



Background to the submission:

The Council of Churches of Christ in Australia (CCCA) represents over 400 Churches of Christ in Australia, comprising approximately 40,000 people who regularly attend worship services and many more who are connected with a range of ministries including community mission, social justice, youth and children's work and aged care.

The CCCA is not a hierarchal structure within the Movement known as Churches of Christ. Our Movement celebrates a "flat structure", and the CCCA does not seek to impose beliefs or practice upon our churches, nor do our State Conferences. We prefer to live out the life of Jesus in ways so that we can truly be a Church of *Christ* in a visible way. Obviously, to do that, then we must exhibit some of Jesus' key characteristics in how our churches act and in what we say.

The purpose of this background section is to put the following submission into context; we also do not seek to impose our values on the wider Australian public with regards to classification guidelines, but we desire to have our voice heard on these matters, as we feel that many in our community would broadly agree with our stance.

With that, we are grateful for the opportunity to respond to this issue.

The Big Picture

We do not, as a Movement, believe in legislating morality. We know that morality, as such, cannot be enforced upon people. People possess free will and, on occasion, that free will tends to disregard laws that are designed to regulate behaviour.

However, we do believe in a society that has appropriate checks and balances to the freedoms we enjoy as a democratic nation. Increasingly, the argument that 'what we enjoy on the privacy of our own homes' is becoming irrelevant when it comes to the new and varied forms of media now prominent in society. Material that was once the domain of darkened bedrooms can now be accessed on laptops and mobile 'phones.

We, also as a Movement, take seriously Jesus' call to care for the marginalised and vulnerable¹. Children, in particular, are vulnerable to the proliferation of images, ideals and concepts that appear in the media. While (to a certain extent) we would not want to restrict what people choose to watch but, for example, we would advocate that restrictions be placed on certain material so that children and teens are not shown material that could warp their view of themselves, women and sex or, even worse, be used to groom them for sexual abuse.

Terms of Reference of the *Legal and Constitutional Affairs References Committee*

We will not be responding to each of the terms of reference, aside to say that in general, we believe that regular reviews of the appropriate legislation need to happen given the rapid pace and significant change that is occurring in the fields of media, performance, social networking and communication². In the fifteen plus years since the *Classification (Publications, Films and Computer Games) Act 1995* was instituted, one could argue that new forms of media have advanced at a pace we have not witnessed before.

With particular attention to the terms of references, our comments will be kept brief:

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

Churches of Christ are not alone in being appalled by the sexual abuse of children. We would consider that if there is any way of limiting access to material that can be used as stimuli in sexual abuse, then that is an appropriate course of action for a government to take. The links have been established between X18+ films and the sexual abuse of children. One of the instances was in a NSW Parliamentary inquiry which quoted a prior Senate Committee:

*We see the devastating effects on children and young teens who have been sexually abused while molesters watched pornographic videos – non-violent porn videos, might I add. Men have shattered the sexual innocence of these children – most of them girls, but certainly not all. Some of these men, about 20 per cent of our sexual abuse cases, obtained their sexual stimulation while watching X-rated videos.*³

¹ Luke 4:18-19, amongst many others.

² <http://www.theage.com.au/digital-life/games/blogs/screenplay/mobiles-oust-consoles/20110302-1bdkj.html>

³ Commonwealth of Australia, Official Committee Hansard, Senate Legal and Constitutional Legislation Committee, Reference: *Classification (Publications, Films and Computer Games) Amendment Bill (No 2) 1999*, 30 March 2000, p 76.

Churches of Christ would counter any argument that restricting X18+ films would be an intrusion on freedom of speech (or expression) by arguing strongly that any freedom of expression also carries responsibilities. If one person's freedom of expression is in watching a X18+ film, and then subsequently abusing a child or teen, then that is a freedom of expression that needs to be monitored and curtailed.

We would also strongly argue that the depiction of women, sexuality and human dignity is severely warped in X18+ films, and that these films and their genre have no discernible benefit to society as a whole. We would appeal to the *Classification (Publications, Films and Computer Games) Act 1995* when it states:

The matters to be taken into account in making a decision on the classification of a publication, film or computer game include:

*(a) the standards of morality, decency and propriety **generally accepted by reasonable adults**...*⁴

We would argue that most *reasonable adults* would agree that a society that puts strict restrictions on the purchasing of X18+ films is one that has taken steps to protect its citizens, especially its most vulnerable: children and teens.

(g) The classification of films, including explicit sex or scenes of torture and degradation, sexual violence and nudity as R18+...

We appreciate that commenting on this aspect of the terms of reference is fraught with danger due to how people interpret the content and descriptions listed above. At what point is 'nudity' considered 'explicit'? For example, the film *Schindler's List*⁵, contains various images of naked men and women. Would that be considered 'explicit'? It is unlikely that the bulk of our society would consider *Schindler's List* the type of film to be rated R18+.

These decisions regarding the classifications would need to be taken on a case by case system, or else very explicit and detailed descriptions of what *degradation* or *torture* would look like would

⁴ *Classification (Publications, Films and Computer Games) Act 1995, pg 11. Emphasis ours.*

⁵ <http://www.imdb.com/title/tt0108052/>

need to be created. Again, in the film *The Last King of Scotland*⁶, there is a scene of torture but, like *Schindler's List*, the majority of filmgoers would not want that film to be rated R18+.

One could argue that in various comedic films, women are often degraded. To what level does degradation need to occur before it moves from being 'light' to 'offensive'?

The point that we are making is that a blanket ban on some of the issues above would not be appropriate, but we would rather see a case by case approach that attempts to consider the intent of the film maker and the film's context.

(i) The application of the National Classification Scheme to music videos

This falls into the category of (m) in the terms of reference to a certain extent. However, over the years music videos have developed from simple depictions of artists performing on stage to "mini" films, which increases the scope for the imagination of the artists and also the scope for issues regarding sexuality, the portrayal of women (and men) and whether these videos are age appropriate for the time slots that they are often shown in. Subsequent classification guidelines will have to acknowledge that the music video industry has changed significantly since 1995.

(k) The effectiveness of the National Classification Scheme in preventing the sexualisation of children and the objectification of women in all media, including advertising

This is an increasingly important area for the National Classification Scheme to focus on. For one reason, children are spending more and more time exposed to various forms of media, be it television⁷, games (such as Wii and X-Box) social networking and new generation phones (such as i-phones). These forms of media are helping to shape the next generation in a widespread way.

Advertising needs to be considered as well in the shaping of how children and teenagers see themselves (and, especially, how they see the *image of what they need to be in order to be "accepted"*). When children and teens are bombarded with images that are sexualised and airbrushed in unrealistic ways, these images stick.

⁶ <http://www.imdb.com/title/tt0455590/>

⁷ <http://www.theage.com.au/digital-life/digital-life-news/class-divides-tv-viewing-habits-20100403-rkqs.html>

We would ask that the National Classification Scheme pays particular attention to media and advertising that portrays women as merely objects of sexual gratification as well as advertising aimed at children that contains inappropriate sexual imagery or encourages inappropriate behaviours. One recent decision of the Classification Board comes to mind when discussing this aspect of the Terms of Reference, is the classifying of the Wii game, *We Dare*, as PG, despite the recommendation of an M rating by its makers due to the content being inappropriate for children⁸.

Whether any system can be 'effective' in preventing the sexualisation of children and the objectification of women is debatable, but such systems can be consistent so that parents (in particular) know that when they pick up a game, go to see a movie, or download an app, they can trust that the rating will reflect general public opinion on matters of sexuality and gender equality.

(m) The effectiveness of the National Classification Scheme in dealing with new technologies and new media, including mobile phone applications, which have the capacity to deliver content to children, young people and adults.

Again, it is stating the obvious that since 1995 there has been an explosion in new media and technology. In 1995, there was no Facebook, no i-phones, personal computers were not as commonly used as they are now, nor were they as mobile as they are now, with laptops in common usage and the ease of access to wireless internet. If one so desired, one could be on-line downloading films, apps and other forms of social media 24/7, whether we were at home, in transit or in other public spaces.

As we have noted earlier, the National Classification Scheme will need to review its regulations regularly when it comes to the area of new media. Change is happening rapidly, and will continue to do so. Any amendments to this section of the Scheme will need to be monitored regularly.

⁸ <http://www.theage.com.au/digital-life/games/bloody-battle-over-mortal-kombat-ban-as-critics-decry-broken-classification-system-20110302-1bdtm.html>

Conclusion

The Council of Churches of Christ in Australia has appreciated the opportunity to engage in this conversation. While affirming the freedoms that come from living in a democratic society, we also acknowledge that certain “freedoms” have no (or little) benefit to the whole of society, and that some freedoms can actually be dangerous to those who partake in them and those around them. Our primary concern would be the protection of children and teens from X18+ and R18+ films (and other media), especially as links have been established between the viewing of X18+ films and the sexual abuse of children.

We are also concerned that since 1995, the “playing field” for all forms of media has changed dramatically, and the current guidelines will need an overhaul to reflect this, as well as constant monitoring to adapt to the increasing rate of change and innovation in these media fields.

We also urge the Standing Committee to frame guidelines in such a way that they can be both *effective and enforced*.