Government response to the Senate Legal and Constitutional Affairs Committee Inquiry into the National Classification Scheme

At the time of the Senate Committee undertaking its Inquiry, and prior to its report being finalised, the Government referred the National Classification Scheme (NCS) to the Australian Law Reform Commission (ALRC) for review. Recommendation 30 of the Committee's report is that the ALRC be directed to consider the findings, proposals and recommendations of the Committee's report.

The ALRC review was considered necessary to modernise the system of classification in Australia and allow it to keep pace with developments in technology now and into the future. When the current NCS commenced in 1995, classifiable content and the way it was delivered to consumers was relatively static.

The ALRC review was designed to consider not only classification categories, but the whole classification system including the legislative framework to ensure it continues to be effective in the 21st century.

The ALRC was considered the most appropriate body to conduct the review as it had previously conducted an inquiry into laws relating to classification and censorship in 1991. The ALRC's 1991 Report established the basis for the current NCS.

The terms of reference for the ALRC's 2011-12 review (which were subject to public consultation prior to being finalised) stated:

Having regard to:

- *it being twenty years since the Australian Law Reform Commission (ALRC) was last given a reference relating to Censorship and Classification*
- *the rapid pace of technological change in media available to, and consumed by, the Australian community*
- *the needs of the community in this evolving technological environment*
- *the need to improve classification information available to the community and enhance public understanding of the content that is regulated*
- *the desirability of a strong content and distribution industry in Australia, and minimising the regulatory burden*
- *the impact of media on children and the increased exposure of children to a wider variety of media including television, music and advertising as well as films and computer games*
- *the size of the industries that generate potentially classifiable content and potential for growth*
- *a communications convergence review, and*
- *a statutory review of Schedule 7 of the* Broadcasting Services Act *1992 and other sections relevant to the classification of content*

I refer to the ALRC for inquiry and report pursuant to subsection 20(1) of the Australian Law Reform Commission Act *1996, matters relating to the extent to which the* Classification (Publications, Films and Computer Games) Act *1995 (the Classification Act), State and Territory Enforcement legislation, Schedules 5 and 7 of the Broadcasting Services Act 1992, and the Intergovernmental Agreement on Censorship and related laws*

continue to provide an effective framework for the classification of media content in Australia.

Given the likelihood of concurrent Commonwealth reviews covering related matters as outlined above, the Commission will refer relevant issues to those reviews where it would be appropriate to do so. It will likewise accept referral from other reviews that fall within these terms of reference.

Such referrals will be agreed between the relevant reviewers.

1. In performing its functions in relation to this reference, the Commission will consider:

- *i. relevant existing Commonwealth, State and Territory laws and practices*
- *ii. classification schemes in other jurisdictions*
- *iii. the classification categories contained in the Classification Act, National Classification Code and Classification Guidelines*
- *iv. any relevant constitutional issues, and*
- *v. any other related matter.*

2. The Commission will identify and consult with relevant stakeholders, including the community and industry, through widespread public consultation. Other stakeholders include the Commonwealth Attorney-General's Department, the Department of Broadband, Communications and the Digital Economy, the Australian Communications and Media Authority, the Classification Board and Classification Review Board as well as the States and Territories.

The ALRC reported to Government on 29 February 2012 and the Government released, via tabling in the Parliament, the final report on 1 March, 2012.

The current NCS is a cooperative scheme between the Commonwealth and all state and territory governments. Under the Intergovernmental Agreement that underpins the scheme, the Commonwealth has agreed to consult states and territories about any meaningful changes to the scheme. Indeed, the current Commonwealth legislation has unanimous agreement requirements in relation to certain aspects of the scheme such as proposed changes to the classification categories and Classification Guidelines.

Consequently, the Commonwealth has sought the views of all States and Territories about the ALRC Report. Once those comments are received, the Commonwealth will be able to further develop its position on the ALRC recommendations (incorporating consideration of Senate Committee recommendations where appropriate) and, in due course, finalise the Government response to the ALRC Report.

In developing its response, the Government will also give consideration to how the ALRC recommendations interact with those of the Convergence Review. Although there are discrete components of each report, there is also substantial overlap in some key respects.

Since the tabling of the ALRC Report, the Government has been able to consider how the Senate Committee's recommendations might interact with those of the ALRC. The comments in relation to each recommendation below are made in that context.

Recommendation 1

The committee recommends that an express statement should be included in the National Classification Code which clarifies that the key principles to be applied to classification decisions must be given equal consideration and must be appropriately balanced against one another in all cases. Currently, these principles are:

- *adults should be able to read, hear and see what they want;*
- *minors should be protected from material likely to harm or disturb them;*
- *everyone should be protected from exposure to unsolicited material that they find offensive;*
- *community concerns should be taken into account in relation to:*
    - *depictions that condone or incite violence, particularly sexual violence; and*
    - *the portrayal of persons in a demeaning manner.*

Government Response – noted

The National Classification Code (the Code) states that classification decisions are to give effect, as far as possible, to the four guiding principles that the Committee outlines in Recommendation 1. This requires the Classification Board to give equal consideration to the principles in the Code to the extent possible in each decision-making circumstance. What principles should underpin classification legislation, and whether those considerations should be weighted, or not, will be considered in the context of the Government's response to the ALRC Review of the NCS.

Recommendation 2

Further to Recommendation 1, the committee recommends that the fourth key principle in the National Classification Code should be expanded to take into account community concerns about the sexualisation of society, and the objectification of women.

Government Response – noted

See response to Recommendation 1.

Recommendation 3

The committee notes that there has been no further consideration by the Senate of the Senate Environment, Communications and the Arts Committee's 2008 report, Sexualisation of children in the contemporary media. The committee recommends that the Senate should, as a matter of urgency, establish an inquiry to consider the progress made by industry bodies and others in addressing the issue of sexualisation of children in the contemporary media; and, specifically, the progress which has been made in consideration and implementation of the recommendations made in the Sexualisation of children in the contemporary media report.

The Classification of Media Content Act should provide a definition of 'exempt content' that captures all media content that is exempt from the laws relating to what must be classified. The definition of exempt content should capture the traditional exemptions, such as for news and current affairs programs. The definition should also provide that films and computer games shown at film festivals, art galleries and other cultural institutions are exempt. Providers of this content should not be exempt from obligations to take reasonable steps to restrict access to adult content (Recommendation 6-3)

Beyond these, the ALRC did not specifically recommend that artworks be classified.

The Government will consider the Committee's recommendation in developing the Government response to the ALRC recommendations.

Recommendation 8

The committee recommends that the Australian Government, through the Standing Committee of Attorneys-General, pursue with relevant states the removal of the artistic merit defence for the offences of production, dissemination and possession of child pornography.

Government Response – agree

The Attorney-General's Department understands that artistic merit is no longer a defence to child pornography in NSW. The defence was removed in NSW from s 91G of the *Crimes Act 1900*.

The change aligned NSW child pornography laws with the Commonwealth, but means that NSW is inconsistent with other states and territories. This could be problematic where charges are laid for offences taking place in various jurisdictions.

The Commonwealth will raise the inconsistency issue with the Standing Committee of Law and Justice.

Recommendation 9

The committee recommends that provision be made in the Classification Act 1995 for an exemption for cultural institutions, including the National Film and Sound Archive, to allow them to exhibit unclassified films. This exemption should be subject to relevant institutions self-classifying the material they exhibit and the Classification Review Board providing oversight of any decisions in that regard.

Government Response – noted

Section 5B of the Classification Act already allows for films to be exempt from classification if they are of a community or cultural type. There is also a film festival exemption scheme that allows festivals to screen unclassified films under certain conditions, however, exemptions are generally granted under the condition that each film is to be screened a maximum of four times during the course of a film festival/event and that audiences are restricted to age 18+.

The ALRC made a recommendation about exempting from classification films and computer games screened or demonstrated by certain entities including cultural institutions, namely Recommendation 6-3.

The ALRC also recommended that, under the proposed new NCS, the Classification Review Board cease to operate (Recommendation 7-9).

The Government will consider the Committee's recommendation in developing the Government response to the ALRC recommendations.

See also response to Recommendation 7.

Recommendation 10

The committee recommends that the Australian Government take a leadership role through the Standing Committee of Attorneys-General in requesting the referral of relevant powers by states and territories to the Australian Government to enable it to legislate for a truly national classification scheme.

Government Response – noted

The ALRC made the following relevant recommendations:

The Classification of Media Content Act should be enacted pursuant to the legislative powers of the Parliament of Australia (Recommendation 15-1).

The Classification of Media Content Act should express an intention that it cover the field, so that any state legislation operating in the same field ceases to operate, pursuant to s 109 of the *Constitution* (Recommendation 15-2).

The Government will consider the Committee's recommendation in developing the Government response to the ALRC recommendations.

Recommendation 11

In the event that a satisfactory transfer of powers by all states and territories is not able to be negotiated within the next 12 months, the committee recommends that the Australian Government prepare options for the expansion of the Australian Government's power to legislate for a new national classification scheme.

Government Response – noted

See response to Recommendation 10.

Recommendation 12

The committee recommends that, as a matter of priority, the Standing Committee of Attorneys-General should consider the development of uniform standards for the display and sale of material with a Restricted classification.

Government Response – noted

Consistency across jurisdiction is desirable for the consumer, industry and for compliance monitoring.

The ALRC made recommendations that are relevant to sale, display and restriction of access to content, in particular: recommendations 5-2, 8-5, 10-1 to 10-4 and 13-2. Consistency of laws and classification obligations nationally was also a key consideration for the ALRC in making recommendations 15-1 and 15-2 for a Commonwealth-only NCS.

The ALRC also recommended renaming the 'Refused Classification' category of content 'Prohibited' (Recommendation 11-1).

The Government will consider the Committee's recommendation in developing the Government response to the ALRC recommendations.

Recommendation 13

The committee recommends that:

- *Category 1 and 2 Restricted publications, and R18+ films, where displayed and sold in general retail outlets, should only be available in a separate, secure area which cannot be accessed by children; and*
- *the exhibition, sale, possession and supply of X18+ films should be prohibited in all Australian jurisdictions.*

Government response – noted

In relation to the first bullet point of this recommendation, see response to Recommendation 12.

In relation to the second bullet point of this recommendation, the ALRC made the following recommendations:

The Classification of Media Content Act should provide that content providers should take reasonable steps to restrict access to adult content that is sold, screened, provided online or otherwise distributed to the Australian public. Adult content is:
(a) content that has been classified R 18+ or X 18+; or
(b) unclassified content that, if classified, would be likely to be classified R 18+ or X 18+.
The Classification of Media Content Act should not mandate that all adult content must be classified (Recommendation 10-1)

The Classification of Media Content Act should provide the Regulator with the power to issue 'restrict access notices' to providers of adult content. For the purpose of issuing these notices, the Regulator should be empowered to determine whether the content is adult content (Recommendation 10-2).

The Classification of Media Content Act should provide that the reasonable steps that content providers must take to restrict access to adult content may be set out in:

(a) industry codes, approved and enforced by the Regulator; and
(b) standards, issued and enforced by the Regulator.
These codes and declarations may be developed for different types of content, content providers and industries, but could include:
(a) how and where to advertise, package and display hardcopy adult content;
(b) the promotion of parental locks and user-based computer filters;
(c) how to confirm the age of persons accessing adult content online; and
(d) how to provide warnings online (Recommendation 10-3).

The Government will consider the Committee's recommendation in developing the Government response to the ALRC recommendations.

Recommendation 14

The committee recommends that, as a matter of priority, the Commonwealth and the states and territories should establish a centralised database to provide for information-sharing on classification enforcement actions.

Government Response – noted

In February 2011, the then Minister for Justice wrote to Police Ministers and the Minister for Employment and Economic Development in Queensland requesting bi-annual reports on compliance and enforcement action taken in relation to classification laws. This initiative was agreed to by the Commonwealth, States and Territories at the Classification Enforcement Contacts Forum 2010.

These reports are now being compiled by the Classification Liaison Scheme (CLS) which is administered by the Commonwealth Attorney-General's Department and is responsible for collating and sharing the information received.

The Government will consider the Committee's recommendation in developing the response to the ALRC recommendations and, in particular, in relation to the role of the states and territories under a new NCS.

Recommendation 15

The committee recommends that the Classification Liaison Scheme should substantially increase its compliance and audit-checking activities in relation to, for example, compliance with serial classification declaration requirements.

Government Response – noted

The Classification Board currently has responsibility for conducting audits of serial declarations. All serial declarations are audited during the term of the declaration.

CLS compliance checks have increased from 701 in 2007/08 to 917 in 2010/11.

The Government will consider the Committee's recommendation in developing the response to the ALRC recommendations and, in particular, in relation to the role and size of the CLS under a new NCS.

Recommendation 16

The committee recommends that the Classification Liaison Scheme should have at least one representative in each state and territory.

Government response – noted

The ALRC envisages a new approach to compliance and enforcement in relation to classification matters. In particular it makes the following recommendations:

The Classification of Media Content Act should provide for enforcement of classification laws under Commonwealth law. (Recommendation 16-1)

The Classification of Media Content Act should provide a flexible range of compliance and enforcement mechanisms allowing the Regulator, depending on the circumstances, to:
(a) issue notices to comply with provisions of the Act, industry codes or standards;
(b) accept enforceable undertakings;
(c) pursue civil penalty orders;
(d) refer matters for criminal prosecution; and
(e) issue infringement notices. (Recommendation 16-2)

The Classification of Media Content Act should provide for the imposition of criminal, civil and administrative penalties in relation to failing to comply with:
(a) notices of the Regulator;
(b) an industry code or standard;
(c) restrictions on the sale, screening, online provision and distribution of media content;
(d) statutory obligations to restrict access to media content; and
(e) statutory obligations to classify and mark media content. (Recommendation 16-3)

The Classification of Media Content Act should require the Regulator to issue enforcement guidelines outlining the factors it will take into account and the principles it will apply in exercising its enforcement powers. (Recommendation 16-4)

The Government will consider the Committee's recommendation in developing the Government response to the ALRC recommendations.

Recommendation 17

The committee recommends that the Classification Liaison Scheme should be charged with responsibility for establishing and maintaining the centralised database to provide for information-sharing on classification enforcement actions, as proposed in Recommendation 14.

Government Response – noted

See response to Recommendations 14 and 16.

Recommendation 18

The committee recommends that the Classification Liaison Scheme should provide assistance to state and territory law enforcement agencies in relation to enforcement actions for failure to respond to call-in notices issued by the Director of the Classification Board.

Government Response – agree

This recommendation is already implemented. CLS officers currently provide assistance to law enforcement agencies in relation to referrals from the Director of the Classification Board of non-compliance with a call-in notice, or any other classification matter. Currently, CLS officers request the relevant State and Territory police to enforce breaches of call-in notices. All of the evidence establishing an offence will be presented by CLS. Such CLS assistance is prioritised and can also include presentations on content, offences and evidentiary certificates, as well as provision of witness statements, on site assistance and any other help requested.

Generally, CLS Officers meet with the nominated Classification Enforcement Contact in each law enforcement agency when conducting compliance checks in their jurisdiction.

Recommendation 19

The committee recommends that more detailed information should be included in the Attorney-General's annual report about the operations of the Classification Liaison Scheme.

Government Response – agree

Currently the annual report of the Attorney-General's Department provides information about the number of compliance checks conducted by CLS Officers.

It would be possible to include more detailed information about CLS. Further information about the activities undertaken by CLS can be included such as presentations delivered, meetings held and referrals. This will be included in future annual reports.

Recommendation 20

The committee recommends that the Australian Government should increase the size of, and commensurate funding to, the Classification Liaison Scheme as a matter of priority.

Government Response – noted

See response to Recommendation 16.

Recommendation 21

The committee recommends that the Australian Government should, through the Standing Committee of Attorneys-General, signal its intention to make enforcement actions for failing to respond to call-in notices a matter of priority.

Government Response – agree

Under the current Scheme, each individual jurisdiction determines its own enforcement priorities. Enforcement of failure to comply with a call-in is not a matter for the Commonwealth but is a matter for States and Territories. The Commonwealth refers any non-compliance to States and Territories as a matter of course.

The then Minister for Justice wrote to States and Territories in February 2009 seeking their cooperation in addressing the low levels of compliance with classification enforcement laws.

The Government will raise this issue through the Standing Council on Law and Justice.

See also response to Recommendation 16.

Recommendation 22

The committee recommends that, to the extent possible, the National Classification Scheme should apply equally to all content, regardless of the medium of delivery.

Government Response – agree

The ALRC and the Convergence Reviews have considered these issues as central to future regulation of media content. In particular, recommendation 5-1 and 5-2 of the ALRC Report and recommendation 1(a) of the Convergence Review which states:

1 a) Parliament should avoid enacting legislation that either favours or disadvantages any particular communications technology, business model or delivery method for content services.

The Government agrees in principle but will consider the Committee's recommendation in developing the Government response to the ALRC recommendations.

Recommendation 23

The committee recommends that industry codes of practice under current self-regulatory and co-regulatory schemes, including those under the Broadcasting Services Act 1992, the ARIA/AMRA Labelling Code and the advertising industry, should be required to incorporate the classification principles, categories, content, labelling, markings and warnings of the National Classification Scheme. The adoption of these measures by industry should be legally enforceable and subject to sanctions.

Government Response - noted

In chapter 6 of the report on the review of the NCS, the ALRC makes recommendations about the content (irrespective of its method of deliver or access) that should be classified under a new NCS as follows:

The Classification of Media Content Act should provide that feature films and television programs that are:
(a) likely to have a significant Australian audience, and

(b) made and distributed on a commercial basis,
should be classified before content providers sell, screen, provide online, or otherwise distribute them to the Australian public. The Act should provide for platform-neutral definitions of 'feature film' and 'television program' and illustrative examples. Examples of television programs may include situation comedies, documentaries, children's programs, drama and factual content. (Recommendation 6–1)

The Classification of Media Content Act should provide that computer games that are:
(a) likely to be classified MA 15+ or higher; and
(b) likely to have a significant Australian audience; and
(c) made and distributed on a commercial basis,
should be classified before content providers sell, screen, provide online, or otherwise distribute them to the Australian public.
The Act should provide for platform-neutral definitions of 'computer game' and illustrative examples. (Recommendation 6–2)

In chapter 8 of its report on the review of the NCS, the ALRC discusses advertising and concludes that advertising should not be brought within the scope of the NCS. It makes a specific recommendation for advertisements for classifiable content to be managed under the existing self-regulatory arrangements for advertising and amendments to advertising codes.

Beyond these recommendations, the ALRC does not specifically recommend that self-regulated media content be *required* to adopt the classification and other related obligations of the NCS.

Instead, the ALRC made the following suggestion:

The Classification of Media Content Act should enable the Regulator to approve industry codes that provide for the voluntary classification and marking of content that is not required to be classified. The Regulator should encourage the development of such codes for:
(a) computer games likely to be classified below MA 15+;
(b) magazines likely to be classified R 18+ or X 18+; and
(c) music with a strong impact. (Recommendation 6–4)

Chapter 13 of the ALRC Report further deals with possible industry Codes of Practice making the following recommendations:

The Classification of Media Content Act should provide for the development of industry classification codes by sections of industry or persons involved in the production and distribution of media content; and for the Regulator to request that a body or association representing a particular section of industry develop a code. (Recommendation 13-1)

Industry classification codes may include provisions relating to:
(a) methods of restricting access to certain content;
(b) the use of classification markings;
(c) methods of classifying media content, including by authorised industry classifiers;
(d) guidance on the application of statutory classification criteria;
(e) maintaining records, reporting classification decisions and quality assurance;
(f) protecting children from certain content;
(g) providing consumer information in a timely and clear manner;

(h) providing a responsive and effective means of addressing community concerns, including complaints handling; and
(i) reporting to the Regulator on the administration of the code. (Recommendation 13-2)

The Classification of Media Content Act should enable the Regulator to approve an industry classification code if satisfied that:
(a) the code is consistent with statutory obligations to classify and restrict access to media content and statutory classification categories and criteria;
(b) the body or association developing the code represents a particular section of the media content industry; and
(c) there has been adequate public and industry consultation on the code. (Recommendation 13-3)

The Classification of Media Content Act should enable the Regulator to determine an industry standard if:
(a) there is no appropriate body or association representing a relevant section of industry; or
(b) a request to develop an industry code is not complied with. (Recommendation 13-4)

The Classification of Media Content Act should enable the Regulator to enforce compliance with a code against any participant in the relevant section of the media content industry, where an industry classification code relates to media content that must be classified or to which access must be restricted. (Recommendation 13-5)

The Government will consider the Committee's recommendation in developing the Government response to the ALRC recommendations.

Recommendation 24

The committee recommends that industry bodies wishing to exercise classification decision-making functions should be required to be accredited by the Australian Government.

Government Response – noted

In the ALRC Report, the following recommendations are relevant to the Committee's recommendation:

The Classification of Media Content Act should enable the Regulator to determine, of the content that must be classified, what content must be classified by the Classification Board. The determination should be set out in a legislative instrument. (Recommendation 7-1)

The Classification of Media Content Act should provide that, other than media content that must be classified by the Classification Board, media content may be:
(a) classified by the Classification Board;
(b) classified by an authorised industry classifier; or
(c) deemed to be classified because it has been classified under an authorised classification system. (Recommendation 7-4)

The Classification of Media Content Act should provide that industry classifiers must have completed training approved by the Regulator and be authorised by the Regulator to classify media content. (Recommendation 7-5)

The Government will consider the Committee's recommendation in developing the Government response to the ALRC recommendations.

Recommendation 25

The committee recommends that the Classification Board should be responsible for the development of a content assessor's accreditation, including formalised training courses for all industries covered under the National Classification Scheme.

Government Response – agree

The Classification Act already provides that the Director of the Classification Board may authorise individuals to assess and make recommendations on the classification and consumer advice for certain material. This includes the additional content for a previously classified film or exempt film (s 22D); television series and series related content (s14B); and computer games (s17 (3-5)). These are known as the Additional Content Assessor scheme (ACA); the Authorised Television Series Assessor scheme (ATSA); and the Authorised Assessor Computer Games scheme (AACG). Section 31(3)(a) of the Act provides that the Director of the Classification Board may authorise a person to make assessments of the likely classification of unclassified films or computer games for advertising purposes. This is the Authorised Advertising Assessor (AAA) scheme.

In order to become an authorised assessor, a person must complete the relevant training course. Courses are devised by the Attorney-General's Department in consultation with the Classification Board and must be approved by the Director. Courses are conducted by training officers from the Attorney-General's Department experienced in assessing material and making classification recommendations to the Classification Board.

Once training has been satisfactorily completed, trainees receive a certificate signed by the Director granting them Authorised Assessor status.

The Department also runs courses for distributors of telecommunications media to become Trained Content Assessors as provided for under Schedule 7 of the *Broadcasting Services Act 1992*.

ALRC Recommendation 7-5 is also relevant here.

Although the Committee's recommendation is already implemented, the Government will consider the underlying policy considerations when developing the Government response to the ALRC recommendations.

Recommendation 26

The committee recommends that the accreditation of content assessors should be subject to disqualification as a result of poor performance.

Government Response – agree

Under the current authorised assessor schemes, individuals can have their authorisation revoked. For example, under s 5 of the *Classification (Authorised Television Series Assessor Scheme) Determination 2008*, the Director may revoke an authorisation of a person as an ATSA if that person submits an assessment that is misleading, incorrect or grossly inadequate.

The ALRC recommends that the Regulator should be enabled to, amongst other things, revoke the authorisation of industry classifiers (Recommendation 7-12).

Although the Committee's recommendation is already implemented, the Government will consider the underlying policy considerations when developing the Government response to the ALRC recommendations.

Recommendation 27

The committee recommends that transgressions of classification requirements within codes of practice by industry participants should, if verified by the Classification Board, be punishable by substantial monetary fines.

Government Response – noted

See response to Recommendation 16.

Recommendation 28

The committee recommends that the terms of appointment for members of the Classification Board and the Classification Review Board should be for a maximum period of five years, with no option for reappointment.

Government Response – noted

Appointments to the Classification Board are currently made on the basis of a broad cross-section of community representation. This must be balanced with the needs of industry by ensuring consistent standards are maintained irrespective of the makeup of the Board. The 1991 ALRC Review of the classification scheme recommended that Classification Board member terms be limited to a maximum of 7 years.

The ALRC has recommended the retention of an independent classification board but is silent about the appropriate length of term for members.

The ALRC makes a number of recommendations about the role of the Classification Board in relation to decision-making and benchmarking (for example, Recommendations 7-2 and 7-3). It also recommends that the Classification Review Board cease to operate in the new NCS (Recommendation 7-9).

The Government will consider the Committee's recommendation in developing the Government response to the ALRC recommendations.

Recommendation 29

The committee recommends that the Australian Government should establish a 'Classification Complaints' clearinghouse where complaints in relation to matters of classification can be directed. The clearinghouse would be responsible for:

- *receiving complaints and forwarding them to the appropriate body for consideration;*
- *advising complainants that their complaint has been forwarded to a particular organisation for consideration; and*
- *giving complainants direct contact details and an outline of the processes of the organisation to which the complaint has been forwarded.*

Government Response – noted

Recommendations 13-2, 14-1 and 14-2 of the ALRC Report are relevant to this recommendation.

The Government will consider the Committee's recommendation in developing the Government response to the ALRC recommendations.

Recommendation 30

The committee recommends that the Attorney-General should specifically direct the ALRC to consider, as part of its current review of the National Classification Scheme, all the findings, proposals and recommendations put forward in this report.

Government Response – agree

This was done by the then Minister for Justice on 12 September 2011, and the Committee was advised at this time.