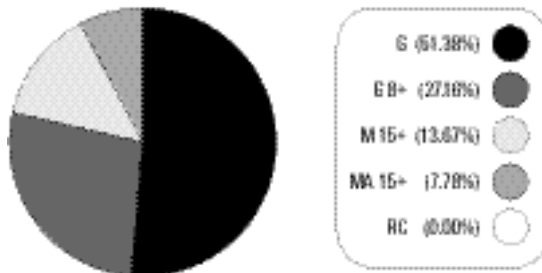
Commercial Applications by Classification

Computer Games by Classification

Classification	1998 - 1999 No.	%	1999 - 2000 No.	%
G	207	42.51	297	51.38
G 8+	158	32.44	157	27.16
M 15+	49	16.22	79	13.67
MA 15+	41	8.42	45	7.79
RC	2	0.41	0	0.00
Total	487	100.00	578	100.00

Computer Games (commercial) – by Reasons for Refusal

No RC Computer Games this financial year.



Computer Games (commercial) – by Country of Origin

Classification	1998 - 1999		1999 - 2000	
	No.	%	No.	%
AUSTRALIA	18	3.70	12	2.08
AUSTRIA	-	-	7	1.21
CANADA	-	-	3	0.52
CANADA / FRANCE	2	0.41	-	-
CHINA	11	2.26	-	-
DENMARK	-	-	1	0.17
EUROPE	2	0.41	-	-
FRANCE	25	5.13	21	3.63
GERMANY	3	0.62	15	2.60
JAPAN	61	12.53	68	11.76
KOREA	-	-	3	0.52
NETHERLANDS	1	0.21	3	0.52
RUSSIA	1	0.21	2	0.35
SPAIN	1	0.21	-	-
SWEDEN	1	0.21	-	-
UK	82	16.84	164	28.37
UNKNOWN	4.52	22	22	3.81
USA	257	52.77	256	44.29
USA / UK	-	-	1	0.17
Total	487	100.00	578	100.00

Internet Content

Internet Content – by Classification

Classification	No.	%
G	0	0.00
PG	0	0.00
M 15+	0	0.00
MA 15+	3	4.48
R 18+	7	10.45
X 18+	5	7.46
RC	52	77.61
Total	67	100.00

Internet Content – by Reasons for Refusal

Reason	No.
Child Pornography	26
Child Pornography / Sexual Violence	1
Cruelty / Excessive Violence	1
Exploitative Child Nudity	1
Instruction In Crime	1
Minors	4
Offensive Fantasy	17
Offensive Fantasy / Offensive Fetish	1
Total	52

Police and Customs Workload

Films (including videotapes, DVDs etc) and Computer Games referred for Classification by Police

Enforcement Agency	1998 - 1999 No.	1999 - 2000 No.
ACT Department Of Justice & Community Safety	13	1
Australian Federal Police	2	5
New South Wales Police	96	36
Northern Territory Police	-	24
Office of Fair Trading (for Queensland Police)	17	5
South Australia Police	12	15
Victoria Police	5	-
Western Australia Police	13	6
Total	158	92

Publications referred for Classification by Police

Enforcement Agency	1998 - 1999 No.	1999 - 2000 No.
Australian Federal Police -		2
New South Wales Police	41	40
South Australia Police	1	8
Victoria Police	1	1
Total	43	51

*Films (including videotapes, DVDs etc) And
Computer Games referred for Assessment by Customs*

Enforcement A gency	1998 - 1999 No.	1999 - 2000 No.
Australian Customs Service	349	104

Publications referred for Assessment by Customs

Enforcement A gency	1998 - 1999 No.	1999 - 2000 No.
Australian Customs Service	300	95

Reports Of The Classification Review Board

TARZAN

APPLICANT

Buena Vista International (Australia)

BUSINESS

To review the decision of the Classification Board to assign the classification PG under the *Classification (Publications, Films and Computer Games) Act 1995* to the film *Tarzan* with the consumer advice "Low level violence".

DECISION AND REASONS FOR DECISION

1. Decision

The Classification Review Board decided to confirm the decision of the Classification Board to classify the film *Tarzan* PG, but to vary the consumer advice line to "Some Scenes May Scare Very Young Children".

2. Legislative provisions

The Classification (Publications, Film and Computer Games) Act 1995 (the Act) governs the classification of films and the review of classification decisions. The Act provides that films be classified in accordance with the National Classification Code and the classification guidelines. Relevantly, the National Classification Code (the Code) in paragraph 6 of the Table under the heading "films" provides

that films (except RC films, X films, R films, MAfilms and M films) that cannot be recommended for viewing by persons who are under 15 are to be classified PG. Para 7 of the Table provides that all other films are to be classified G.

3. Procedure

- 3.1 Five members of the Review Board viewed the film *Tarzan* at its meeting on 9 July 1999.
- 3.2 The Review Board heard evidence in support of the application from Mr John Dickie, representing the applicant. Ms Kari Nixon of Buena Vista also attended.

4. In reaching its decision the Board of Review had regard to the following:

- (a) the applicant's Application for Review;
- (b) oral evidence given, and additional documents supplied, by Mr John Dickie;
- (c) the film *Tarzan*;
- (d) the relevant provisions in the Act;
- (e) the relevant provisions in the National Classification Code as amended in accordance with Section 6 of the Act;
- (f) the current Classification Guidelines for the Classification of Films and Videotapes determined under Section 12 of the Act.

5. Findings on material questions of fact

The plot

- 5.1 This animated feature traces the story of *Tarzan*'s adoption as a baby and raising to adulthood in the jungle by a band of gorillas, his first encounters with humans, the subsequent tragedies, and of his romance with Jane.

The scenes and themes

- 5.2 The Review Board considered the themes and scenes cited by the Classification Board as warranting a PG classification.

The Classification Board cited scenes at 4 mins ("leopard attacks baby and gorilla"), 26 mins ("leopard attacks Tarzan"), 35 mins ("Jane and the monkeys"), 69 mins ("Tarzan and the cages"), 72 mins ("Clayton's men attack Tarzan"), 77 mins ("Kerchak dies") as containing "stronger depictions of violence".

- 5.3 The Review Board unanimously found that the scenes at 26 mins and 35 mins did not have a light tone and did not have a low sense of threat or menace, as would be required if the film were to be classified G.

A majority of the Review Board found the scenes at 4mins and 72 mins also had neither a light tone, nor a low sense of threat or menace.

A majority of the Review Board did not consider the scenes at 69mins, and at 77 mins to be such as would confuse or disturb children under the age of 15 years.

6. Reasons for the Decision

- 6.1 The Review Board based its decision to confirm the Classification Board's decision to classify the film *Tarzan* PG on the content and impact of the film as set out in 5.2 and 5.3 above.
- 6.2 The Review Board found the images of the leopard's fearsome face and his ongoing pursuit of, and slashing at the helpless baby Tarzan (4–6mins), and the leopard's attack and pursuit of the grown-up Tarzan at 26–29 mins created a strong sense of menace that would be upsetting to very young children (under the age of 7 years).

The Review Board considered that a strong sense of threat and menace was created in the scene at 35–36 mins where Jane is pursued first by the gorillas and then continually attacked and pursued by the monkeys (with very fierce faces), and finally falls screaming. This sense of menace was increased by the dark colours used in the animation technique. The Review Board felt that the attempt at humour (monkey descending with umbrella following the chase scene) did not lighten the tone of the pursuit.

The impact and sense of menace were increased in the scene at 72 mins by the initial use of red tones moving to very dark tones at the end of the scene at 76mins; by threatening with guns, by slashing out with a knife; and by an emphasis on frightening faces.

The Review Board found that these scenes would be particularly scary for very young children (those under the age of 7 years), and would be upsetting without adult guidance. The Review Board therefore concluded that the film was appropriately classified PG.

6.3 The applicant argued that:

- a) the Classification Board had incorrectly interpreted the Guidelines in the PG category about what constitutes depictions or references which could be confusing or upsetting to children without adult guidance. The Board had found more sinister elements in the film than are actually there;
- b) much care had been taken to make the film suitable for all ages; it had many positive elements;
- c) the Tarzan legend had a place in history;
- d) the violence was principally implied and the action off screen;
- e) that the use of the terms “confusing or upsetting” in the criteria for PG, did not necessarily include films which were “scary”;
- f) the film had been given a G in all countries to date;
- g) The Classification Board had incorrectly assessed community attitudes and standards in relation to the concerns it expressed. The applicant argued that community standards are such that families

would be confident that children could watch it without supervision.

6.4 In relation to a), d) and e), the Review Board holds the view that young children tend to focus on, and to be upset by, individual scenes of violence or menace within films, and are often not able to put them into a context of the triumph of good over evil at the end of the story. This is an age-related factor which may well mitigate the impact of some violent scenes for an older child.

There is good evidence that scenes of menace, particularly with frightening face, music and use of dark colours will scare young children to the extent of causing considerable upset (Cantor, Joanne: *Mommy I'm Scared*, 1998).

In regard to other arguments above in 6.3, the Review Board took the view that:

- b) the film did have many positive elements, but the assigning of a PG classification should not prevent many older children from enjoying the film in the company of their parents;
- c) is noted;
- f) was irrelevant to the Review Board's consideration of the film against Australia's classification Guidelines;
- g) the Review Board did not agree with this view.

- 6.5 The Review Board concluded that the film contained elements which made the film unsuitable to be viewed by children under the age of 15 years without supervision, and therefore confirmed the decision of the Classification Board to classify the film “PG”, within the meaning of the Table 6 under the heading “Films “ in the Code.
- 6.6 The Review Board’s decision to assign the consumer advice line “Some Scenes May Scare Very Young Children” is made having regard to its findings in 6.2 and 6.4 (first para) above. The Review Board took the view that this description would help parents of young children to avoid potentially scary and upsetting material, while not discouraging older children from a film with many positive elements.

7. Summary

- 7.1 The Review Board’s decision is to confirm the decision of the Classification Board to classify the film *Tarzan* PG. The Review Board has decided to vary the consumer advice to “Some Scenes May Scare Very Young Children”.
- This decision is taken after full consideration of the applicant’s submission, and after assessing the film as a whole against the relevant legislative criteria, including those contained in the Code, and in the current Classification Guidelines for Films and Videotapes determined under Section 12 of the Act.

9 July 1999

EYES WIDE SHUT

APPLICANT

Roadshow Film Distributors Pty Ltd

BUSINESS

To review the decision of the Classification Board to assign the classification R 18+ under the *Classification (Publications, Films and Computer Games) Act 1995* to the film *Eyes Wide Shut*, with the consumer advice “Medium level sex scenes”

DECISION AND REASONS FOR DECISION

1. *Decision*

The Classification Review Board decided to confirm the decision of the Classification Board to classify the film *Eyes Wide Shut* “R 18+”, with the consumer advice “Medium level sex scenes”.

2. *Legislative provisions*

The Classification (Publications, Films and Computer Games) Act 1995 (the Act) governs the classification of films and the review of classification decisions. The Act provides that films be classified in accordance with the National Classification Code and the classification guidelines. Relevantly, the National Classification Code (the Code) in paragraph 3 of the Table under the heading “films” provides that films (except RC films and X films) that are unsuitable for a minor to see should be classified R.

3. *Procedure*

- 3.1 Four members of the Review Board viewed the film *Eyes Wide Shut* at its meeting on 23 July 1999.
4. In reaching its decision the Review Board had regard to the following:
- (a) the applicant's Application for Review;
 - (b) the film *Eyes Wide Shut*;
 - (c) the relevant provisions in the Act;
 - (d) the relevant provisions in the National Classification Code as amended in accordance with Section 6 of the Act;
 - (e) the current *Guidelines for the Classification of Films and Videotapes* determined under Section 12 of the Act.

5. *Findings on material questions of fact*

The plot

- 5.1 Bill and Alice are a successful and sophisticated modern young couple with a young child, who indulge in fantasy and real life extra-marital sexual encounters. Bill's attendance at a restricted society sex party gives rise to consequences which include a woman fellow-guest sacrificing her life to save his and the resolution of relationship issues within his marriage.

The sex scenes and themes

- 5.2 The Review Board considered the themes and scenes cited by the Classification Board as leading to an R18+ classification. These included the series of scenes in a sequence beginning at 79 mins, which the Classification Board found to be depictions of realistically simulated sexual activity. This sequence takes place at a secret sex ritual and party in a large mansion, at which the participants are initially cloaked and masked.
- 5.3 The Review Board found that the sequence contains several scenes of realistically simulated sexual activity. These included a woman astride a man in thrusting intercourse; a woman on her back on a table/sideboard engaged in thrusting intercourse with a man; two women engaged in cunnilingus; a man engaged in rear entry intercourse with a woman; two shots of the same man engaged in thrusting intercourse with a woman in a chair.

The Review Board therefore found that the scenes of sexual activity were not merely implied, as required in the MA15+ classification.

Further, the Review Board agreed with the Classification Board that the voyeuristic nature of the scenes contributes to the adult tone of the movie, and that the theme requires an adult perspective.

6. *Reasons for the Decision*

6.1 The Review Board based its decision to confirm the Classification Board's decision to classify the film *Eyes Wide Shut* R 18+, with the consumer advice "Medium level sex scenes," on the the content and impact of the film as set out in 5.2 and 5.3 above.

6.2 The Review Board considered that the treatment and depictions of the sex scenes and themes were such as required an adult perspective; further, that the sex scenes may offend some section of the adult community.

The Review Board found that the depictions of sexual activity could not be categorised as "implied". The meaning applied to "implied" in the *Guidelines for the classification of films and videotapes* is "depictions of a subject in which an act or thing is inferred or indicated without actually being seen". In the unanimous view of the Review Board, the manner in which the scenes of sexual activity were portrayed left no doubt as to what was being depicted. and the viewer was placed in the position of being voyeur. The Review Board concluded that the scenes were realistically simulated. The film is therefore appropriately classified R 18+.

6.3 The applicant argued, in part, that

a) the film contained carefully filmed scenes of implied sexual intercourse, which are contextually justified;

b) the scenes appear in a film which has important artistic and cinematic merit;

c) none of the sexual activity is explicit, even if some of it is realistically implied. The sexual activity is clearly simulated, not actual. It is not unduly relished or detailed;

d) the public would not be shocked, offended or surprised by the scenes.

6.4 In relation to these arguments, the Review Board found a) and c) the Review Board's arguments at 6.2 above apply. Arguments related to contextual justification, and of lack of relish or detail are not relevant. Further, if the film were to contain explicit (i.e. real) sexual activity, that would place it in the RC category, or the video version in the X category. rather than in the R classification.

b) the Review Board considered the question of artistic merit but found that the film was appropriately classified R18+ irrespective of the presence or absence of such merit.

d) the Review Board found that some sections of the adult community would be offended by the film, having regard particularly to its often voyeuristic tone.

6.5 The Review Board concluded that the film is not suitable for those under the age of 18 years, within the meaning of Paragraph 3 of the Table under the heading "Films" in the Code.

6.6 The Review Board's decision to assign the consumer advice line of "Medium level sex scenes" is made having regard to its findings in 5.2, 5.3 and 6.2 above.

7. *Summary*

The Review Board's decision is to confirm the decision of the Classification Board to classify the film *Eyes Wide Shut* R 18+, with the consumer advice "Medium level sex scenes".

This decision is taken after full consideration of the applicant's submission, and after assessing the film as a whole against the relevant legislative criteria, including those contained in the Code, and in the current Classification Guidelines for Films and Videotapes determined under Section 12 of the Act.

23 July 1999

THE GENERAL'S DAUGHTER

APPLICANT

United International Pictures

BUSINESS

To review the decision of the Classification Board to assign the classification "R 18+" under the *Classification (Publications, Films and Computer Games) Act 1995* to the film *The General's Daughter*, with the consumer advice "Medium Level Violence, Adult Themes."

DECISION AND REASONS FOR DECISION

1. *Decision*

The Classification Review Board decided to set aside the decision of the Classification Board to classify the film *The General's Daughter* "R 18+" with the consumer advice "Medium Level Violence, Adult Themes", and to classify the film "MA15+" with the consumer advice "Adult Themes, Some Sexual Violence".

2. *Legislative provisions*

The *Classification (Publications, Film and Computer Games) Act 1995* (the Act) governs the classification of films and the review of classification decisions. The Act provides that films be classified in accordance with the National Classification Code and the classification guidelines. Relevantly, the National Classification Code (the Code) in paragraph 4 of the Table under the heading "films" provides that "films (except RC films, X films

and R films) that depict, express, or otherwise deal with sex, violence or coarse language in such a manner as to be unsuitable for viewing by persons under 15” are to be classified “MA15+”.

3. Procedure

- 3.1 The Review Board heard oral submissions from Mr Michael Selwyn, and Ms Una Lawrence representing United International Pictures.
- 3.2 Three members of the Review Board viewed the film *The General's Daughter* at its meeting on 13 August 1999.

4. Evidence

In reaching its decision the Review Board had regard to the following:

- (a) the applicant’s Application for Review;
- (b) the film *The General's Daughter*;
- (c) the written and oral submissions made by the applicant;
- (d) the relevant provisions in the Act;
- (e) the relevant provisions in the National Classification Code as amended in accordance with Section 6 of the Act;
- (f) the current Classification *Guidelines for the Classification of Films and Videotapes* determined under Section 12 of the Act.

5. Findings on material questions of fact

The plot

- 5.1 Army investigator Paul Brenner sets out to solve the bizarre murder of Lt Elisabeth Campbell, daughter of a prominent General. Paul uncovers the story of the pack rape of Elisabeth during an Army exercise seven years earlier. The official attempts to suppress this incident and to deny its reality have severe consequences for all concerned.

The themes and scenes

- 5.2 The Review Board considered the themes and scenes cited by the Classification Board as, in its opinion, taking the film into the “R 18+” category.

The Classification Board found that the film’s violence and theme of rape and its outcomes were of sufficient strength to require an adult perspective.

The scenes of violence included that at 77 mins in which Elisabeth’s rape seven years earlier is shown as a flashback, with the rape and its effects narrated by the psychiatrist who treated Elisabeth afterwards.

The consequences of the denial and suppression of the rape are shown to include Elisabeth’s promiscuity and resort to sadomasochism. Further, in a futile attempt to show her father the consequences of his suppression of the incident (for the good of the army), Elisabeth has herself staked out naked in the manner in which

she had been raped (96mins), and arranges for her father to see her. She is subsequently strangled by a rejected “lover”.

5.3 The Review Board found the depiction of the rape was via visual suggestions which were not frequent, prolonged, gratuitous or exploitative.

Further, the Review Board found that the theme and scenes related to the consequences of the rape were such as required a mature perspective, but not necessarily an adult one.

The Review Board therefore found that the film could be accommodated in the “MA15+” category.

Other elements

The Review Board agreed with the Classification Board that other depictions, which included a fight to the death, resulting in a man being pushed into the propeller of a boat, and the postaction visuals of a Colonel who had been shot in the head, could be accommodated in the “MA15+” category.

Reasons for the Decision

6.1 The Review Board based its decision to classify the film *The General's Daughter* “MA15+” on the content of the film as set out in 5.2 and 5.3 above.

6.2 The Review Board found the depiction of the rape of Elisabeth by her fellow army cadets during an exercise to be conveyed by “visual suggestions of sexual violence”. The gang rape was not seen in closeup, nor as sequential action, but rather as a series of separate shots, with the perpetrators seen only as silhouettes against the night sky. The depictions were not frequent, prolonged, gratuitous or exploitative.

The violence depictions in this sequence, eg the shots of Elisabeth’s shocked and battered face, while of high impact, were considered to be not frequent, prolonged or gratuitous.

6.3 The Review Board found the themes of the consequences of rape and suppressed rape to be powerful, but nevertheless to be one which could be understood and appreciated by those with a mature perspective.

The film clearly emphasised and condemned the horror of rape, and the perpetrators were seen as weak and cowardly. The ongoing suffering of those who have been raped was clearly conveyed. The psychological disturbance caused by the suppression of the rape supported the theme of the horror of rape, and while not all aspects of this subtheme might be understood by those between 15 and 17years, its treatment was not, in the opinion of the Review Board, harmful to them. The Review Board therefore took the view that the film was appropriately classified “MA15”.

- 6.4 The Review Board concluded that the film depicts, expresses or otherwise deals with sex in such a manner as to be unsuitable for viewing by persons under 15, within the meaning of Para 4 of the table under the heading "Films" in the Code. The Review Board also concluded that the combination of scenes referred to in paras 5.2 and 5.3 above is "likely to disturb, harm or offend those under 15 years" so as to warrant imposing the restriction that "children under 15 years will not be admitted to cinemas unless accompanied by a parent or guardian (and that) video material will be restricted to persons 15 years and over", in accordance with the guidelines for the classification of films and videos.
- 6.5 The Review Board's direction that the consumer advice be varied to "Adult Themes, Some Sexual Violence", is made having regard to the content as described in para 5.2 and 5.3 above.
- 6.6 The applicant argued, in part, that:
- a) the adult themes can be coped with by those aged 15 to 17 years;
 - b) the rape scene was not a realistic depiction;
 - c) the film shows that sexual violence damages women;
 - d) the film does not dwell on the Elisabeth's involvement in sadomasochism;
 - e) the film was consistent with the public's expectations of an "MA15+" level of content;
- f) the precedent of the film *The Accused* which contained a gang rape, was classified on review, as "M15+" (the "MA15+" classification was not then in existence), as it contained a socially significant message about rape.
- 6.7 The Review Board took the view that:
- a) was valid;
 - b) was valid;
 - c) is true, but not necessarily relevant;
 - d) was valid;
 - e) has been judged to be so;
 - f) was not relevant, as the Review Board must make its decisions in relation to the current *Guidelines for the Classification of Films* and in accordance with current community standards.

7. Summary

- 7.1 The Review Board's decision is to set aside the decision of the Classification Board, and to classify the film *The General's Daughter* "MA15+" with the consumer advice "Adult Themes, Some Sexual Violence".

This decision is taken after full consideration of the applicant's submission, and after assessing the film as a whole against the relevant legislative criteria, including those contained in the Code, and in the current Classification Guidelines for Films and Videotapes determined under Section 12 of the Act.

13 August 1999

***THE AUSTRALIAN
ROSIE BIZARRE #28***

APPLICANT

Xpress (Australia) Pty Ltd

BUSINESS

To review the decision of the Classification Board to assign the classification RC (Refused Classification) under the Classification (Publications, Films and Computer Games) Act 1995 to the magazine The Australian Rosie Bizarre #28.

DECISION AND REASONS FOR DECISION

1. Decision

The Classification Review Board confirmed the decision of the Classification Board to classify the magazine *The Australian Rosie Bizarre #28* RC (Refused Classification).

2. Legislative provisions

The *Classification (Publications, Film and Computer Games) Act 1995* (the Act) governs the classification of publications and the review of classification decisions. The Act provides that publications be classified in accordance with the National Classification Code and the classification guidelines. Relevantly, the National Classification Code (the Code) in paragraph 1(a) of the Table under the heading "Publications" provides that publications that "describe, depict, express or otherwise deal with matters of sex, drug misuse or addiction, crime

cruelty, violence or revolting or abhorrent phenomena in such a way that they offend against the standards of morality, decency or propriety generally accepted by reasonable adults to the extent that they should not be classified" are to be classified RC.

3. Procedure

Three members of the Classification Review Board read the publication *The Australian Rosie Bizarre #28* at their meeting on 13 August 1999.

4. Evidence

In reaching its decision the Board of Review had regard to the following:

- (a) the applicant's Application for Review;
- (b) the publication *The Australian Rosie Bizarre #28*;
- (c) the relevant provisions in the Act;
- (d) the relevant provisions in the National Classification Code as amended in accordance with Section 6 of the Act;
- (e) the Printed Matter Classification Guidelines determined under Section 12 of the Act in force as at 13 August 1999.

The content

- 5.1 The *Australian Rosie Bizarre #28* (July 1999), is published by Clean Culture Pty Ltd NSW. The applicant, Xpress (Aust), is one of five distributors. This issue contains photographs and written descriptions of sexual and fetishistic activity between consenting adults which include explicit genital detail.
- 5.2 The Review Board considered the page 93 photograph which in the opinion of the Classification Board juxtaposes sex and an implement of violence in such a way as to warrant refusal to classify. In this photograph, the barrel of a hand gun has been inserted into the vagina of a naked woman. The woman is holding the handle of the gun. The accompanying description indicates that the woman's husband is a security guard and she had always fantasised about using his weapon in this manner.
- 5.3 The Review Board found that this photograph offended against the standards of morality, decency and propriety generally accepted by reasonable adults to the extent that the publication should not be classified, and agreed with the Classification Board that *Australian Rosie Bizarre #28* should be assigned the classification RC.

6. Reasons for the Decision

- 6.1 The Review Board based its decision to classify the publication *Australian Rosie Bizarre #28* on the content of the magazine as set out in 5.2 above.
- 6.2 The Review Board unanimously found that the photograph on page 93 links sexual activity with an instrument of violence in a fetishistic manner. The Review Board noted that the Restricted Category 2 guidelines allow photographs of sexual activity between consenting adults, which include explicit genital detail, and also depictions of stronger fetishes.

However, the Review Board considered that the photograph constituted a depiction of an extremely dangerous practice and, further, linked sexual activity with an instrument of violence in such a way as to offend against the standards of morality, decency and propriety generally accepted by reasonable adults to the extent that the publication should not be classified.

The Review Board concluded that the publication should therefore be classified RC under Para 1(a) of the *National Classification Code*, viz., Publications that "describe, depict, express or otherwise deal with matters of sex, drug misuse or addiction, crime, cruelty, violence or revolting or abhorrent phenomena in such a way that they offend against the standards of morality, decency and propriety generally accepted by reasonable adults to the extent that they should not be classified".

6.3 The applicant argued, in part that:

- a) the accompanying text was written satirically;
- b) the woman was voluntarily masturbating with the gun;
- c) the magazine's readers share their bizarre fantasies with others.

6.4 In the opinion of the Review Board, none of these reasons was sufficient in this instance to justify the use of the gun when associated with sexual activity.

7. *Summary*

The Review Board's decision is to assign the classification RC to the publication Australian Rosie Bizarre #28.

This decision was taken after due consideration of the applicant's submission, and after assessing the publication as a whole against the relevant legislative criteria, including those contained in the Code, and in the current *Printed Matter Classification Guidelines* determined under Section 12 of the Act.

13 August 1999

REGURGITATOR – UNIT REBOOTED

APPLICANT

The Hon Daryl Williams AM QC MP,
Attorney-General

BUSINESS

To review the decision of the Classification Board to assign the classification "M15+" under the *Classification (Publications, Films and Computer Games) Act 1995* to the film *Regurgitator: Unit– Rebooted* with the consumer advice line "Medium level coarse language".

DECISION AND REASONS FOR DECISION

1. *Decision*

The Classification Review Board confirmed the decision of the Classification Board to classify the film *Regurgitator: Unit–Rebooted* "M15+", with consumer advice line "Medium level coarse language".

2. *Legislative provisions*

The *Classification (Publications, Film and Computer Games) Act 1995* (the Act) governs the classification of films and the review of classification decisions. Section 5 of the Act (Definitions) provides that "film" includes "any ... form of recording from which a visual image, including a computer generated image, can be produced." The Act provides that films be classified in accordance with the National Classification Code and the classification guidelines. Relevantly,

the National Classification Code (the Code) in paragraph 5 of the Table under the heading “films” provides that films (except RC films, X films, R films, MAfilms) that cannot be recommended for viewing by persons who are under 15 are to be classified “M”.

3. Procedure

- 3.1 Six members of the Review Board viewed the film *Regurgitator: Unit-Rebooted* at its meeting on 10 September 1999.

4. Evidence

In reaching its decision the Board of Review had regard to the following:

- (a) the application to review the classification of the film from the Attorney General, Hon Daryl Williams AM QC MP;
- (b) the film *Regurgitator: Unit-Rebooted*;
- (c) the relevant provisions in the Act;
- (d) the relevant provisions in the National Classification Code as amended in accordance with Section 6 of the Act, and as endorsed by the censorship Ministers;
- (e) the current Classification Guidelines for the Classification of Films and Videotapes determined under Section 12 of the Act.
- (f) advice from the Australian Government Solicitor.

Findings on material questions of fact

The Content

- 5.1 The product is a multimedia CD containing 5 film video clips and 8 audio only tracks, by the Australian band Regurgitator. The product is deemed to be a film by virtue of being a recording from which a visual image, including a computer generated image, can be produced.
- 5.2 The Classification Review Board considered the audio only track 050, cited by the Classification Board as being appropriately accommodated in the M 15+ classification.

The words of this track were as follows:

“Welcome to the world of sleaze/
we’ve got everything you’ll need/
you’ll fit in it’s such a breeze/ happy
living on your knees/ coz there’s
dicks and cunts and sluts and
butts/oh pimps and ho’s/ yeah plenty
of those/ there’s no end to the things
you can win/and I’ll be your friend if
you’ll just spread your legs/ don’t be
afraid every things great/ you’ll be
okay if you just take my hand/
welcome to the world of sleaze/ baby
may I help you sir/ we aim to please/
walking through the world of
sleaze/baby baby/ they’ve got every
thing you’ll need/ flesh in the rape
with the vacant staves and rich fan
fares/spurting joy through the air.”

- 5.3 The Review Board found that the stronger coarse language used in this track (viz. “cunts”) was infrequent in the context of the CD, and its use was not gratuitous within this track of the CD.

The Review Board therefore found that the CD was appropriately classified M15+.

6. *Reasons for the Decision*

6.1 The Review Board based its decision to confirm the Classification Board's decision to classify the film *Regurgitator: Unit-Rebooted* "M15+" on the content and findings as described in 5.2 and 5.3 above.

6.2 The Review Board considered that the words of the audio-only track 50 'Welcome to the world of sleaze' contained verbal references to sexual activity, and coarse language.

The Review Board found these references and coarse language to be delivered in a barely comprehensible monotone. As a consequence, the references and the stronger coarse language such as "cunts" was not of high impact. "Cunts" is considered to be stronger coarse language but, in the context of the track and the whole CD, is used infrequently. Its use within a track about the "world of sleaze", is considered not to be gratuitous.

The Review Board concluded that the the film (CD) was appropriately classified "M 15+". Further, the Review Board concluded that the film (CD) contained material that is considered to be potentially harmful or disturbing to those under the age of 15years, but that its impact was not so strong as to require restrictions.

6.3 The Review Board's decision to confirm the consumer advice lines of "Medium level coarse language" is made with regard to its findings in 5.3 and 6.2 above.

7. *Summary*

7.1 The Review Board's decision is to confirm the decision of the Classification Board to classify the film *Regurgitator: Unit-Rebooted* "M15+".

This decision is taken after full consideration of the applicant's submission, and after assessing the film as a whole against the relevant legislative criteria, including those contained in the Code, and in the current Classification Guidelines for Films and Videotapes determined under Section 12 of the Act.

10 September 1999

THE IRON GIANT**APPLICANT**

Roadshow Film Distributors

BUSINESS

To review the decision of the Classification Board to assign the classification PG under the *Classification (Publications, Films and Computer Games) Act 1995* to the film *The Iron Giant* with the consumer advice "Medium Level Violence".

DECISION AND REASONS FOR DECISION**1. Decision**

The Classification Review Board decided to confirm the decision of the Classification Board to classify the film *The Iron Giant* PG, but to vary the consumer advice line to "Some scenes may scare very young children".

2. Legislative provisions

The *Classification (Publications, Film and Computer Games) Act 1995* (the Act) governs the classification of films and the review of classification decisions. The Act provides that films be classified in accordance with the National Classification Code and the classification guidelines. Relevantly, the National Classification Code (the Code) in paragraph 6 of the Table under the heading "films" provides that films (except RC films, X films, R films, MAfilms and M films) that cannot be recommended for viewing

by persons who are under 15, are to be classified PG. Para 7 of the Table provides that all other films are to be classified G.

3. Procedure

- 3.1 Six members of the Review Board viewed the film *The Iron Giant* at its meeting on 10 September 1999.
- 3.2 The Review Board heard evidence and viewed video material, in support of the application, from Mr Brett Rosengarten, representing the applicant.

4. Evidence

In reaching its decision, the Review Board had regard to the following:

- (a) the applicant's Application for Review;
- (b) oral evidence given, and video material screened by Mr Brett Rosengarten;
- (c) the film *The Iron Giant*;
- (d) the relevant provisions in the Act;
- (e) the relevant provisions in the National Classification Code as amended in accordance with Section 6 of the Act;
- (f) the current Classification Guidelines for the Classification of Films and Videotapes determined under Section 12 of the Act.

5. *Findings on material questions of fact*

The plot

- 5.1 In this animated feature, a young boy Hogarth encounters, befriends and, with the help of Dean, the scrap yard dealer, attempts to protect “the iron giant,” an extraterrestrial visitor, from being captured and destroyed.

The scenes and themes

- 5.2 The Review Board considered the themes and scenes cited by the Classification Board as warranting a PG classification.

The Classification Board cited scenes at 24mins (the robot is damaged but autogenerates); at 50 mins (the deer is shot and leads to a lecture from Hogarth to the robot about “being a gun”); at 54 mins (Hogarth is interrogated by the government investigator, and threatened with being taken from his mother); at 1hr05 to 1hr14mins (the concluding battle scene between the army and the robot); as scenes which could be confusing or upsetting to a child without adult guidance.

The Review Board unanimously found the scene at 54mins to be confusing or upsetting to children without adult guidance, and that the film was therefore appropriately classified PG. The Review Board was divided in its findings on whether the frequency, tone and impact of the violence in the film were such as to provide additional grounds which warranted a PG classification.

6. *Reasons for the Decision*

- 6.1 The Review Board based its decision to confirm the Classification Board’s decision to classify the film *The Iron Giant* PG, on the content and impact of the film as set out in 5.2 and 5.3 above.

- 6.2 The Review Board unanimously found the scene at 54 mins in which the investigator interrogates Hogarth as to the whereabouts of the robot and threatens to take Hogarth away from his mother if he doesn’t tell, to have a high sense of threat and menace for young children. The scene implies, for a watching child, that the investigator has the power to carry out his threat. The Review Board concluded that this scene would be confusing or upsetting without adult guidance.

Some Review Board members found the concluding battle sequence (approximately 11 mins in length) in which the army pursues and shoots at the robot, planes bomb and hit the robot, the robot fires at the army, and the robot is finally hit and apparently destroyed by a missile, to contain violence that is not very discreetly implied, does not have a very low sense of threat or menace, and is not infrequent. Further, some of the Review Board considered that the above sequence, and the early scenes in the film (11–13mins) in which the robot is first encountered by Hogarth, and in which Hogarth is initially terrified of the robot, are such as would be confusing or upsetting to young children without adult guidance.

Other members of the Review Board took the view that these scenes and sequences could be accommodated within the G classification, because of the stylised nature of the violence, and the generally light tone of the film.

The Review Board concluded that the film was appropriately classified PG.

6.3 The applicant argued in part, that:

- a) the animated features *Anastasia* and *The Hunchback of Notre Dame* had both received G classifications with the consumer advice "some scenes may be unsuitable for very young children". The applicant screened scenes from these films which he believed had a darker tone and a greater sense of threat or menace than *The Iron Giant*. He argued that *The Iron Giant* could be classified G with a similar advice line;
- b) one of the reasons given for the PG classification of *The Iron Giant* was the ongoing threat to Hogarth's welfare. A similar theme was evident in *The Hunchback of Notre Dame*;
- c) the overall theme of the film is quite light.

6.4 In relation to:

- a) the Review Board concluded that it was not bound by decisions taken by the Classification Board;
- b) was noted, but the Review Board holds that each film must be considered on its merits;
- c) the Review Board took the view that this was only one element

among others which had to be considered.

6.5 The Review Board concluded that the film contained elements which made it unsuitable to be viewed by very young children under the age of 15 years without supervision, and therefore confirmed the decision of the Classification Board to classify the film "PG", within the meaning of the Table 6 under the heading "Films" in the Code.

6.6 The Review Board's decision to assign the consumer advice line "Some scenes may scare very young children" is made having regard to its findings in 6.2 and 6.5 above. The Review Board took the view that this description would help parents of young children to avoid potentially scary and upsetting material, while not discouraging older children from a film with many positive elements.

7. Summary

7.1 The Review Board's decision is to confirm the decision of the Classification Board to classify the film *The Iron Giant* "PG". The Review Board has decided to vary the consumer advice to "Some scenes may scare very young children".

This decision is taken after full consideration of the applicant's submission, and after assessing the film as a whole against the relevant legislative criteria, including those contained in the Code, and in the current Classification Guidelines for Films and Videotapes determined under Section 12 of the Act.

10 September 1999

FIGHT CLUB**APPLICANT**

Twentieth Century Fox Film
Distributors Pty Ltd

BUSINESS

To review the decision of the Classification Board to assign the classification R 18+ under the *Classification (Publications, Films and Computer Games) Act 1995* to the film *Fight Club*, with the consumer advice “Medium level violence”

DECISION AND REASONS FOR DECISION***1. Decision***

The Classification Review Board decided to confirm the decision of the Classification Board to classify the film *Fight Club* R 18+, but varied the consumer advice to “Adult themes”.

2. Legislative provisions

The *Classification (Publications, Film and Computer Games) Act 1995* (the Act) governs the classification of films and the review of classification decisions. The Act provides that films be classified in accordance with the National Classification Code and the classification guidelines. Relevantly, the National Classification Code (the Code) in paragraph 3 of the Table under the heading “films” provides that films (except RC films and X films) that are unsuitable for a minor to see should be classified R 18+.

3. Procedure

3.1 Six members of the Review Board heard oral submissions and viewed a video tape, presented on behalf of the applicant by Ms Georgina Bates, at its meeting on 29 October 1999, and subsequently viewed the film *Fight Club*.

4. In reaching its decision the Review Board had regard to the following:

- (a) the applicant’s Application for Review, and associated written submission;
- (b) the film *Fight Club*;
- (c) oral submissions made on behalf of the applicant;
- (d) the relevant provisions in the Act;
- (e) the relevant provisions in the National Classification Code as amended in accordance with Section 6 of the Act;
- (f) the current Guidelines for the Classification of Films and Videotapes determined under Section 12 of the Act.

5. Findings on material questions of fact***The plot***

5.1 The film is narrated on-camera by a nameless young white collar worker dissatisfied with his life. As he seeks relief from his feelings of aimlessness and depression by attending victim support groups, his mental illness is revealed, and he meets the manic-depressive Marla. An explosion in his flat sees him strike up a relationship with the

enigmatic Tyler Durden, who changes his life irrevocably. Together they develop secret fight clubs where men fight each other with bare fists. The narrator is eventually brought face to face with himself and his mental illness.

The depictions of violence

5.2 The Review Board considered the scenes of violence cited by the Classification Board as warranting an R18+ classification.

These scenes included those at:

73 mins. The Mafioso owner of the bar under which the fight club is housed, beating Tyler, who responds similarly;

95 mins. The narrator beating a man savagely;

106 mins The body of a violence victim, Bob, is brought to the fightclub's headquarters and post action visuals of his head wounds are seen; and

132 mins. The narrator puts a gun in his own mouth and pulls the trigger.

5.3 The Review Board found that some of these scenes were of high impact and were prolonged, others less so. The Review Board also found the scenes at 62 mins (Tyler burns narrator's hand with lye) and at 100mins (Tyler deliberately crashes the car) to be scenes of high impact.

Further, the Review Board found that the film as a whole contained a high frequency of violent incidents which cumulatively had a high impact this violence occurred in a film with several levels of meaning.

On one level, the film's theme was seen to be that of split personality, and a descent into madness and suicide. On another, it seemed to be one of "finding oneself through fighting". These themes were intertwined and often treated in a surreal manner. They were considered by the Review Board to be of high intensity, and to require an adult perspective in order to place the violence in context. The treatment of the themes was found not to be discreet.

The Review Board therefore found that the film contained adult themes of a high degree of intensity and that their treatment was not discreet. The film was accordingly considered to be appropriately classified R18+.

6. Reasons for the Decision

6.1 The Review Board based its decision to confirm the Classification Board's decision to classify the film *Fight Club* R18+, but to vary the consumer advice to "Adult themes", on the content and impact of the film as set out in 5.2 and 5.3 above.

6.2 The Review Board took the view that this complex film could be viewed at several levels. For the greater part of its length, the film could be seen as exploring themes focussed on the alleged benefits of males bonding together to be violent, which provides a release of emotion, and enables the development of self knowledge through the challenge of fighting and the experience of pain.

For example at:

38 mins “After fighting everything in life got the volume turned down”;

40 mins “All I could think about was next week”;

43 mins “My arse was like cookie dough. After a few weeks it was carved out of wood”.

45 mins “We all felt saved”;

62 mins Tyler puts lye on the narrator’s hand and continues to hold it even though the victim is in agony. He says that “Without pain, without sacrifice...this is the greatest moment of life...[only then are you] free to do anything.”

This theme is illustrated by over 20 incidents of fist fighting, heads being banged on the ground (43 and 46mins) and disfiguring blows to one man’s face (95mins). The last-named incident is accompanied by dialogue to the effect that “I felt like destroying something beautiful.”

The film, viewed at this level, culminates in the suicide of the narrator, having recognised Tyler as himself. In the opinion of the Review Board, the drama, on this viewing, can be seen as commending suicide as “the only way to get the demons out of your head”.

In the opinion of the Review Board, these themes are of very high intensity, with the realistic violence having high impact.

On another level, the Review Board recognised that the film could be viewed as a metaphor for the narrator’s descent into madness. In this context the violence could

be seen as having surreal elements and therefore not realistic

6.3 However, the Review Board found that the latter level of meaning was not made sufficiently obvious, within the context of the film. In the opinion of the Review Board, the film requires an adult perspective to understand its complexities.

The Review Board therefore concluded that the treatment of the film’s themes had a high degree of intensity that required an adult perspective, and was not discreet.

Further, the Review Board was concerned that the film’s more obvious themes and depictions of violence as a method of “self improvement” could be harmful to a minority of males under the age of 18 years.

This finding combined with the finding that the treatment of the theme, which had a high degree of intensity, was not discreet, caused the Review Board to decide that the film was appropriately classified R 18+.

6.4 The applicant argued, in part, that:

a) the film was a treatment of the battle between good and evil and the battlefield was the body of one man. The film was satirical/ metaphorical. The narrator has to go crazy to save himself. The film had merit because it encourages us to “think outside the square”;

b) the scenes of concern to the Classification Board could be justified in MA15+ as follows:

at 73 mins. Tyler's determination overcomes the antagonist. The scene is contextually justified and not gratuitous.

at 95 mins. The behaviour is seen as unacceptable, and the post action visuals are not sanitised. The scene is brutal and lengthy, but the brutality is not glorified.

at 106 mins. This scene provides the catalyst for the narrator to search out Tyler, rather than sit back fatalistically.

at 132 mins. This scene in which the narrator puts the gun in his mouth and pulls the trigger is a metaphor for ridding himself of Tyler his phantom alter ego.

c) the film does not exhibit themes of terror or rape, nor does it glorify or condone violence. The violence, while impactful, is contextually justifiable;

d) the film has adult themes and requires a mature approach to viewing, but is acceptable to those 15 years and over.

6.5 In relation to these arguments, the Review Board found:

a) that the film's structure was too oblique and subtle for these themes and metaphors to be easily perceived;

b) see 5.3 and 6.3 above;

c) see 5.3, 6.2 and 6.3 above;

d) see 6.3 above.

6.6 The Review Board concluded that the film is not suitable for those under the age of 18 years, within the meaning of Paragraph 3 of the Table under the heading "Films" in the Code.

6.7 The Review Board's decision to assign the consumer advice line of "Adult Themes" is made having regard to its findings in 5.2, 5.3 and 6.2 above.

7. Summary

The Review Board's decision is to confirm the decision of the Classification Board to classify the film *Fight Club* R 18+, but to vary the consumer advice to read "Adult Themes".

This decision is taken after full consideration of the applicant's submission, and after assessing the film as a whole against the relevant legislative criteria, including those contained in the Code, and in the current Classification Guidelines for Films and Videotapes determined under Section 12 of the Act.

29 October 1999

THE BLAIR WITCH PROJECT**APPLICANT**

REPFilm Distributors Pty Ltd

BUSINESS

To review the decision of the Classification Board to assign the classification MA15+ under the *Classification (Publications, Films and Computer Games) Act 1995* to the film *The Blair Witch Project* with the consumer advice "Medium Level Coarse Language".

DECISION AND REASONS FOR DECISION**1. Decision**

The Classification Review Board decided to set aside the decision of the Classification Board to classify the film *The Blair Witch Project* MA15+, and to assign the classification M 15+, with the consumer advice "Horror theme, "Frequent Coarse Language".

2. Legislative provisions

The *Classification (Publications, Film and Computer Games) Act 1995* (the Act) governs the classification of films and the review of classification decisions. The Act provides that films be classified in accordance with the National Classification Code and the classification guidelines. Relevantly, the National Classification Code (the Code) in paragraph 4 of the Table under the heading "films" provides that films (except RC films, X films, and R films) that depict, express, or

otherwise deal with sex, violence, or coarse language in such a manner as to be unsuitable for viewing by persons who are under 15, are to be classified "MA". Para 5 of the Table provides that films... that cannot be recommended for viewing by those under 15 are to be classified M15+.

3. Procedure

3.1 Four members of the Review Board viewed the film *The Blair Witch Project* at its meeting on 10 December 1999.

3.2 Mr Mark Gooder and Ms Jonene Collier attended the meeting to make representations on behalf of the applicant.

4. Matters taken into account

In reaching its decision the Board of Review had regard to the following:

- (a) the applicant's Application for Review;
- (b) oral submissions made on behalf of the applicant;
- (c) the film *The Blair Witch Project*;
- (d) the relevant provisions in the Act;
- (e) the relevant provisions in the National Classification Code as amended in accordance with Section 6 of the Act;
- (f) the current Classification Guidelines for the Classification of Films and Videotapes determined under Section 12 of the Act.

5. *Findings on material questions of fact*

The plot

- 5.1 Three young people (Heather, Josh and Mike) set out to make a documentary investigating an old story of a witch and strange happenings and murders in the Blair Woods. After interviewing locals, they enter the woods, get lost, are caught up in the mystery and never return.

The coarse language issue.

- 5.2 The Board of Review considered the content cited by the Classification Board as warranting an MA15+ classification.

The Classification Board found the film warranted an MA15+ classification for its frequent, though contextually justified, use of aggressive coarse language. The two principal scenes in which aggressive use of ‘fuck’ language was noted were at 35 mins when the trio cannot find their map, and again at 40mins when Mike owns up to kicking the map into the river.

- 5.3 In considering the two scenes above, the majority of the Classification Review Board found the use of ‘fuck’ language not to be used very aggressively, but rather as expressions of uncontrolled emotion and frustration arising from panic as the trio realise they are lost (and without hope without the map). Further the majority of the Review Board found the use of the language

in this way to be infrequent (ie two scenes) in relation to the rest of the film, and that its use was not gratuitous. The Review Board noted that “fuck” language can be accommodated in the M15+ category according to the Glossary of Terms found in the *Guidelines for the classification of films and videotapes*.

Other themes

- 5.4 The Review Board considered the “documentary” style of the film and its apparent “real life” investigation of murders of children and strange happenings in the Blair Woods. As the film progresses, the three young people become lost and increasingly panic stricken as they are pursued and overcome by strange happenings. The majority of the Review Board found that this theme could be potentially harmful to some children under the age of 15 but the impact was not so strong as to make this a likely outcome which would require the film to be restricted to those 15 years and over. The film was therefore considered to be appropriately classified M15+.
- 5.5 A minority of the Review Board found that there were instances of coarse language being used very aggressively and not infrequently. Further, the minority found the theme and treatment referred to in 5.4 to have an impact which was likely to be harmful or disturbing to some age groups under the age of 15 years, and therefore that the film should be classified MA15+.

6. *Reasons for the Decision*

6.1 The Review Board based its decision to set aside the decision of the Classification Board, and to assign the classification M 15+ to the film *The Blair Witch Project* on the content of the film as set out in 5.2, 5.3 and 5.4. above.

6.2 The majority of the Review Board took the view that most of the coarse language in the film was not used very aggressively, was contextualised, and was such as would be likely to be used and heard by adolescents when interacting with each other. The words used were acceptable in the M15+ category. according to the meaning ascribed to “coarse language” in the Glossary of Terms contained in the *Guidelines*, and were at a level and frequency that could be accommodated in the M15+ category.

The Review Board considered that the “fuck” language used frequently throughout the film was part of the common parlance of the characters. As the trio become increasingly panicky due to the strange nightly events combined with the realisation they are lost, they find that the map has been deliberately discarded by one of their number. The two outbursts of ‘fuck’ language are considered by the Review Board to be expressions of extreme emotion and frustration and to have a context of panic, rather than of high aggression.

6.3 The Review Board considered the issue of harm or disturbance to those under the age of 15 years which might possibly arise in relation to the realism of the horror theme set out in 5.4 above. The Board took the view that children aged 11 and above, and who are able to deal with abstract concepts, would see that the film was not a “real” documentary, and would be unlikely to be disturbed by it. In regard to those under the age of 11 years (who were unlikely to see the film as a fantasy), the Board considered the film to be potentially harmful to some. This impact was not considered to be so strong as to require restriction.

The Board therefore concluded that the film was appropriately classified M 15+.

6.4 In submissions to the Review Board, the applicant argued in part that:

- (a) the uses of coarse language in a hostile fashion were infrequent and not gratuitous;
- (b) the language was not used in a sexually assaultive, menacing, or threatening manner;
- (c) the overall context of the language would be easily appreciated and understood by persons under 15 years.

6.5 The Review Board did not disagree with these views.

The Review Board concluded that the film did not contain elements that made the film unsuitable for viewing by persons under the age of 15 years. Rather, it contained

elements which made the film unsuitable to be recommended for viewing by children under the age of 15 years, and is therefore classified M15+ within the meaning of Table 5 under the heading "Films" in the Code.

The Review Board's decision to assign the consumer advice line "Horror Theme, Frequent Coarse Language" is made having regard to the content of the film as described in 5.3 and 5.4 above.

7. Summary

The Review Board's decision is to classify the film *The Blair Witch Project* M15+ with the consumer advice line "Horror Theme, Frequent Coarse Language".

This decision is taken after full consideration of the applicant's submission, and after assessing the film as a whole against the relevant legislative criteria, including those contained in the Code, and in the current Classification Guidelines for Films and Videotapes determined under Section 12 of the Act.

10 December 1999

HUMAN TRAFFIC

APPLICANT

REPFilm Distributors Pty Ltd

BUSINESS

To review the decision of the Classification Board to assign the classification "R 18+" under the *Classification (Publications, Films and Computer Games) Act 1995* to the film and videotape *Human Traffic* with the consumer advice "Drug use".

DECISION AND REASONS FOR DECISION

1. Decision

The Classification Review Board decided to confirm the decision of the Classification Board to classify the film *Human Traffic* R 18+, with the consumer advice "Drug use".

2. Legislative provisions

The *Classification (Publications, Film and Computer Games) Act 1995* (the Act) governs the classification of films and the review of classification decisions. The Act provides that films be classified in accordance with the National Classification Code and the classification guidelines. Relevantly, the National Classification Code (the Code) in paragraph 3 of the Table under the heading "films" provides that films (except RC films and X films) that are unsuitable for a minor to see should be classified R.

3. Procedure

- 3.1 Four members of the Review Board viewed the film *Human Traffic* at its meeting on 18 January 2000.
- 3.2 The Board heard oral representations on behalf of the distributor given by Mr Mark Gooder and Ms Jonene Collier, prior to viewing the film.

4. Matters taken into account

In reaching its decision the Board of Review had regard to the following:

- (a) the applicant's Application for Review;
- (b) oral submissions made on behalf of the applicant;
- (c) the film *Human Traffic*;
- (d) the relevant provisions in the Act;
- (e) the relevant provisions in the National Classification Code as amended in accordance with Section 6 of the Act;
- (f) the current Classification Guidelines for the Classification of Films and Videotapes determined under Section 12 of the Act.

5. Findings on material questions of fact

The plot

- 5.1 Five young people Jip, Koop, Nina, Lulu and Moff find release from their weekday lives in a weekend of dance parties and drug taking. They make some discoveries about themselves and their relationships.

The themes and scenes of drug taking

- 5.2 The Review Board considered the themes and scenes cited by the Classification Board as contributing to the film's R 18+ classification.

The Review Board agreed that the film contained numerous verbal and visual references to drugs and drug use, as well as depictions of drug use. A key component of the weekend's pleasures is seen to revolve around obtaining and using drugs. There are numerous shots of smoking and sharing joints, inhaling from bongs, and others of the burning of a block (of hashish?), the use of cocaine, ecstasy, and 'visions' which follow drug use.

The Review Board found that the film's principal characters were a vibrant and charismatic group who were most enthusiastic about their drug use as a way out of their problems and who were apparently mostly unaffected by their drug experiences. The message of the film, in relation to drugs, was seen by the Review Board to be that the use of drugs was an integral part of belonging to such a group, and of escaping, at least on weekends, the drudgery and hopelessness of weekday life. Little of the down side of drug taking was seriously shown.

- 5.3 The Review Board took the view that such a theme requires an adult perspective, and that therefore the film was appropriately classified R 18+.

6. *Reasons for the Decision*

6.1 The Review Board based its decision to confirm the Classification Board's decision to classify the film *Human Traffic* R 18+, with the consumer advice "Drug use," on the theme and content as set out in 5.2 above.

6.2 The National Classification Code includes the general principle:

"(b) minors should be protected from material likely to harm or disturb them".

In relation to the specific criteria governing depictions of drug use in MA and R, the Board noted that both allow drug use to be shown but not to be promoted or encouraged.

Detailed depictions may be shown in MA, but should not have a high degree of impact. In R, such detail may not be gratuitous.

6.3 The applicant argued, in part that:

- a) the film presented a balanced perspective of drugs and drugtaking that required a mature, not an adult perspective;
- b) the film was educational for under 18 year olds;
- c) the themes were of particular concern to youth, and the story was told from the perspective of youth;
- d) there were no detailed depictions of drug use shown in the film, nor were they of high impact. Drug use was discreetly depicted. It was argued that the impact was lessened by depictions of the negative effects of drug use.

6.4 The Review Board took the view that:

- a) Little of the down side of drug taking was seriously presented, and what there was came late in the film. The "professor's" lecture at approximately 32 minutes and parental discussions were "sendups", and the conversation in the pub on the day after was not in a serious vein. To the extent that the film may have presented the weekend club scene in a realistic manner as claimed, the treatment required an adult perspective from the viewer, to enable an objective response to its content to be maintained;
- b) the film's messages about drug taking were not helpful to young adolescents;
- c) this was not disputed;
- d) the Review Board took the view that in the film, the impact or detail of individual drug use scenes was less problematic than the overall impact and the constant depiction of frequent and apparently positive drug use by an attractive group of young people, with few adverse consequences.

Although the film does not overtly promote and encourage the use of drugs, a viewer without an adult perspective could easily be persuaded that drug taking is a reasonable response, or even a reasonable price to pay for the opportunity to escape the dreariness of everyday life and to belong to a 'fun' crowd. This is summed up in

the concluding statement made by one of the young members of the group, “We’re all fucked up, it’s an insane world, but I’m proud to be part of it”.

- 6.5 For this reason, the Review Board concluded that the film is caught by the general principle of the National Classification Code which requires that “minors should be protected from material likely to harm or disturb them”.

Accordingly the film cannot be recommended for viewing by those who are under the age of 18 years, within the meaning of Paragraph 3 of the Table under the heading “Films” in the Code.

- 6.6 The Review Board’s decision to assign the consumer advice line of “drug use” is made having regard to its findings in 5.2 above.

7. Summary

The Review Board’s decision is to confirm the decision of the Classification Board to classify the film *Human Traffic* “R 18+”. The Review Board confirmed the consumer advice as “Drug use”.

This decision is taken after full consideration of the applicant’s submission, and after assessing the film as a whole against the relevant legislative criteria, including those contained in the Code, and in the current Classification Guidelines for Films and Videotapes determined under Section 12 of the Act.

18 January 2000

ROMANCE

APPLICANT

Potential Films

BUSINESS

To review the decision of the Classification Board to assign the classification RC (Refused Classification) under the Classification (*Publications, Films and Computer Games*) Act 1995 to the film *Romance*.

DECISION AND REASONS FOR DECISION

1. Decision

The Classification Review Board decided to set aside the decision of the Classification Board to classify the film *Romance* RC (Refused Classification), and to classify the film R 18+ with the consumer advice “High Level Sex Scenes”.

2. Legislative provisions

The *Classification (Publications, Films and Computer Games) Act 1995* (the Act) governs the classification of films and the review of classification decisions. The Act provides that films be classified in accordance with the National Classification Code and the classification guidelines.

Relevantly, para 11 of the Act requires that

“The matters to be taken into account in making a decision on the classification of... a film... include:

- (a) the standards of morality, decency and propriety generally accepted by reasonable adults;
- and

- (b) the literary, artistic or educational merit (if any) of the... film...; and
- (c) the general character of the... film..., including whether it is of a medical, legal or scientific character; and
- (d) the persons or class of persons to or amongst whom it is published or is intended or likely to be published.

The National Classification Code (the Code) requires that:

“Classification decisions are to give effect, as far as possible, to the following principles:

- a) adults should be able to read, hear and see what they want;
- b) minors should be protected from material likely to harm or disturb them;
- c) everyone should be protected from exposure to unsolicited material that they find offensive;
- d) the need to take account of community concerns about:
 - i) depictions that condone or incite violence, particularly sexual violence; and
 - ii) the portrayal of persons in a demeaning manner.

Paragraph 1 of the Table under the heading “films”, in the National Classification Code provides that films that:

- a) depict, express or otherwise deal with matters of sex, drug misuse or addiction, crime or cruelty, violence or revolting or abhorrent phenomena in such a way that they offend against the standards of morality, decency and propriety generally accepted by reasonable adults to the extent that they should not be classified; or
- b) depict in a way that is likely to cause offence to a reasonable adult a minor who is or who looks like, a person under 16 (whether engaged or not in sexual activity); or
- c) promote, incite or instruct in matters of crime or violence are to be classified RC.

3. Procedure

3.1 The Board heard oral submissions from Mr Mark Spratt and Mr Alex Meskovic representing Potential Films at its meeting on 28 January 2000.

The Board subsequently viewed the film *Romance*.

4. *Matters taken into account*

In reaching its decision the Review Board had regard to the following:

- (a) the applicant's Application for Review;
- (b) oral submissions made on behalf of the applicant by Mr Mark Spratt and Mr Alex Meskovic;
- (c) the film *Romance*;
- (d) the relevant provisions in the Act;
- (e) the relevant provisions in the National Classification Code as amended in accordance with Section 6 of the Act, and as endorsed by the Censorship Ministers;
- (f) the current Classification Guidelines for the Classification of Films and Videotapes determined under Section 12 of the Act.

5. *Findings on material questions of fact*

The Film's theme and plot

Romance is a French language film with English subtitles, directed by Catherine Breillat. It concerns a woman, Marie, who is sexually rejected by Paul, the man she loves. She embarks on an odyssey of sexual exploration in an attempt to free herself from emotional subservience to her uncaring partner and to find personal independence and fulfilment. By the end of the film the woman's psychosexual angst is resolved in the birth of her and Paul's child and motherhood.

Whilst tracking her sexual encounters with other men and her related fantasies, the film seeks to offer insights about fidelity, about the interrelationship of sex and love and the female condition in couple relationships.

Sexual depictions in the film

- 5.2.1 At 11 minutes, Marie and Paul are in bed and are discussing their relationship. Towards the end of the scene, Marie pulls back the bed sheet and appears to place his flaccid penis in her mouth. The scene is brief and the implied fellatio is partly obscured by the bed sheet.
- 5.2.2 At approximately 30–36 minutes Marie and Paolo, a casual pickup, have met in a club and gone back to his bedroom. They are shown lying together naked on the bed, he with an erection. The following sequence explicitly depicts Paolo rolling a condom on to his erect penis. After Paolo has masturbated, Marie explicitly fondles his penis. This is followed by a scene of realistically simulated thrusting intercourse and an explicit removal of the condom.
- 5.2.3 At approximately 39 minutes and 80 minutes there are brief explicit scenes of Marie manually arousing Paul, and in at least one instance of Marie performing seemingly explicit fellatio on him.

5.2.4 At 53–58 minutes and 73–77 minutes there are scenes of sexual bondage in which Marie consents to being tied up with ropes by a male. The sequence includes a scene where the man cuts her panties with scissors and it is implied that he digitally manipulates her. Throughout he is careful not to cause her pain and relaxes the rope at one stage at her request.

5.2.5 At approximately 66 minutes, a man approaches Marie as she is walking back to her flat at night and offers her money if he can “eat” her. She agrees and is shown sitting on the stairs in the building with the man’s head between her splayed legs. She objects when the man orders her to turn over and tries to free herself from him. He roughly turns her onto her stomach and thrusts aggressively at her, in implied rear intercourse. As he leaves her, Marie displays distress at the rape and defiantly shouts after him “I’m not ashamed”.

At 84 minutes after Marie has been internally examined by a number of medical students to establish pregnancy, she has a fantasy in which the lower halves of women’s bodies are seen protruding from holes in a wall while a number of naked men engage in a variety of sexual activities including masturbation.

The Review Board found that the graphic depictions of sexual activity would undoubtedly offend some people.

However, a majority of the Review Board also found the film to have serious intent and artistic merit. This majority also found that, with appropriate consumer advice, the film could be accommodated within the guidelines for the legally restricted R18+ classification.

5.4 A minority of the Review Board found the some of the themes had a very high degree of intensity, and that their treatment was exploitative. Therefore the minority considered the film could not be accommodated in the R 18+ category.

6. REASONS FOR THE DECISION

6.1 In arriving at the decision, the Board first considered the general principles of the National Classification Code, and noted that the first of the four principles is that as far as possible:

“(a) adults should be able to read, hear and see what they want”.

Principles (b) and (c) supplement the first principle and relate respectively to the protection of minors and the protection of people from exposure to unsolicited offensive material. The R18+ classification is consistent with these principles.

The fourth principle deals with community concerns but expressly confines them to depictions that condone or incite violence, and to the portrayal of persons in a demeaning manner.

There is no suggestion in the Classification Board's decision that the film condones or incites violence, and the Review Board concurs.

For a film to depict a person in a demeaning manner, the guidelines require that the depiction must be either indirectly or directly sexual in nature and must debase or appear to debase the person or the character depicted. In the Board's majority view the film is a serious study from a feminist viewpoint of one woman's journey from emotional subservience to the man she loves who physically rejects her, to personal independence and fulfilment. As such, it is anything but a demeaning portrayal.

The film does not depersonalise her nor does it invite hatred or ridicule in the viewer.

- 6.2 The Board then considered the relevant guidelines for the R18+ classification as applied to this film. The film contains an implied depiction of sexual violence, adult themes of very high intensity, and depictions of simulated and seemingly actual sexual activity.
- 6.3 The scene of sexual violence is described above at 66 minutes. It is of high intensity. The activity at first is consensual but this later changes and the man handles her

roughly. The depiction of the assault is not detailed and the sexual violence is implied and not graphically shown. The context is not gratuitous or exploitative and the film contains no other scenes of non-consensual violence. As such the Review Board agreed with the Classification Board that this scene can be accommodated in the "R18+ Restricted" classification.

- 6.4 The scenes at 53–58 minutes and 73–77 minutes are prolonged sequences showing bondage in a sexual context. This fetish activity occupies two lengthy sequences and so constitutes an adult theme with a very high degree of intensity.

However, in the opinion of the majority of the Review Board, the scenes are not exploitative which is defined in the guidelines as "appearing to purposefully debase or abuse for the enjoyment of viewers, and lacking moral, artistic or other values". Nor is it gratuitous. The woman is a consenting party, and the man in question is shown at all times to be solicitous of the woman's physical well-being. The scenes are integral to the film's plot and theme. The majority of the Review Board accordingly agreed with the Classification Board that this element could be accommodated within the R18+ Restricted classification.

6.5 The film contains a number of graphic depictions of sexual activity. Whilst there is no obvious portrayal of explicit sexual intercourse, there are two scenes containing strong images of male genitalia and two other brief scenes involving male and female masturbation and scenes depicting partly obscured fellatio. The scenes are integral to the plot and are not considered to be either exploitative or gratuitous.

In the R18+ Restricted classification, “sexual activity may be realistically simulated; the general rule is “simulation, yes – the real thing no”.

For the most part the sexual activity depicted is simulated albeit at times very realistically. “The real thing” possibly may have occurred in the fellatio scene, and certainly in the masturbation scenes.

The “rule” referred to above is expressed to be a “general” rule, implying the possibility of exceptions in a limited number of instances.

After careful consideration the majority of the Board decided that the limited discretion implicit in the application of the rule should be exercised in this film’s favour. In coming to this conclusion the Board took into account the matters required by section 11 of the Act and found that the film was:

- (a) of serious intent and considered by many to have artistic merit;
- (b) not exploitative or gratuitous;

- (c) generally a thought provoking discourse on the role and experience of a woman in a couple relationship from a radical feminist perspective and that it contains few popular entertainment values;
- (d) likely to appeal to a relatively sophisticated section of the public with some familiarity with the issues it raises.

6.6 Finally, the Board considered whether the standards of morality, decency and propriety generally accepted by reasonable adults would be breached to an unacceptable extent if the film were to be screened.

Undoubtedly the film would offend some people. The guidelines define “offensive” as material which causes outrage or extreme disgust to most people. However, the Board is of the view that a majority of reasonable adults (even if some would choose not to see the film themselves) would not be offended by other adults being able to do so if they chose.

In reaching this conclusion the Board was influenced by the belief that the Australian community is more accepting of a film containing controversial elements that are sexual in nature, are not violent or exploitative of women, are placed in a serious artistic context, and are unlikely to cause harm to an adult viewer.

In this respect, the majority of this Board agreed with the minority view of the Classification Board that an R18+ Restricted classification with the consumer advice “High Level Sex Scenes” for this film would be consistent with the general principles governing decisions under the Code and “effectively balance the rights of adults to see, hear or read what they like; the rights of minors to be protected from material likely to harm or disturb them; and everyone’s right to be protected from unsolicited material they find offensive.”

7. Summary

7.1 The Review Board’s decision is to classify the film *Romance* R18+, with the consumer advice “High Level Sex Scenes”.

This decision is taken after full consideration of the applicant’s submission, and after assessing the film as a whole against the relevant legislative criteria, including those contained in the Code and in the current Classification Guidelines for Films and Videotapes determined under Section 12 of the Act.

28 January 2000

MADNESS

APPLICANT

Stell Bay Pty Ltd

BUSINESS

To review the decision of the Classification Board to assign the classification RC under the *Classification (Publications, Films and Computer Games) Act 1995* to the videotape *Madness*

DECISION AND REASONS FOR DECISION

1. *Decision*

The Classification Review Board decided to confirm the decision of the Classification Board to classify the videotape *Madness* RC (Refused Classification).

2. *Legislative provisions*

The *Classification (Publications, Film and Computer Games) Act 1995* (the Act) governs the classification of films and the review of classification decisions. The Act provides that films be classified in accordance with the National Classification Code and the classification guidelines. Relevantly, the National Classification Code (the Code) in paragraph 1 of the Table under the heading “Films” provides that “(a) depict, express or otherwise deal with matters of sex, drug misuse or addiction, crime, cruelty, violence or revolting or abhorrent phenomena in such a way that they offend against the standards of morality, decency and

propriety generally accepted by reasonable adults to the extent that they should not be classified” are to be classified RC.

Paragraph 2 provides that “films (except RC films) that (a) explicitly depict sexual activity between adults, where there is no sexual violence, coercion, or non-consent of any kind, in a way that is likely to cause offence to a reasonable adult; and (b) are unsuitable for a minor to see” should be classified X.

The Guidelines provide, in relation to X18+:

“This classification is a special and legally restricted category which only contains sexually explicit material. That is material which contains real depictions of actual sexual intercourse and other sexual activity between consenting adults, including mild fetishes.

No depiction of sexual violence, sexualised violence or coercion ... is permitted in this classification.”

3. *Procedure*

Five members of the Review Board viewed the videotape *Madness* at the meeting on 26 May 2000.

The Review Board heard oral submissions from Mr Anthony Strahan on behalf of the applicant.

4. *Evidence*

In reaching its decision the Review Board had regard to the following:

- (a) the applicant’s Application for Review, and oral submissions in support of that Application;
- (b) the videotape *Madness*;
- (c) the relevant provisions in the Act;
- (d) the relevant provisions in the National Classification Code as amended in accordance with Section 6 of the Act;
- (e) the current Classification Guidelines for the Classification of Films and Videotapes determined under Section 12 of the Act.

5. *Findings on material questions of fact*

The content

- 5.1 In the context of a sexually explicit video, Cheryl seeks her revenge on ex-lover Alan who years before had had her committed to a mental hospital. With the aid of a prostitute, she has him framed for rape.
- 5.2 The Review Board considered the scenes cited by the Classification Board as causing the videotape to be classified RC for its depiction of sexualised violence. These occurred at 68 and 140 mins approximately.
- 5.3 The Review Board unanimously found the scene from 68 minutes (in which Cheryl watches her casual lover and his maid make love, gets a knife from the kitchen and continues to watch, rocking back and forth) to constitute a scene of sexualised violence.

The Review Board was divided in opinion as to whether the scene from 140 minutes constituted a scene of sexualised violence.

- 5.4 In regard to the minority opinion of the Classification Board that the last scene constituted an offensive fantasy, the Review Board found no indicators that this was the case.
- 5.5 The Review Board found the scene at 5 minutes, in which Alan says to his maid "If you want to work here, be nice to me", and thereby induces her to perform fellatio on, and have sex with him, to constitute a verbal threat, though not of sufficient force, of itself, to constitute coercion.
- 5.6 The Review Board concluded, on the basis of the above several findings, that the video contained a scene or scenes which constituted "sexualised violence" and the video was therefore appropriately classified RC.

Reasons for the Decision

- 6.1 The Review Board based its decision to classify the videotape *Madness* RC (Refused Classification) on the content referred to in 5.2 and 5.3.
- 6.2 The Review Board found that the scene from 68 mins showed Cheryl, who has had sex with her casual partner, subsequently watching the maid have sex with the partner (the maid having been ordered to do so by both the partner and Cheryl). Cheryl watches the two while stroking her breast and

rocking back and forth. She grabs a large knife from the kitchen in a hold consistent with an intention to stab someone, returns to the room with the knife concealed behind her back, and, kneeling on the floor, continues rocking and watching.

In the view of the Review Board, the scene demonstrates an example of Cheryl's madness, in that she is aroused by watching sex to perform a violent act. In this instance, as she sits naked and rocking, she gives the appearance of readying herself to stab the couple with the knife. No act of violence is seen (the video has a cut at this point), but there is an impactful threat of violence. In this connection the Review Board noted that that definition of "violence" in the guidelines "includes not only acts of violence, but also the threat or result of violence."

The Review Board therefore concludes that this scene constitutes a scene of sexualised violence. The sex acts and the threat of violence are directly connected in the storyline.

- 6.3 In the scene from 140 mins, the actual connections between sexual acts and Cheryl's acts of revenge (framing Alan for rape, including implied clawing of his face and drawing blood, seen at the end of the scene) are less clear. Cheryl has plotted to get her former lover to her flat, has not had sex with him, and this time, clothed, watches him with the prostitute (apparently

without being aroused), waiting for the opportunity to knock him out, and put his semen on herself, to provide evidence of “rape”.

Some members of the Review Board thought that this scene constituted a consolidation of the theme of sexualised violence (an outcome of her madness), which was established earlier (in the scene at 68 mins), and as such constituted a scene of sexualised violence. Other members considered that the violence or threat of violence (hitting over head with ladle, implied clawing of Alan’s face) was not sufficiently connected, in this part of the story, with sexual elements, except as part of her scheme.

6.4 The applicant conceded that the sexual content of this video precluded it from receiving the classification R18+ and argued in relation to the application of the X18+ category to the video in part that:

a) The Act indicates that there is an “ascending” order of classification category, and that this implies that material which is allowable in a lower category (say R) should therefore be allowable in a higher category (eg X). There are films in R which contain sexualised violence, and such depictions should therefore be allowable in a “higher” classification;

b) Subpara (d) of the Preamble to the national Classification Code is subservient to subpara 1) of the Code, viz “adults should be able to read, hear, and see what they want” is the preeminent principle;

c) The concept of “sexualised violence” only appears in the Guidelines, and sits anomalously with other prohibitions. It is intended to extend the concept of sexual violence, and has elements of needing to take pleasure from the act of violence;

d) In the first scene (68 mins) there was no sexual or sexualised violence, but perhaps a mild fetish (with the knife);

e) In the second scene (140mins) there were no particular acts of violence, but some implied violence. This was not put in a sexual context, and the sexual acts and implied violence are separate elements of the narrative.

6.5 The Review Board took the view that:

a) While the Act Para 7(2) does list classifications for films “in ascending order”, this does not necessarily imply an ascending order of content in the classifications. At the very least, it can be taken to indicate an ascending order of restriction in respect of audience. Furthermore, the guidelines characterise the X category as a special category with special

features, which are not necessarily related to the content of other categories;

- b) The Review Board considers that subpara (d) of the Code must be held to qualify subpara(a) and is not subservient to it;
- c) The Review Board is required to take into account both the Code and the Guidelines in making its decisions (the Act, para 9). The definition of “sexualised violence” given in the Classification Guidelines is “where sex and violence are connected in the story, although sexual violence may not necessarily occur”;
- d) The Review Board did not accept this view. See 6.2;
- e) The Review Board was divided on this view. See 6.3.

The Review Board therefore concluded that the video breached the requirement for the X18+ category that “no depiction of sexualised violence or coercion ... is permitted in this classification.”

As the video, because of the explicit nature of its sexual content, cannot be accommodated in the R18+ classification, and because of its depiction of sexualised violence cannot be classified X18+, it follows that it must be classified RC.

7. Summary

7.1 The Review Board’s decision is to confirm the decision of the Classification Board to classify the videotape *Madness* RC.

This decision is taken after full consideration of the applicant’s submission, and after assessing the videotape as a whole against the relevant legislative criteria, including those contained in the Code, and in the current Classification Guidelines for Films and Videotapes determined under Section 12 of the Act.

26 May 2000

APPENDIX THREE - FREEDOM OF INFORMATION

Freedom of Information

Two requests under the *Freedom of Information Act 1982* (the Act) were received during the year. One, from the *Sydney Morning Herald*, sought access to documents in relation to the film *Romance*; the other, from Electronic Frontiers Australia (EFA), also sought access to these documents but also to others in relation to the review of the film/video classification guidelines undertaken in 1995. Both requests were granted in part. There was also a request dated 26 June 2000 for internal review of the decision on the EFA application.

CATEGORIES OF DOCUMENTS MAINTAINED BY THE OFLC

The OFLC maintains the following categories of documents:

- documents relating to decisions of the Board;
- documents relating to OFLC policy; and
- documents relating to OFLC administration.

The Classification Review Board maintains the following categories of documents:

- documents relating to decisions including statements of reasons for the decisions of the Board;
- applications for review;
- copies of decisions on review;

- correspondence with applicants for review of the Board decisions;
- letters of inquiry and complaint and copies of replies in response; and
- documents relating to policy.

The following categories of documents are available (otherwise than under the *Freedom of Information Act 1982*) free of charge upon request:

- publications, film/videotape and computer games classification guidelines;
- OFLC annual reports on activities (some years are out of print);
- application forms for classification and review;
- information on classification fee schedules; and
- submissions to public inquiries.

FACILITIES FOR ACCESS

Facilities for examining documents and obtaining copies are available at the address shown below as the initial contact point. Information about the facilities available to assist people with disabilities to obtain access to documents can be obtained from the officer nominated below as initial contact. If necessary, special arrangements can be made to overcome any difficulties in physical access. Documents available free of charge upon request outside the Freedom of Information Act are available from the initial contact point.

FREEDOM OF INFORMATION (FOI) PROCEDURES AND INITIAL CONTACT POINTS

The FOI contact officer will assist applicants to identify the particular documents they seek. If a request is to be refused on grounds appearing in subsection 15(2) or subsection 24(1) (insufficient information or unreasonable diversion of resources) applicants will be notified and given an opportunity for consultation. The only officer authorised to deny access to documents relating to the Board is the Director. The only officer authorised to deny access to documents relating to the Classification Review Board is the Convenor. If an applicant resides some distance from any point at which access is normally provided, consideration will be given to alternative arrangements with a view to reducing inconvenience to the applicant.

Inquiries concerning access to documents or other matters relating to freedom of information should be directed to the following initial contact officer:

Freedom of Information Officer
Officer of Film and Literature
Classification

Levels 5 and 6
23–33 Mary Street
SURRY HILLS NSW 2010

Locked Bag 3
HAYMARKET NSW 1240

Phone: 02 9289 7100

Fax: 02 9289 7101

Internet: www.oflc.gov.au

Business hours are from
8.30 a.m. to 5.30 p.m.

APPENDIX FOUR - STAFFING MATTERS

Staffing Matters

STAFFING OVERVIEW

Prior to January 1996 the OFLC was a semi-autonomous unit of the Attorney-General’s Department and information regarding its staffing and financial activities was reported in aggregate in the Attorney-General’s Department Annual report.

**Historical Profile
1995–1996 to 1999–2000**

Provided below are human resource statistics, showing operative and paid inoperative staff and unpaid inoperative staff, as at 30 June of each year from 1995–1996 to 1999–2000.

The tables represent a summary for all elements of the OFLC.

In relation to the method of recording:

The table relating to operative and paid inoperative staff reports actual occupancy as at 30 June each year, so when an employee was on paid leave as at 30 June and another temporarily assigned that employee’s normal duties,

there are two employees recorded against the one set of duties.

The tables include staff employed under the Public Service Act and appointed to the Board under the Classification Act. Review Board members are not included in the figures.

Specified term (including ongoing APS staff on temporary transfer from other Departments), casual and part-time staff are included in the statistics. Part-time staff are shown as full-time equivalents.

Numbers have been rounded to whole numbers.

Operative and Paid Inoperative Staff

This table reflects staffing numbers as at 30 June 2000. The increase in numbers since 30 June 1999 reflects a number of developments. Most significant of these include the appointment of 15 new Board members over the reporting period, commencement of the implementation of a revised organisational structure, including recruitment to new positions, and the engagement of a number of temporary staff over the June – July period and one person on exchange from New Zealand OFLC.

Operative and Paid Inoperative Staff

1995-96	1996-97	1997-98	1998-1999	1999-2000
37	38	39	40	52

Unpaid Inoperative Staff

1995-96	1996-97	1997-98	1998-1999	1999-2000
*	*	2	1	2

* figures are unknown as they were reported in aggregate in the Attorney-General’s Department Annual Report

Staff Numbers as at 30 June 2000

This table is a breakdown of the tables above as at 30 June 2000 by State. It shows staff employed under the Public Service Act and appointed to the Board under the Classification Act and reflects full time equivalent for part-time staff. It also includes specified term (including ongoing APS staff on temporary assignment from other Departments), and casual staff as well as paid inoperatives and those temporarily assigned to higher duties as at 30 June 2000. Numbers have been rounded to whole numbers.

Part-Time and Temporary Staff as at 30 June 2000

This table is a breakdown of part-time and temporary staff as at 30 June 2000 by State and classification group. It shows staff employed under the Public Service Act and appointed to the Board under the Classification Act and reflects actual numbers for both part-time and temporary staff rather than full-time equivalents. It also includes paid inoperatives and those temporarily assigned to higher duties as at 30 June 2000. Specified term staff include ongoing APS staff on temporary assignment from other Departments.

Staff Numbers as at 30 June 2000

State	SES Equivalent		Classification Board Members		Executive & Equivalent		APS 1-6 & Equivalent		Total	
	M	F	M	F	M	F	M	F	M	F
NSW	3	0	3	10	4	6	11	13	21	29
VIC	-	-	-	-	1	-	1	-	2	-
Total	3	0	3	10	5	6	12	13	23	29

Part-Time and Temporary Staff as at 30 June 2000

State	Classification Group	Part-Time Staff			Temporary Staff		
		M	F	Total	M	F	Total
NSW	SES & Equivalent	-	-	-	-	-	-
	Executive & equivalent	-	5	5	3	3	6
	APS 1-6 & equivalent	-	1	1	4	6	10
VIC	Executive & equivalent	-	-	-	-	-	-
	APS 1-6	-	-	-	-	-	-
Total		-	6	6	7	9	16

Classification Board membership

Section 48 appointments to the Board are made by the Governor-General on the recommendation of the Minister. Terms are generally for three years although members may be appointed for further terms. Under the Classification Act, appointments to the Board may not exceed a total of seven years. These appointments are subject to prior consultation with State and Territory Ministers responsible for censorship in accordance with subsection 48(3) of the Classification Act.

Under section 66 of the Classification Act, the Minister may appoint a person to act as a member of the Board during a vacancy in the office and, under section 50, temporary members may be appointed to ensure the efficient dispatch of the Board's business.

Classification Board movements

Recruitment of new Board members, including for the positions of Senior Classifier and Deputy Director, had commenced, with the approval of the Attorney-General, in May 1998. This selection process was completed during the reporting period with the appointment, on 11 October 1999, of twelve new Board members, including the appointment of Simon Webb as Deputy Director. Four of the new Board members were appointed on a part-time basis

The office of Director fell vacant on the untimely death of Ms Kathryn Paterson on 20 September 1999.

Her replacement, Mr Des Clark, was appointed on 17 April 2000.

The offices of Senior Classifier were readvertised on 11 December 1999 and, on 1 June 2000, Ms Paulyne Williams and Mr Paul Hunt were appointed to the Classification Board as Senior Classifiers.

SES Movements

During the reporting period there were no ongoing SES employment opportunities within the OFLC.

There is one non-ongoing SES role within the OFLC, the acting Special Projects Manager. The roles of Director and Deputy Director are statutory offices equivalent to SES 3 and SES 2 respectively.

Training and Development Programs

Expenditure by the OFLC on training and development activities in 1999-2000 was \$25,171. The total number of person days spent in participation by staff in training and development programs during the year was 42.5. There were 46 attendances at training and development activities during 1999-2000.

Performance Pay

Performance pay is not currently in use in the OFLC.

APPENDIX FIVE - OUTPUTS AND OUTCOMES

PERFORMANCE INDICATOR Output Group 1 .1 Operation of National Classification Scheme	MEASURE
Decisions made	6 019
Certificates issued	5 946
Complaints/requests for information handled	4 567
Classification (education or research) projects	3
Training activities conducted	Extensive ongoing training for Classification Board members and OFLC staff
Timeliness; classification decisions made within 20 business days of receiving a valid application; and certificates issued within 30 days of a decision	See detailed tables
Consistency of decisions with general community standards	Research indicates high degree of consistency – See section on Community Assessment Panels scheme
Client satisfaction measured by complaints	Examples of complaints by industry clients include: <ul style="list-style-type: none"> ■ 67 about turn-around times ■ 7 about cost of classification ■ 5 about lack of consistency
Accuracy of information provided or published	3 complaints received about accuracy of information

Output Group 1.2 Provision of ancillary services	
Ministerial correspondence processed	392
Briefs, submissions and papers prepared	65
Projects and activities conducted (ancillary to the Classification program)	6
Inspections conducted	963 site visits 133 industry client meetings 1 118 telephone contacts
Breaches identified	3 009
Correspondence, briefs, submissions and papers completed within the required deadlines	Deadlines generally complied with
Satisfaction of the Minister and staff	Ongoing liaison between OFLC and relevant ministerial and departmental areas to meet requests
Satisfaction of Censorship Ministers and officials participating in the National Classification	Scheme Arrangements were made and papers prepared for three meetings of Censorship Ministers supported by three meetings of censorship officials. No complaints were received
Client satisfaction measured by the volume of complaints about services or information provided	No significant numbers of complaints were received

Timeliness: class decisions within 20 days	No.	%
Films for Public Exhibition (commercial)	352	92.63
Films for Sale/Hire (commercial)	1597	57.78
Publications (commercial)	1273	62.34
Computer Games (commercial)	517	88.98
Total	3739	75.43

Timeliness: certificates within 30 days of decision	No.	%
Films for Public Exhibition (commercial)	370	96.61
Films for Sale/Hire (commercial)	2730	99.38
Publications (commercial)	1966	98.74
Computer Games (commercial)	578	100
Total	5644	98.68

APPENDIX SIX - FINANCIAL STATEMENTS



INDEPENDENT AUDIT REPORT

To the Attorney-General

Scope

I have audited the financial statements of the Office of Film and Literature Classification for the year ended 30 June 2000. The financial statements comprise:

- Statement by the Director;
- Operating Statement, Balance Sheet, Statement of Cash Flows, Schedule of Commitments and Schedule of Contingencies;
- Statement of Administrative Revenues and Expenses, Statement of Assets and Liabilities, Statement of Cash Flows; and
- Notes to and forming part of the Financial Statements.

The Director is responsible for the preparation and presentation of the financial statements and the information they contain. I have conducted an independent audit of the financial statements in order to express an opinion on them to you.

The audit has been conducted in accordance with the Australian National Audit Office Auditing Standards, which incorporate the Australian Auditing Standards, to provide reasonable assurance as to whether the financial statements are free of material misstatement. Audit procedures included examination, on a test basis, of evidence supporting the amounts and other disclosures in the financial statements, and the evaluation of accounting policies and significant accounting estimates. These procedures have been undertaken to form an opinion as to whether, in all material respects, the financial statements are presented fairly in accordance with Australian Accounting Standards, other mandatory professional reporting requirements and statutory requirements so as to present a view of the entity which is consistent with my understanding of its financial position, its operations and its cash flows.

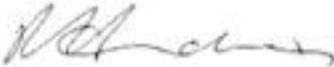
The audit opinion expressed in this report has been formed on the above basis.

Audit Opinion

In my opinion,

- (i) the financial statements have been prepared in accordance with Schedule 2 of the Finance Minister's Orders
- (ii) the financial statements give a true and fair view, in accordance with applicable Accounting Standards, other mandatory professional reporting requirements and Schedule 2 of the Finance Minister's Orders, of the financial position of the Office of Film and Literature Classification as at 30 June 2000 and the results of its operations and its cash flows for the year then ended.

Australian National Audit Office




Paul Hinchey
Senior Director

Delegate of the Auditor-General
Sydney
13 September 2000

OFFICE OF FILM AND LITERATURE CLASSIFICATION**Statement by the Director**

In my opinion, the attached financial statements give a true and fair view of the matters required by Schedule 2 to the Finance Minister's Orders made under section 63 of the *Financial Management and Accountability Act 1997*.

Signed 

Des Clark
Director

13 September 2000

**OFFICE OF FILM AND LITERATURE CLASSIFICATION
AGENCY OPERATING STATEMENT**

for the year ended 30 June 2000

	Notes	1999-00 \$	1998-99 \$
Operating revenues			
Revenues from government	4A	5,454,489	1,918,417
Sales of goods and services	4B	305,741	2,781,336
Interest	4C	28,271	-
Grant	4D	-	1,065,953
Total operating revenues		5,788,501	5,765,706
Operating expenses			
Employees	5A	3,004,626	2,525,239
Suppliers	5B	1,764,411	2,446,223
Depreciation and amortisation	5C	492,024	159,775
Net losses from disposal of assets	5D	8,000	183,226
Total operating expenses		5,269,061	5,313,463
Operating surplus attributable to the Commonwealth		519,440	452,243
Accumulated surpluses at 1 July		974,396	188,153
Total available for appropriation		1,493,836	640,396
Transfer from asset revaluation reserve		-	334,000
Capital use provided for or paid		(229,733)	-
Accumulated surpluses at 30 June		1,264,103	974,396

**OFFICE OF FILM AND LITERATURE CLASSIFICATION
STATEMENT OF ADMINISTERED REVENUES AND EXPENSES**

for the year ended 30 June 2000

	Notes	1999-00 \$	1998-99 \$
Operating revenues			
Non-taxation			
Revenues from Government	4E	619,125	-
Other sources of non-taxation revenues	4F	2,662,320	-
Total non-taxation		3,281,445	-
Total operating revenues		3,281,445	-
Operating expenses			
Grants	5E	619,125	-
Total operating expenses		619,125	-
Net contribution to the Budget Outcome		2,662,320	-
Transfer to Official Public Account		(2,719,935)	-
Net deficit		(57,615)	-
Accumulated results at 1 July		-	-
Accumulated results at 30 June		(57,615)	-

The above statement should be read in conjunction with the accompanying notes

**OFFICE OF FILM AND LITERATURE CLASSIFICATION
AGENCY BALANCE SHEET**

as at 30 June 2000

	Notes	1999-00 \$	1998-99 \$
ASSETS			
Financial assets			
Cash		463,379	4,557
Receivables	6	308,000	308,000
Total financial assets		771,379	312,557
Non-financial assets			
Land and buildings	7A	1,706,992	1,587,422
Infrastructure, plant and equipment	7B	1,480,692	1,384,038
Inventories	7E	-	3,385
Other	7F	149,514	356,674
Total non-financial assets		3,337,198	3,331,419
Total assets		4,108,577	3,643,976
LIABILITIES			
Debt			
Loans	8	1,320,000	1,419,000
Provisions and payables			
Capital use		38,813	-
Employees	9A	711,150	575,566
Suppliers	9B	84,515	37,318
Other	9C	52,300	-
Total provisions and payables		886,778	612,884
Total liabilities		2,206,778	2,031,884
EQUITY			
Capital		308,000	308,000
Reserves		329,696	329,696
Accumulated surpluses		1,264,103	974,396
Total equity	10A	1,901,799	1,612,092
Total liabilities and equity		4,108,577	3,643,976
Current liabilities		1,270,984	606,615
Non-current liabilities		935,794	1,425,269
Current assets		920,893	672,516
Non-current assets		3,187,684	2,971,460

The above statement should be read in conjunction with the accompanying notes

OFFICE OF FILM AND LITERATURE CLASSIFICATION
STATEMENT OF ADMINISTERED ASSETS AND LIABILITIES
as at 30 June 2000

	Notes	1999-00 \$	1998-99 \$
ASSETS			
Financial assets			
Cash		4,580	-
Total financial assets		<u>4,580</u>	<u>-</u>
Total assets		<u>4,580</u>	<u>-</u>
LIABILITIES			
Provisions and payables			
Other	9D	62,195	-
Total provisions and payables		<u>62,195</u>	<u>-</u>
Total liabilities		<u>62,195</u>	<u>-</u>
EQUITY			
Capital		-	-
Accumulated results	10B	(57,615)	-
Total equity		<u>(57,615)</u>	<u>-</u>
Current liabilities		62,195	-
Non-current liabilities		-	-
Current assets		4,580	-
Non-current assets		-	-

The above statement should be read in conjunction with the accompanying notes

OFFICE OF FILM AND LITERATURE CLASSIFICATION
STATEMENT OF CASH FLOWS
for the year ended 30 June 2000

	Notes	1999-00 \$	1998-99 \$
OPERATING ACTIVITIES			
Cash received			
Appropriations		5,383,000	2,040,501
Sales of goods and services		358,041	3,844,329
Interest		18,236	-
Trust fund with Interior Australia		80,537	-
Total cash received		<u>5,839,814</u>	<u>5,884,830</u>
Cash used			
Employees		(2,868,887)	(2,337,998)
Suppliers		(1,637,393)	(2,354,136)
Total cash used		<u>(4,506,280)</u>	<u>(4,692,134)</u>
Net cash from operating activities	11A	<u>1,333,534</u>	<u>1,192,696</u>
INVESTING ACTIVITIES			
Cash Used			
Purchase of property, plant and equipment		(506,792)	(2,475,008)
Total cash used		<u>(506,792)</u>	<u>(2,475,008)</u>
Net cash used by investing activities		<u>(506,792)</u>	<u>(2,475,008)</u>
FINANCING ACTIVITIES			
Cash received			
Proceeds from debt		-	1,280,000
Total cash received		<u>-</u>	<u>1,280,000</u>
Cash used			
Repayment of debt		(177,000)	-
Capital use paid		(190,920)	-
Total cash used		<u>(367,920)</u>	<u>-</u>
Net cash from (used by) financing activities		<u>(367,920)</u>	<u>1,280,000</u>
Net increase in cash held		<u>458,822</u>	<u>(2,312)</u>
Cash at 1 July		4,557	6,869
Cash at 30 June		<u>463,379</u>	<u>4,557</u>

The above statement should be read in conjunction with the accompanying notes

**OFFICE OF FILM AND LITERATURE CLASSIFICATION
ADMINISTERED CASH FLOWS**
for the year ended 30 June 2000

	1999-00	1998-99
Notes	\$	\$
OPERATING ACTIVITIES		
Cash received		
Appropriations	619,125	-
Other sources of non-taxation revenue	2,724,515	-
Total cash received	3,343,640	-
Cash used		
Grants	(619,125)	-
Cash to Official Public Account	(2,719,935)	-
Total cash used	(3,339,060)	-
Net cash from operating activities	11B 4,580	-
Net increase in cash held		
Cash at 1 July	-	-
Cash at 30 June	4,580	-

The above statement should be read in conjunction with the accompanying notes

**OFFICE OF FILM AND LITERATURE CLASSIFICATION
SCHEDULE OF COMMITMENTS**

as at 30 June 2000

	Agency		Administered	
	1999-00 \$	1998-99 \$	1999-00 \$	1998-99 \$
BY TYPE				
OTHER COMMITMENTS				
Operating leases	3 142 606	3 106 668	-	-
Other commitments	-	125 000	-	-
Total other commitments	3 142 606	3 231 668	-	-
COMMITMENTS RECEIVABLE				
	-	-	-	-
Net commitments	3 142 606	3 231 668	-	-
BY MATURITY				
All Net Commitments				
One year or less	618 017	599 774	-	-
From one to two years	621 449	641 391	-	-
From two to five years	1 903 140	1 990 503	-	-
Net commitments	3 142 606	3 231 668	-	-
Operating Lease Commitments				
One year or less	618 017	574 774	-	-
From one to two years	621 449	616 391	-	-
From two to five years	1 903 140	1 915 503	-	-
Net commitments	3 142 606	3 106 668	-	-

SCHEDULE OF CONTINGENCIES

as at 30 June 2000

There are no contingencies.

The above schedule should be read in conjunction with the accompanying notes

OFFICE OF FILM AND LITERATURE CLASSIFICATION
NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS
for the year ended 30 June 2000

Note	Description
1	Agency Objectives
2	Classification Board and Classification Review Board
3	Summary of Significant Accounting Policies
4	Operating Revenues
5	Operating Expenses
6	Receivables
7	Non-Financial Assets
8	Loans
9	Provisions and Payables
10	Equity
11	Cash Flow Reconciliation
12	Appropriations
13	Reporting by Outcomes
14	Executive Remuneration
15	Services Provided by the Auditor-General
16	Act of Grace Payments and Waivers
17	Average Staffing Level
18	Financial Instruments

Note 1 - Agency Objectives

The Classification Board and the Classification Review Board are established by sections 45 and 72 of the *Classification (Publications, Films and Computer Games) Act 1995* (the Act) respectively.

Section 54 of the Act establishes the Office of Film and Literature Classification (OFLC) and the *Financial Management and Accountability Act 1997* (FMA Act) defined the OFLC as a Statutory Agency.

The objectives of the Office of Film and Literature Classification are:

- To assist adults to make informed decisions about films, publications and computer games which they, and those in their care, may view, read or play by providing classification advice which is consistent with community standards.
- To enable the film, publishing and computer games industries to produce and market their products in accordance with public classification standards and pre-set conditions of sale and exhibition.
- To establish the Office as a principal source of expert advice and information on classification issues for Government.
- To ensure the optimum operation of the Office by pursuing continual improvement in the management of its resources.
- To develop the commitment and professionalism of staff to enhance the effectiveness of the Office.

Note 2 - Classification Board and Classification Review Board

For financial reporting purposes, the financial activities of the Classification Board and the Classification Review Board for the year ended 30 June 2000 are included in the financial statements of the Office of Film and Literature Classification.

Administrative support for the two boards is provided by the OFLC, and the running costs are met by appropriations made direct to OFLC.

Note 3 - Summary of Significant Accounting Policies**3.1 Basis of Accounting**

The financial statements are required by section 49 of the *Financial Management and Accountability Act 1997* (FMA Act) and are a general purpose financial report.

The statements have been prepared in accordance with:

- *Requirements for the Preparation of Financial Statements of Commonwealth Agencies and Authorities* made by the Minister for Finance and Administration in August 1999 (Schedule 2 to the Financial Management and Accountability (FMA) Orders);
- Australian Accounting Standards;
- other authoritative pronouncements of the Australian Accounting Standards Boards; and
- the Consensus Views of the Urgent Issues Group.

The statements have been prepared having regard to:

- Statements of Accounting Concepts; and
- the Explanatory Notes to Schedule 2 issued by the Department of Finance and Administration.

The statements have been prepared on an accrual basis and are in accordance with historical cost convention, except for certain assets which as noted, are at valuation. Except where stated, no allowance is made for the effect of changing prices on the results or the financial position.

The continued existence of the Agency in its present form, and with its present programs, is dependent on Government policy and on continuing appropriations by Parliament for the Agency's administration and programs.

3.2 Agency and Administered Items

Agency assets, liabilities, revenues and expenses are those items that are controlled by the Office of Film and Literature Classification. They are used by the Agency in producing its outputs, including:

- computers, plant and equipment used in the provision of classification services;
- liabilities for employee entitlements;
- revenues from appropriations or independent sources in payment of outputs, and
- employee, supplier and depreciation expenses incurred in producing agency outputs.

Administered items are those items which are controlled by the Government and managed or oversighted by the OFLC on behalf of the Government. These items include receipt of classification fees and grants to the States and Territories.

The purposes of the separation of agency and administered items is to enable assessment of the administrative efficiency of the OFLC in providing goods and services.

The basis of accounting described in Note 3.1 applies to both agency and administered items.

Administered items are distinguished from agency items in the financial statements by shading.

3.3 Reporting by Outcomes

A comparison of Budget and Actual figures by outcome specified in the Appropriation Acts relevant to the OFLC is presented in Note 13. The net cost to Budget outcomes shown includes intra-government costs that are eliminated in calculating the actual budget outcome for the Government overall.

3.4 Revenues from Government

Revenues from government are revenues relating to the core operating activities of the Agency.

Policies for accounting for revenue from government follow; amounts and other details are given in Note 4.

Agency Appropriations

From 1 July 1999, the Commonwealth Budget has been prepared under an accruals framework.

Appropriations to the OFLC for its departmental outputs are recognised as revenue to the extent they have been received into the Agency's bank account or are entitled to be received by the Agency at year end.

Administered Appropriations

Appropriations for administered expenses are recognised as revenue to the extent that expenses have been incurred up to the limit, if any, of each appropriation.

Resources Received Free of Charge

Services received free of charge are recognised in the Operating Statement as revenue when and only when a fair value can be reliably determined, and the services would have been purchased if they had not been donated. Use of those resources is recognised as an expense.

3.5 Other Revenue

Revenue from the sale of goods is recognised upon the delivery of goods to customers, while revenue from the rendering of a service is recognised by reference to the stage of completion of contracts or other agreements to provide services to Commonwealth bodies.

Interest revenue is recognised on a proportional basis taking into account the interest rates applicable to the financial assets.

Administered revenue from the rendering of classification and ancillary services is recognised when application fees are received.

3.6 Asset Sales Program

The OFLC had no major asset sales through the Office of Asset Sales and Information Technology Outsourcing to report for 1999-00 (1998-99: Nil).

3.7 Employee Entitlements

Leave

The liability for employee entitlements includes provision for annual leave and long service leave. No provision has been made for sick leave as all sick leave is non-vesting and the average sick leave taken in future years by employees of the OFLC is estimated to be less than the annual entitlement for sick leave.

The liability for annual leave reflects the value of total annual leave entitlements of all employees at 30 June 2000 and is recognised at the nominal amount.

The non-current portion of the liability for long service leave is recognised and measured at the present value of the estimated future cash flows to be made in respect of all employees at 30 June 2000. In determining the present value of the liability, the OFLC has taken into account attrition rates and pay increases through promotion and inflation.

Superannuation

Staff of OFLC contribute to the Commonwealth Superannuation Scheme, the Public Sector Superannuation Scheme, and to Australian Government Employees Superannuation Trust. Employer contributions of \$305,470 (1998-99: \$240,593) in relation to these schemes have been expensed in these financial statements.

No liability is shown for superannuation in the Balance Sheet as the employer contributions fully extinguish the accruing liability which is assumed by the Commonwealth.

Employer Superannuation Productivity Benefit contributions totalled \$77,178 (1998-99: \$59,719).

3.8 Leases

Operating lease payments are charged to the Agency Operating Statement on a basis which is representative of the pattern of benefits derived from the leased assets.

3.9 Borrowing costs

All borrowing costs are expensed as incurred except to the extent that they are directly attributable to qualifying assets, in which case they are capitalised. The amount capitalised in a reporting period does not exceed the amounts of costs incurred in that period.

The OFLC has one qualifying asset - the fitout in the new leased premises - for which funds were borrowed specifically.

3.10 Cash

Cash includes cheques, notes and coins held.

3.11 Financial Instruments

Accounting policies for financial instruments are stated at Note 18.

3.12 Acquisition of Assets

Assets are recorded at cost on acquisition except as stated below. The cost of acquisition includes the fair value of assets transferred in exchange and liabilities undertaken.

Assets acquired at no cost, or for nominal consideration, are initially recognised as assets and revenues at their fair value at the date of acquisition, unless acquired as a consequence of restructuring administrative arrangements. In the latter case, assets are initially recognised at the amounts at which they were recognised in the transferor agency's accounts immediately prior to the restructuring.

3.13 Property, Plant and Equipment

Asset recognition threshold

Purchases of property, plant and equipment are recognised initially at cost in the Balance Sheet, except for purchases costing less than \$2,000, which are expensed in the year of acquisition (other than where they form part of a group of similar items which are significant in total).

Revaluations

Schedule 2 requires that property, plant and equipment be revalued progressively in accordance with the 'deprival' method of valuation in successive 3-year cycles.

The OFLC is implementing the requirements of Schedule 2 as follows:

- leasehold improvements were revalued in the financial year 1997-98; The revalued leasehold improvements were disposed of in 1998-1999 when OFLC moved to its new premises.
- plant and equipment assets were revalued in the financial year 1998-99.

Assets in each class acquired after the commencement of a progressive revaluation cycle are not captured by the progressive revaluation then in progress.

The OFLC recognises property plant and equipment at its depreciated replacement cost.

Any assets which would not be replaced or are surplus to requirements are valued at net realisable value. At 30 June 2000, OFLC had no assets in this situation.

All valuations are independent.

Recoverable amount test

Schedule 2 requires the application of the recoverable amount test to departmental non-current assets in accordance with AAS10 *Accounting for the Revaluation of Non-Current Assets*. The carrying amounts of these non-current assets have been reviewed to determine whether they are in excess of their recoverable amounts. In assessing recoverable amounts, the relevant cash flows have been discounted to their present value.

Depreciation and Amortisation

Depreciable property plant and equipment assets are written-off to estimated residual value over their estimated useful lives to the OFLC, using, in all cases, the straight line method of depreciation. Leasehold improvements are amortised on a straight line basis over the lesser of the estimated useful life of the improvements or the unexpired period of the lease.

Depreciation/amortisation rates (useful lives) and methods are reviewed at each balance date and necessary adjustments are recognised in the current, or current and future reporting periods, as appropriate. Residual values are re-estimated for a change in prices only when assets are revalued.

Depreciation and amortisation rates applying to each class of depreciable asset are as follows:

	1999-00	1998-99
Leasehold improvements	Lease term	lease term
Plant and equipment	5 to 50 years	5 to 50 years

The aggregate amount of depreciation allocated for each class of asset during the reporting period is disclosed in Note 5C.

3.14 Taxation

OFLC is exempt from all forms of taxation except fringe benefits tax and the goods and services tax.

3.15 Capital Use Charge

A capital use charge of 12% is imposed by the Commonwealth on the net departmental assets of the agency. The charge is adjusted to take account of asset gifts and revaluation increments during the financial year.

3.16 Insurance

The Commonwealth's insurable risk managed fund, called 'Comcover', commenced operations in 1998-99. The OFLC has insured with the fund for risks other than workers compensation, which is dealt with via continuing arrangements with Comcare.

3.17 Comparative Figures

Where necessary, comparative figures have been adjusted to conform to changes in presentation in these financial statements.

Comparatives are not presented in Notes dealing with the Reporting on Outcomes and the statements on administered items as 1999-2000 is the first year they are required.

	1999-00 \$	1998-99 \$
Note 4 - Operating Revenues		
<u>Note 4A - Revenues from Government</u>		
Appropriations for outputs	5 383 000	1 899 417
Resources received free of charge	71 489	19 000
Total	5 454 489	1 918 417
<u>Note 4B - Sales of goods and services</u>		
Goods	2 481	-
Services	303 260	2 778 174
Other	-	3 162
Total	305 741	2 781 336
<u>Note 4C - Interest</u>		
Interest from bank	28 271	-
<u>Note 4D - Grant</u>		
Grant from the Office for Government Online	-	1 065 953
The grant was for assistance in bringing automated systems to full Year 2000 compliance. It was a once-off grant and was not repayable.		
<u>Note 4E - Administered Revenues from Government</u>		
Transfer from Official Public Account	619 125	-
<u>Note 4F - Other Administered Revenues</u>		
Fees for Classification Board services	2 655 790	-
Fees for Classification Review Board services	6 530	-
Total	2 662 320	-

3.17 Comparative Figures

Where necessary, comparative figures have been adjusted to conform to changes in presentation in these financial statements.

Comparatives are not presented in Notes dealing with the Reporting on Outcomes and the statements on administered items as 1999-2000 is the first year they are required.

	1999-00 \$	1998-99 \$
Note 4 - Operating Revenues		
<u>Note 4A - Revenues from Government</u>		
Appropriations for outputs	5 383 000	1 899 417
Resources received free of charge	71 489	19 000
Total	5 454 489	1 918 417
<u>Note 4B - Sales of goods and services</u>		
Goods	2 481	-
Services	303 260	2 778 174
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Total	305 741	2 781 336
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Interest from bank	28 271	-
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<u>Note 4E - Administered Revenues from Government</u>		
Transfer from Official Public Account	619 125	-
<u>Note 4F - Other Administered Revenues</u>		
Fees for Classification Board services	2 655 790	-
Fees for Classification Review Board services	6 530	-
Total	2 662 320	-

	1999-00 \$	1998-99 \$
Note 5 - Operating Expenses		
<u>Note 5A - Employee Expenses</u>		
Remuneration (for services provided)	3 004 626	2 525 239
<u>Note 5B - Suppliers Expenses</u>		
Supply of goods and services	1 213 730	1 506 589
Operating lease rentals	550 681	938 634
Total	<u>1 764 411</u>	<u>2 445 223</u>
<u>Note 5C - Depreciation and Amortisation</u>		
Provision for depreciation - property, plant and equipment	492 024	159 775
The aggregate amounts of depreciation or amortisation expensed during the reporting period for each class of depreciable asset are as follows:		
Leasehold improvements	183 068	112 829
Plant and equipment	308 956	46 946
Total expensed	<u>492 024</u>	<u>159 775</u>
No depreciation or amortisation was allocated to the carrying amounts of other assets.		
<u>Note 5D - Net Losses from Disposal of Assets</u>		
Leasehold improvements	-	183 226
Plant and equipment	8 000	-
Total	<u>8 000</u>	<u>183 226</u>
<u>Note 5E - Grants</u>		
Grants to States and Territories	619 125	-

	1999-00 \$	1998-99 \$
Note 6 - Receivables		
Appropriation carryover	<u>308 000</u>	<u>308 000</u>
Receivables are not overdue.		
Note 7 - Non-Financial Assets		
Note 7A - Land and Buildings		
Leaschold Improvements - at cost (see note below)	1 902 115	1 599 477
Accumulated amortisation	<u>(195 123)</u>	<u>(12 055)</u>
Total land and buildings	<u>1 706 992</u>	<u>1 587 422</u>
Leaschold improvements include interest \$78,000 (1998-99 \$19,000) on borrowings which has been capitalised.		
Note 7B - Infrastructure, Plant and Equipment		
Plant and Equipment - at cost	413 610	-
Accumulated depreciation	<u>(33 446)</u>	<u>-</u>
	380 164	-
Plant and Equipment - at valuation	1 774 877	1 788 227
Accumulated depreciation	<u>(721 282)</u>	<u>(455 339)</u>
	1 053 595	1 332 888
Video library - at valuation	81 900	81 900
Accumulated depreciation	<u>(34 967)</u>	<u>(30 750)</u>
	46 933	51 150
Total Infrastructure, Plant and Equipment	<u>1 480 692</u>	<u>1 384 038</u>

The revaluations were as at 30 June 1999 in accordance with the progressive revaluation policy stated at Note 3 and were completed by the Australian Valuation Office. Revaluation increments of \$329,696 were transferred to the asset revaluation reserve.

Note 7C - Analysis of Property, Plant, and Equipment

Movement summary 1999-00 for all assets irrespective of valuation basis

Item	Land and buildings	Infrastructure plant and equipment	Total
	\$	\$	\$
Gross value as at 1 July 1999	1 599 477	1 870 127	3 469 604
Additions	302 638	413 610	716 248
Revaluations	-	-	-
Disposals	-	(13 350)	(13 350)
Gross value as at 30 June 2000	1 902 115	2 270 387	4 172 502
Accumulated depreciation/amortisation as at 1 July 1999	12 055	486 089	498 144
Depreciation/amortisation charge for assets held 1 July 1999	158 769	275 510	434 279
Depreciation/amortisation charge for additions	24 299	33 446	57 745
Adjustment for revaluations	-	-	-
Adjustment for disposals	-	(5 350)	(5 350)
Accumulated depreciation/amortisation as at 30 June 2000	195 123	789 695	984 818
Net book value as at 30 June 2000	1 706 992	1 480 692	3 187 684
Net book value as at 1 July 1999	1 587 422	1 384 038	2 971 460

Note 7D - Summary of Balances of Assets at Valuation as at 30 June 2000

Item	Infrastructure plant and equipment	Total
	\$	\$
As at 30 June 2000		
Gross value	1 856 777	1 856 777
Accumulated Depreciation/Amortisation	(756 249)	(756 249)
Net book value	1 100 528	1 100 528
As at 30 June 1999		
Gross value	1 870 127	1 870 127
Accumulated Depreciation/Amortisation	(486 089)	(486 089)
Net book value	1 384 038	1 384 038

	1999-00 \$	1998-99 \$
<u>Note 7E - Inventories</u>		
Inventories held for sale	-	285
Inventories not held for sale	-	3 100
Total	<u>-</u>	<u>3 385</u>

Note 7E - Other

Prepayments for:		
Rent	50 186	50 051
Refurbishment - Interiors Australia	-	234 250
Travel	23 112	24 177
Other	13 195	48 096
Other Debtors	63 021	-
Total	<u>149 514</u>	<u>356 574</u>

Note 8 - Loans

Loan from Attorney-General's Department	120 000	120 000
Forward borrowing facility	<u>1 200 000</u>	<u>1 299 000</u>
Total	<u>1 320 000</u>	<u>1 419 000</u>

A loan of \$120 000 was secured from the Attorney-General's Department in 1997-98 financial year and remains undischarged.

In 1998-99, OFLC entered into a Resource Agreement with the Department of Finance and Administration to borrow \$1,280,000 for the purpose of acquiring and fitting out new lower cost accommodation. The loan is repayable from future receipts over four years. The interest rate is fixed at 6% per annum on the outstanding amount. Interest \$78,000 (1998-99 \$19,000) has been capitalised (refer Note 7A).

Note 9 - Provisions and PayablesNote 9A - Employee Liabilities

Salaries and Wages	79 397	44 551
Leave	618 629	525 841
Superannuation	13 124	5 174
Aggregate Employee entitlement liability	<u>711 150</u>	<u>575 566</u>

	1999-00	1998-99
	\$	\$
<u>Note 9B - Suppliers</u>		
Trade Creditors	<u>84 515</u>	<u>37 318</u>
<u>Note 9C - Other</u>		
Prepayments received	<u>52 300</u>	<u>-</u>
<u>Note 9D - Administered provisions and payables</u>		
Prepayments received	<u>57 155</u>	<u>-</u>
Other	<u>5 040</u>	<u>-</u>
	<u>62 195</u>	<u>-</u>

Note 10 - Equity

10A Equity - Agency								
Item	Capital		Accumulated results		Asset revaluation reserve		TOTAL EQUITY	
	1999-00 \$	1998-99 \$	1999-00 \$	1998-99 \$	1999-00 \$	1998-99	1999-00 \$	1998-99 \$
Opening balance	308 000	-	974 396	188 155	329 696	334 000	1 612 092	522 155
Operating Results	-	-	519 440	452 243	-	-	519 440	452 243
Appropriation carryover	-	308 000	-	-	-	-	-	308 000
Capital Use Charge	-	-	(229 733)	-	-	-	(229 733)	-
Revaluation increase	-	-	-	-	-	329 696	-	329 696
Transfer reserve on realisation of assets	-	-	-	334 000	-	(334 000)	-	-
Closing balance	308 000	308 000	1 264 103	974 396	329 696	329 696	1 901 799	1 612 092

10B Equity - Administered								
Item	Capital		Accumulated results		Reserve		TOTAL EQUITY	
	1999-00	1998-99	1999-00	1998-99	1999-00	1998-99	1999-00	1998-99
	\$	\$	\$	\$	\$		\$	\$
Opening balance	-	-	-	-	-	-	-	-
Contribution to Budget	-	-	2 662 320	-	-	-	2 662 320	-
Outcome	-	-	(2 719 935)	-	-	-	(2 719 935)	-
Amount to Official Public Account	-	-	-	-	-	-	-	-
Closing balance	-	-	(57 615)	-	-	-	(57 615)	-

1999-00
\$

1998-99
\$

Note 11 - Cash Flow Reconciliation

11A - Agency Reconciliation

Reconciliation of operating surplus to net cash provided by operating activities:

Operating surplus	519 440	452 243
Depreciation/Amortisation	492 024	159 775
Loss on sale of non-current assets	8 000	183 226
Decrease in prepayments paid	53 346	277 499
Increase in receivables	-	(166 916)
Decrease in inventories	3 385	2 155
Increase in employee liabilities	135 584	17 103
Increase (decrease) in suppliers liability	69 455	(9 289)
Increase in prepayments received	52 300	-
Increase in capital	-	308 000
Prior year expense capitalised	-	(31 100)
Net cash from operating activities	1 333 534	1 192 696

11B - Administered Reconciliation

Reconciliation of net contribution to the budget outcome to net cash provided by operating activities:

Net contribution to the budget outcome	2 662 320	-
Cash to Official Public Account from operations	(2 719 935)	-
Net deficit	(57 615)	-
Increase in other provisions and payables	62 195	-
Net cash from operating activities	4 580	-

Note 12 - Appropriations

12A - Agency appropriations

Annual appropriations for Departmental items (price of outputs)

	1999-2000
	\$
Balance available at 1 July	308 000
Add: Appropriation Acts No 1 & 3 credits:	
Section 6 - Act 1 - basic appropriations (Budget)	5 383 000
Section 6 - Act 3 - basic appropriations	-
Total appropriations available for the year	5 691 000
Expenditures during the year	5 380 992
Balance of appropriations for output at 30 June	310 008

12B - Administered appropriations

Annual appropriations for Administered expense items

OUTCOME 1 - Australians make informed decisions about films, publications and computer games which they, or those in their care, may view read or play

	1999-2000
	\$
Balance available at 1 July	-
Add: Appropriation Act Nos 1/2	
Basic appropriations specified Acts 1/2 (Budget)	607 000
Advance to the Finance Minister	12 125
Total appropriations available for the year	619 125
Expenditures during the year	619 125
Balance of appropriations at 30 June	-

Note 13 - Reporting by Outcomes

Reporting by Outcomes (Clause 6 of Schedule 2 and AAS 29 12.7 & 12.9 refer)

	Outcome 1		Total	
	Budget	Actual	Budget	Actual
Grants	607 000	619 125	607 000	619 125
Total net administered expenses	607 000	619 125	607 000	619 125
Add Net cost of equity outputs	5 337 000	4 935 049	5 337 000	4 935 049
Net Cost to Budget Outcome	5 944 000	5 554 174	5 944 000	5 554 174
Total assets deployed as at 30/6/00	3 007 000	4 113 157	3 007 000	4 113 157
Net assets deployed as at 30/6/00	1 459 000	1 844 184	1 459 000	1 844 184

Outcomes	Administered Expenses			Departmental Outputs			Total Appropriations	Total Expenses
	Expenses against Special Appropriations	Expenses Annual Appropriation Act 1 & 3	Expenses against Appropriations Act 2 & 4 (SPP's & New Outcomes)	Total Administered Expenses (A)	Revenue (Appropriations) (B)	Revenue from Government (C)		
Outcome 1	-	-	619 125	619 125	-	4 935 049	334 012	5 269 061
• Actual	-	-	619 125	619 125	-	4 935 049	334 012	5 269 061
								Appropriation Act 2 Administered Capital Actual
								Appropriation Act 2 Departmental Capital Actual
								Total Appropriations Actual
							5 554 174	5 888 186
							(D)=(A)+(B)	

Note 14 - Executive Remuneration

	1999-00	1998-99
	\$	\$
Income received by executive officers	<u>143 225</u>	<u>266 964</u>
The number of executive officers who received total remuneration of \$100,000 or more:		
	Number	Number
\$120 001 to \$130 000	-	1
\$130 001 to \$140 000	-	-
\$140 001 to \$150 000	1	1

Note 15 - Services provided by the Auditor-General

Financial statement audit services are provided free of charge to the OFLC.

	1999-00	1998-99
	\$	\$
Fair value of the audit services	19 000	19 000
Other services	-	3 000
Total	<u>19 000</u>	<u>22 000</u>

Note 16 - Act of Grace Payments and Waivers

No Act of Grace payments were made during the reporting period.

A small number of waivers of prescribed fees were made pursuant to section 34(1) of the *Financial Management and Accountability Act 1997*. The total value of waived fees does not exceed \$2 000.

Note 17 - Average Staffing Level

The average staffing level for the OFLC in 1999-00 was 50 (40 for 1998-99).

Note 18 - Financial Instruments

(a) Terms, conditions and accounting policies	Financial Instrument	Notes	Accounting Policies and Methods (including recognition criteria and measurement basis)	Nature of underlying instrument (including significant terms & conditions affecting the amount, timing and certainty of cash flows)
Financial Assets			Financial assets are recognised when control over future economic benefits is established and the amount of the benefit can be reliably measured.	
Cash		3.10	Cash is recognised at the nominal amount. Interest is credited to revenue as it accrues.	Interest is earned on the Agency's bank accounts and is paid quarterly.
Receivables		6	Receivables are recognised at the nominal amounts due.	Receivables are with the Commonwealth.
Financial liabilities			Financial liabilities are recognised when a present obligation to another party is entered into and the amount of the liability can be reliably measured.	
Trade creditors		9B	Creditors and accruals are recognised at their nominal amounts, being the amounts at which the liabilities will be settled. Liabilities are recognised to the extent that the goods or services have been received (and irrespective of having been invoiced).	All creditors are entities that are not part of the Commonwealth legal entity. Settlement is usually made net 30 days.
Loans		8	Loans are recognised at the amounts borrowed.	OFLC, under a Resource Agreement with the Department of Finance and Administration, borrowed an amount of \$1,250,000. No security was required. The loan is repayable over four years. Interest of \$78,000 (1998-99; \$19,000) has been capitalised. A loan of \$120,000 was received from the Attorney-General's Department. No security was required. No interest rate was attached to the loan.

Note 18 - Financial Instruments (cont.)

(b) Interest Rate Risk: Agency

Financial Instrument	Notes	Floating Interest Rate		Fixed Interest Rate				Non-Interest Bearing		Total	Weighted Average Effective Interest Rate 99-00 %
		Rate	99-00 \$	1 to 2 years		2 to 5 years		99-00 \$	98-00 \$		
				99-00 \$	98-00 \$	99-00 \$	98-00 \$				
Financial Assets											
Cash	3,10	-	-	-	-	-	-	-	4,537	468,879	4,537
Receivables	0	-	-	-	-	-	-	308,000	308,000	308,000	n/a
Total Financial Assets (Recognised)		468,879	-	-	-	-	-	308,000	312,537	771,379	4.22 %
Total assets										4,108,577	3,643,976
Financial Liabilities											
Trade creditors	918	-	-	-	-	-	-	84,515	37,318	84,515	27,318
Loans	8	-	639,000	99,000	561,000	630,900	561,000	-	-	1,200,000	1,289,630
Liases	8	-	-	-	-	-	-	120,000	120,000	120,000	0
Total Financial Liabilities (Recognised)		-	639,000	99,000	561,000	630,900	561,000	204,515	167,318	1,404,515	1,456,318
Total liabilities										2,205,778	2,031,484

Note 18 - Financial Instruments (cont.)

(b) Interest Rate Risk: Administered

Financial Instrument	Notes	Floating Interest Rate		Total		Weighted Average Effective Interest Rate	
		99-00	99-00	99-00	99-00	99-00	99-00
		\$	\$	\$	\$	%	%
Financial Assets							
Cash	3.10	4 580	-	4 580	-	4.22	n/a
Receivables		-	-	-	-		
Total Financial Assets (Recognised)		4 580	-	4 580	-		
Total assets				4 580			
Financial Liabilities							
Trade creditors		-	-	-	-		
Loans		-	-	-	-		
Total Financial Liabilities (Recognised)		-	-	-	-		
Total liabilities				62 195	-		

(c) Net Fair Values of Financial Assets and Liabilities

	Note	1999-00		1998-99	
		Total carrying amount	Aggregate net fair value	Total carrying amount	Aggregate net fair value
		\$	\$	\$	\$
Agency					
Financial Assets					
Cash	3.10	463 379	463 379	4 557	4 557
Receivables	6	308 000	308 000	308 000	308 000
Total Financial Assets		771 379	771 379	312 557	312 557
Financial Liabilities (Recognised)					
Trade creditors	9B	84 515	84 515	37 318	37 318
Loans	8	1 320 000	1 320 000	1 419 000	1 419 000
Total Financial Liabilities (Recognised)		1 404 515	1 404 515	1 456 318	1 456 318

Note 18 - Financial Instruments (cont.)

(c) Net Fair Values of Financial Assets and Liabilities

	Note	1999-00		1998-99	
		Total carrying amount	Aggregate net fair value	Total carrying amount	Aggregate net fair value
		\$	\$	\$	\$
Administered Financial Assets					
Cash	3.10	4 580	4 580	-	-
Receivables		-	-	-	-
Total Financial Assets		4 580	4 580	-	-
Financial Liabilities (Recognised)					
Trade creditors		-	-	-	-
Loans		-	-	-	-
Total Financial Liabilities (Recognised)		-	-	-	-

(d) Credit Risk Exposures

OFLC's maximum exposures to credit risk at reporting date in relation to each class of recognised financial assets is the carrying amount of those assets as indicated in the Balance Sheet.

OFLC has no significant exposures to any concentration of credit risk.

All figures for credit risk referred to do not take into account the value of any collateral or other security.

APPENDIX SEVEN - ADVERTISING AND MARKET RESEARCH***Advertising and Market Research***

The OFLC engaged AIS Media Pty Ltd, a media advertising organisation, to coordinate press advertising for nationwide recruitment campaigns. Payments to AIS Media totalled \$59,313 which included the cost of newspaper advertisements.

COMPLIANCE INDEX

Requirement	met at page(s)
Advertising and Marketing Research	214
Aids to Access	178
Alphabetical Index	219
Glossary	216
Table of contents	vii
Assets Management	195
Competitive Tendering	57
Contact Officer(s)	ii, 170
Consultancies	57
Corporate Governance	8
Corporate Overview	7
Financial Statements	181
Freedom of Information	169
Industrial Democracy	60
Internal and External Scrutiny	58
Decisions by Courts and Administrative Tribunals	58
Inquiries by Parliamentary Committees	54
Response to Complaints or Suggestions	40
Internet Home Page and Internet Address	ii
Introduction	1
Letters of Transmission	vi, 64
Management of Human Resources	173
Map from Former Program Structure to New Outcome/Output Structure	9
Narrative discussion and Analysis of Performance	25
OH&S	61
Organisation Chart	8
Outcome and Output Structure	9
Performance	25
In Relation to Outputs and Contribution to Outcomes	25
Actual Performance in relation to Performance Targets	177
Program Performance Reporting	24
Purchasing	58
Role and Functions of Office	7
Summary Resource Tables by Outcomes	206
Service Charter	50
Social Justice and Equity	60
Staffing Overview	173

GLOSSARY OF TERMS AND ABBREVIATIONS

<i>ABA</i>	Australian Broadcasting Authority
<i>Approved forms of notice</i>	Notices explaining classification markings that are approved by the Director for the purpose of public display
<i>Approved organisation</i>	An organisation approved for the purpose of screening unclassified films at film festivals
<i>APS</i>	Australian Public Service
<i>Authorised assessor</i>	A person authorised by the Director to make recommendations on the classification of computer games to the Board that are likely to be classified 'G', 'G8' or 'M'
<i>Board</i>	Classification Board
<i>Censorship Ministers</i>	Commonwealth, State and Territory Ministers responsible for censorship matters; meetings are held under the auspices of SCAG
<i>Classification Act</i>	Classification (Publications, Films and Computer Games) Act 1995 (Cth)
<i>Classification Board, (the Board)</i>	Statutory body created by the Classification Act
<i>Classification guidelines</i>	Guidelines on the application of the National Classification Code, approved by Censorship Ministers. Separate guidelines exist for the classification of publications, films, and computer games
<i>Classification markings</i>	Classification symbols, descriptions and consumer advice lines, as determined by the Director
<i>Classification Review Board (the Review Board)</i>	Statutory body created by the Classification Act

<i>Classifier</i>	A full-time, part-time, acting or temporary member of the Classification Board
<i>CLO</i>	Community Liaison Officer
<i>Code, the</i>	The National Classification Code
<i>Community Assessment Panel scheme</i>	A scheme established by SCAG: panels representing a cross-section of the Australian community view a number of yet-to-be released films. Panel comments are analysed and compared against the Board's classification decisions and reports
<i>Community Liaison Officer (CLO)</i>	A scheme designed to assist retailers and distributors of publications, films and computer games to comply with their legal obligations under the national classification scheme
<i>Consumer advice</i>	Phrase providing advice on the content of classified material in addition to the classification symbol
<i>Community and Public Sector Union (CPSU)</i>	The union with coverage of permanent OFLC staff
<i>Deputy Director</i>	Full-time member of the Classification Board who may exercise the Director's powers in the Director's absence
<i>Director</i>	Full-time member of the Classification Board who is responsible for the management of the Board's administrative affairs and the OFLC
<i>EEO</i>	Equal Employment Opportunity
<i>Eligible unclassified film</i>	An unclassified film that may be advertised under certain conditions agreed to by Ministers
<i>FMA Act</i>	Financial Management and Accountability Act 1997
<i>Guidelines</i>	Classification guidelines
<i>National classification scheme</i>	A co-operative Commonwealth, State and Territory regulatory scheme for classification of publications, films and computer games
<i>National Classification Code</i>	A schedule to the Classification Act that specifies the classification categories and their content

<i>NESB</i>	Non-English Speaking Background; in EEO statistics for the APS, NESB staff are classified as either NESB1 (first generation) or NESB2 (second generation); most people who were born overseas and whose first language was not English were classified as NESB1; those who arrived in Australia before age five are classified as NESB2, along with Australian-born people with parents of NESB.
<i>Office of Film and Literature Classification</i>	Commonwealth agency that provides administrative support to the Board and policy advice on censorship issues to Government
<i>OFLC</i>	Office of Film and Literature Classification
<i>OH&S</i>	Occupational Health and Safety
<i>Pre-classification advice</i>	Written advice given on application prior to the printing of publications identifying material likely to be the subject of debate by the Board
<i>Prohibited Imports Regulation</i>	Customs (Prohibited Imports) Regulations made under section 50 of the Customs Act 1901 (Cth); Regulation 4A relates to the importation of publications (including films and computer games and other goods).
<i>RC</i>	Refused Classification
<i>Review Board</i>	Classification Review Board
<i>SCAG</i>	Standing Committee of Attorneys-General
<i>Senior Classifier</i>	Full-time member of the Classification Board
<i>SES</i>	Senior Executive Service
<i>Standing Committee of Attorneys-General</i>	Committee comprising the Attorneys-General of the Commonwealth, States and Territories
<i>Telephone Information Services Standards Council</i>	An industry self-regulation body that sets a code of practice for the content and advertising of telephone information services such as 0055 and 1900 and also provides arbitration on complaints regarding breaches of the code
<i>TISSC</i>	Telephone Information Services Standards Council

ALPHABETICAL INDEX**A**

Accrual Budgeting	5, 9
Advertising and Marketing Research	214
Advertising Exemption Scheme	45, 49, 53, 116–7
Advertising Review	4
<i>Age of Empires II: The Age of Kings</i>	34
Aisbett, Kate	37, 38
<i>All About My Mother</i>	31
<i>American Beauty</i>	31, 42
<i>American Pie</i>	32, 42
<i>American Psycho</i>	31
<i>Army Men-Air Attack</i>	43
Attorney-General	v, 7, 37, 49, 69, 174
Audit and Evaluation	58
Audit Internal/External	58
Audit Report	182
Australian Broadcasting Authority	4
<i>Australian Rosie Bizarre #28, The</i>	69, 140–142
Authorised Assessors (computer games)	36–37, 45

B

<i>Babar</i>	42
Banfield, Wendy	18, 43
Banks, Glenda	67
<i>Barbie Super Sports</i>	34
<i>Big Daddy</i>	32, 42
Biggins, Barbara	64, 65, 66
<i>Bingo</i>	42
<i>Blair Witch Project, The</i>	31, 69, 152–155
Bowy, Judith	45
<i>Bringing Out the Dead</i>	42
Bromley, Emma	52
<i>Buena Vista Social Club</i>	30
<i>Bug's Life Activity Centre, A</i>	34

C

Censorship Ministers	3, 25, 38–39, 39, 52, 53, 57
Censorship Officials' Meetings	52, 53
Chan, Yiah	18, 43
Chang, Amy	56
Chief Executive	7
<i>Chopper</i>	31
<i>City Slickers</i>	43
Clancy, Margaret	21
Clark, Des	2, 5, 15, 43, 175
Classification Board	11, 27, 47, 53, 61
Classification Board Members	4
Classification Board Membership	175
Classification Board Movements	175
Classification Board Profiles	15–23
Classification Exemption Scheme	45
Classification Guidelines	12, 39–40, 52, 72–87, 91–103, 118–122
Classification Guideline Review	39–40
<i>Classification</i> (<i>Publications, films and computer Games</i>) Act 1995	vi, 4, 7, 11–13, 27, 33, 38, 39, 45, 49, 53, 69, 175
Classification Review Board	31, 61, 63–70
Classification Review Board Convenor	65, 66, 171
Classification Review Board Deputy Convenor	66
Classification Review Board Legislative Base	69
Classification Review Board Members	66–68
Classification Review Board Procedures	69
Classification Review Board Reports	129–168
Classification Review Board Year in Review	65
Classification Trends and Issues	27–36
<i>Cluedo Chronicles – the Fatal Illusion</i>	34
Cole, Heather	37
<i>Command and Conquer – Tiberian Sun</i>	35
Commercialisation Review	56
Community Affairs Program, sub-program 3.3 of the Attorney-General's portfolio	7, 9

Community Assessment Panel Scheme	4, 25, 27, 37–38, 42, 56
Community Liaison Officer (CLO) Scheme	25, 42, 45, 47, 48, 53
Complaints	25, 26, 40–43
Compliance Index	215
Computer Games and Australians Today	27, 33, 38–39, 53
Computer Games Classification	27, 33–36
Computer Games (commercial) – by Classification	124
Computer Games (commercial) – by Country of Origin	125
Computer Games (commercial) – by Reasons for Refusal	124
Computer Games Guidelines	4, 11, 27, 33, 40, 45, 53, 118–122
Consultancies	57
Consultive Committee	60, 62
Consumer Advice	12, 46, 93
Consumer Advice Lines – computer games	123
Consumer Advice Lines – films (including videos, DVDs etc)	104–105
Contents, Table of	viii
Corporate Chart	8
Corporate Objectives	1, 9
Corporate Overview	7–9
<i>Cosmopolitan</i>	41
Customer Service Charter	25, 45, 50
Customs (Australian Customs Service)	52, 53–54, 128
Customs (Prohibited Exports) Regulations	53
Customs (Prohibited Imports) Regulations	53
D	
<i>Debt Collector, The</i>	33
Decisions of Courts/Tribunals	58
Deputy Director	15, 45, 47, 175
<i>Dingo</i>	29
Director	2, 3–5, 7, 15 47, 171, 175
Director’s Message	3–5
<i>Dogma</i>	27, 40, 41, 42, 54
<i>Double Jeopardy</i>	42
Durkin, Professor Kevin	38

E

<i>Ed TV</i>	42
Employee Assistance Program	60
<i>End of Days</i>	31
Equal Employment Opportunity	175
Evaluation	58
<i>Eyes Wide Shut</i>	31, 42, 69, 133–136

F

<i>Fantasia 2000</i>	30
<i>Fight Club</i>	69, 148–151
Film (including videotapes, DVD etc) Classification	27, 30–33
Film Festivals and Events	45, 48–49, 113–115
Films for Public Exhibition (commercial cinema features)	
– by Classification	106
Films for Public Exhibition (commercial cinema features) %	
– by Code Reasons for Classification	108
Films for Public Exhibition (commercial cinema features)	
– by Country of Origin	110
Films for Public Exhibition (commercial cinema features)	
– by Reasons for Refusal	108
Films for Sale/Hire (commercial videotapes, DVDs etc)	
– by Classification	107
Films for Sale/Hire (commercial videotapes, DVDs etc)	
– by Code Reasons for Classification	108
Films for Sale/Hire (commercial videotapes, DVDs etc)	
– by Country of Origin	111–112
Films for Sale/Hire (commercial videotapes, DVDs etc)	
– by Reasons for Refusal	109
Films (including videos, DVDs etc)	
referred for assessment by Customs	128
Films (including videos, DVDs etc)	
referred for classification by Police	127
Films and Videotapes Classification Guidelines	12, 39, 91–103, 170
<i>Final Fantasy VIII</i>	35
<i>Financial Management and Accountability Act 1997</i>	7
Financial Statements	181–213
<i>Flintstones Viva Rock Vegas</i>	30
Freedom of Information	170–171

G

<i>General's Daughter, The</i>	38, 69, 136–139
<i>Gladiator</i>	31, 42
Glossary of Terms and Abbreviations	216
<i>Gone in Sixty Seconds</i>	32
<i>Grand Theft Auto</i>	34
<i>Grand Theft Auto 2</i>	36
Greenberg, Joel	52, 65
Griffiths, David	19
GST	5
Guidelines for the Classification of Computer Games	118–122
Guidelines for the Classification of Films and Videotapes	91–103
Guidelines for the Classification of Publications	72–87

H

<i>Halloween Racer</i>	34
Harvey, Robin	67
Healy, Bronwyn	22
<i>Hercules</i>	42
<i>Holy Smoke</i>	31
<i>Human Traffic</i>	69, 155–158
Hunt, Paul	16, 175

I

Improving our Services Project	56–57
Industry Consultation Meetings	28, 45, 48
Industry Conventions	45, 47, 48
Information Technology	58
International Liaison	54
Internet (classification of internet content)	4
Internet Content – by classification	126
Internet Content – by Reasons for Refusal	126
Introduction	1
<i>Insider, The</i>	42
<i>Iron Giant, The</i>	69, 145–147

K

Kaye, Cynthia	4, 37
Key Outcomes	27, 45, 52, 56, 60

Keys Young	4, 37
<i>Kingpin – Life of Crime</i>	36, 43
KPMG	5, 56, 57
L	
<i>Lake Placid</i>	42
<i>LeggoLand</i>	34
Legislative Base	11–13, 69
Letters of Transmission	vi, 64
<i>Lolita</i>	42, 54
<i>Looking for Alibrandi</i>	31
<i>Looney Tunes</i>	34
M	
<i>Madness</i>	69, 164–168
<i>Magnolia</i>	42
<i>Me, Myself & I</i>	31
<i>Me, Myself & Irene</i>	41
<i>Metal Gear Solid – Special Mission</i>	35
Ministerial Council Meetings	25
Ministerials	25, 54
<i>Mission Impossible II</i>	31
<i>Mulan</i>	42
<i>Muppets from Space</i>	30
<i>My Mother Frank</i>	31
N	
Nagle, Robin	2
National Classification Code	11, 25, 28, 30, 39, 47, 52, 69, 72
National Classification Scheme	11, 25, 47, 52, 69
<i>Not One Less</i>	30
NSW Child Protection Enforcement Agency	53
NVE (Non–Violent Erotica)	13, 53, 54
O	
Objective Five	60
Objective Four	55
Objective One	26
Objective Three	51

Objective Two	44
Occupational Health and Safety	61–62
O’Dea, Jonathon	65, 66
OFLC Website	44, 49–50
Olarens Shaw, Jillian	17
Operative and Paid Inoperative Staff	173
Organisation Chart	8
Outputs and Outcomes	9, 25, 178–180
P	
Participative Work Practices	62
Part-time and Temporary Staff	173
Paterson, Kathryn	3, 43, 65, 175
<i>Patriot, The</i>	31
<i>Passion</i>	42
Performance Development	60
Performance Pay	175
Performance Reporting	25–62
<i>Pokemon Stadium</i>	34
Police	48, 52, 53–54, 127
Pre-classification Advice	28, 45
<i>Prince of Egypt, The</i>	43
Public Consultation	33, 37
<i>Public Service Act 1999</i>	7, 174
Publications Classification	27–30
Publications (commercial) – by Classification	88
Publications (commercial) – by Country of Origin	90
Publications (commercial) – by Reasons for Refusals	89
Publications Guidelines	3, 12, 27, 28, 39–40, 45, 46, 53, 72–87
Publications referred for assessment by Customs	128
Publications referred for classification by Police	127
Purchasing	58
Q	
<i>Quake III – Arena</i>	35
R	
Rae, Jenny	46

RC (refused classification)	5, 11, 12, 27, 30, 31, 35, 42
Regurgitator Unit: Rebooted	69, 142–144
Reidy, Kathryn	19
Reporting Arrangements	7
Research	37
<i>Resident Evil 3: Nemesis</i>	35
Resource Management	57–58
Robinson, Ron	37
<i>Romance</i>	5, 31, 42, 54, 65, 69, 158–164, 170
<i>Rules of Engagement</i>	42
<i>Runaway Bride</i>	30
Ryce, Kate	52
S	
Sanderson, Robert	20, 43
<i>Scooby Doo on Zombie Island</i>	43
<i>Scoop</i>	29
<i>Scream 3</i>	42
Senior Classifier	13, 16, 17, 38
<i>Selkie</i>	30
Service Charter	25, 50
SES movements	175
Sexpo	48
<i>Shadow Company</i>	35
Sheehan, Professor Peter	37, 45
Shirley, Graham	22
<i>Shogun: Total War</i>	43
<i>Silent Hill</i>	36
<i>Sixth Sense, The</i>	42
Smith, Kathryn	23
Social Justice and Equity	60–61
<i>South Park – Bigger, Longer and Uncut</i>	42
<i>South Park Rally</i>	34
Speaking Engagements	27, 43
<i>Spiderman</i>	34
Staffing Matters	173–176
Staffing Overview	173

Standing Committee of Attorneys–General (SCAG)	25, 38, 52
<i>Star Wars Episode I Racer</i>	34
<i>Stuart Little</i>	30
Submissions to Government Committees/Inquiries	54
<i>Syphon Filter 2</i>	35
T	
<i>10 Things I Hate About You</i>	42
<i>Tackle Happy</i>	42
<i>Tarzan</i>	34, 38, 69, 130–133
Taylor, Catriona	52
Telephone Information Services Standards Council (TISSC)	40
Telephone Message Services	40
Tenison, Paul	56
<i>Thomas and Tim</i>	36
Timeliness: classification decisions	180
<i>Tomb Raider – Last Revelation</i>	35
<i>Tomorrow Never Dies</i>	35
Townsend, Lynn	20
Training and Development	4, 37, 46–47, 52, 60, 175
Training for Approved Assessors	36–37, 47
<i>Trivial Pursuit: The Last 1000 Years</i>	34
Trotter, Sharon	17
<i>Two Hands</i>	42
Tzannes, Ross	68
U	
Unpaid Inoperative Staff	173
V	
<i>Vinyl Goddess From Mars</i>	43
W	
Waters, Dr Brent	65
Webb, Simon	3, 15 28
Website, OFLC	45, 49–50
<i>Wild Wild West</i>	30
Williams, the Hon Daryl	v, vi

Williams, Paulyne	16, 175
Williams, Rachel	21
<i>Wogboy, The</i>	31, 42
Workplace Agreement	60
Workplace Diversity Program	60

Y

Y2K (Year 2000)	5, 58
Yardley, Joan	68