

PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

**Senate Select Committee on Community Standards
Relevant to the Supply of Services
Utilising Electronic Technologies**

REPORT

ON

THE PORTRAYAL OF VIOLENCE

IN THE

ELECTRONIC MEDIA

FEBRUARY 1997

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ISBN 0 642 251 22 3

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RECOMMENDATIONS

The Committee recommends that organisations such as Young Media Australia, the Australian Broadcasting Authority and the Australian Film and Television School be given a financial allocation to run seminars for script writers and film and video games producers aimed at highlighting the need for a more balanced and realistic portrayal of the long term effects of violence.

(Recommendation 1)

The Committee recommends that the Australian Broadcasting Authority undertake, at different times and for limited periods, a review of television stations practice in the area of program promotion between the hours of 3.30pm and 8.30pm against their written codes to assess the extent of compliance (or otherwise) with their Codes of Practice.

(Recommendation 2)

The Committee recommends that:

(a) a telephone/fax *Hotline* be re-introduced by the Australian Broadcasting Authority for the public to register complaints about television programs. The *Hotline* could work in a similar way to the one operated by the former Australian Broadcasting Tribunal.

(b) that the ABA report on the operation of the *Hotline* in its annual report.

(Recommendation 3)

The Committee recommends that the *Broadcasting Services Act 1992* be amended to allow the Australian Broadcasting Authority to impose penalties, including "on the spot" fines of up to \$100,000.00 on television stations for proven breaches of their own codes of practice.

A decision on whether non-compliance had occurred would be required to be made within a 48-hour period.

(Recommendation 4)

The Committee recommends that the ABA be made responsible for the classification of all children's programs (including cartoons for children).
(Recommendation 5)

The Committee recommends that the current on-air information campaign by the Federation of Australian Commercial Television Stations (FACTS) be modified so that, in addition to telling viewers that classification and consumer advice is available, information should be given about the meaning of each classification symbol.
(Recommendation 6)

The Committee recommends that separate guidelines be introduced for the classification of videotapes to ensure that higher standards are applied to videotapes than for the equivalent categories of film for cinema release.
(Recommendation 7)

The Committee recommends:

(a) That the Australian Broadcasting Authority, in association with the OFLC undertake at different times throughout the year a random audit of films classified for television by the television stations themselves and require the television stations to state:

(i) how much footage they have cut in the process of modifying the film for TV broadcast

(ii) their reasons for the classification they chose to give to the film under review.

and

(b) That the Australian Broadcasting Authority report on its findings in its annual report.
(Recommendation 8)

The Committee recommends that television stations vary the use of the symbol V to indicate the level of violence in a film ranging from V-low level violence to VV-medium level violence and VVV- to indicate high level violence. (Recommendation 9)

The Committee recommends that the Attorney General increase the level of fees imposed by the Office of Film and Literature Classification (OFLC) for classification if the material to be classified is found to contain high level violence. (Recommendation 10)

The Committee recommends that the funds raised by the increased fees be used to finance public education campaigns aimed at highlighting the possible adverse effects of watching large amounts of violent material. (Recommendation 11)

The Committee recommends also that State and Territory Ministers consider proposals to require that all R-rated violent videos carry a label indicating that the content of such videos might be harmful to the mental wellbeing of children and those adults suffering from depression and other mental disorders. (Recommendation 12)

The Committee recommends that when reporting news items which are identified by the television stations themselves as being accompanied by "disturbing footage", that footage should only be shown in later evening news bulletin and not during the early evening news bulletin when large numbers of children are watching television. (Recommendation 13)

The Committee recommends that the ARIA Code of Practice Guidelines No. 3 for "material which are not permitted to be sold" be amended to add the word "suicide" after the words "incest" and "child abuse". (Recommendation 14)

The Committee recommends that State and Territory education ministers take steps to encourage schools to offer a compulsory course on a critical evaluation of the media at some stage during the latter primary school years. (Recommendation 15)

The Committee recommends that the federal government fund a public education campaign through the media to make parents and teachers aware of the means (such as the classification symbols, the V-chip as it becomes available and PICS labelling on the Internet) available to them to control material that their children watch and play with. The campaign should include information on how to find out more about how those control systems operate. (Recommendation 16)

The Committee recommends that the federal and state governments increase, through the relevant departments, funding currently available to organisations that run conflict resolution programs and other programs designed to promote a culture of non-violence in the community. (Recommendation 17)

The Committee recommends that the Australian Broadcasting Authority review the number of viewer complaints about the amount and levels of violence shown by a television networks in order to:

- (a) highlight those television networks showing the most violence
- (b) encourage a reduction in violent programming by linking it to the commercial television licence renewing process. (Recommendation 18)



Senator John Tierney

Chairman

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**Senate Select Committee on Community Standards
Relevant to the Supply of Services Utilising
Electronic Technologies**

TERMS OF REFERENCE

The Portrayal of violence in the electronic media and related matters arising from submissions to the Committee of Ministers on the Portrayal of Violence in the Media.

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INTRODUCTION

Violence on the media might promote violent behaviour in a number of ways such as providing poor models, glorifying violent heroes, conveying the message that problems can be solved by violence, conveying the message that using violence to deal with problems does not have negative consequences, contributing to callous attitudes in bystanders, reinforcing negative sex stereotypes and blurring the idea of consent in sexual relations. The media could equally be used to promote better human relations and more realistic problem solving methods.¹

On 22 August 1996, the Senate referred to the Senate Select Committee on Community Standards Relevant to the Supply of Services Utilising Electronic Technologies the following matter for inquiry and report:

The portrayal of violence in the electronic media and related matters arising from submissions to the Committee of Ministers on the Portrayal of Violence in the Media.

The government established the Committee of Ministers on the Portrayal of Violence in the Media on 6 May 1996 in the wake of the tragic events that had taken place at Port Arthur in Tasmania on Sunday 27 April 1996. From the start, the intention was for that Committee to report back to Cabinet within a short time-frame and it did so in June 1996.

In view of the time constraints on the Committee of Ministers and of the number of public submissions received (over 700 submissions and letters) matters raised in the submissions were further referred to the Senate Select Committee on Community Standards for report after consultation with those who had expressed interest in the inquiry. The Senate Committee's report and recommendations constitute a second phase to the inquiry into the portrayal of violence in the electronic media, the first having been carried out by the Committee of Ministers.

1 Submission No 155 (Professor D Bretherton, University of Melbourne)

A list of the recommendations made to Cabinet by the Committee of Ministers in July 1996 follows. Progress to date (as at 7 February 1997) on the implementation of those recommendations is highlighted in italics below:

Research and Public Education

A specific research study should be undertaken to identify groups most at risk from the portrayal of violence, analyse reasons why these groups are at risk and identify possible solutions.

This matter was referred to the Ministers for Health and Family Services. The report on research commissioned by the sub-committee is expected to be considered by the Government shortly.

Regular public and school education campaigns should be continued.

The Federation of Australian Commercial Television Stations (FACTS) initiated an on-air information campaign about the television classification system during 1996 and 1997.

The Minister for Schools, Vocational Education and Training is to promote school education programs.

Choice and Parental Empowerment

An Industry Code of Practice for Video and Interactive Software Retailers should be introduced which requires:

- a) Classification and consumer advice to be attached to the take home video covers of all rental titles.
- b) Retail video stores to install computer systems which respond to parental preferences on membership borrowing cards so that card holders such as children or family members can be refused access to video or computer game titles beyond a specified classification.
- c) Video rental outlets to prominently display educational material relating to classifications.
- d) Rental and retail staff to be made fully aware of the legal obligations imposed by classification laws.

These matters were referred to the Attorney-General. The Australian Visual Software Distributors Association and The Australian Video Retailers Association have commenced discussion on the development of codes of practice. AVRA has circulated a draft code to its Board, industry stakeholders and members of the Association and expects to submit the code to the Attorney-General's Department by the end of May 1997.

Technical blocking devices should be built into all new television sets with implementation details to be decided in consultation with industry.

Technical blocking devices should be made available for existing analogue television sets with implementation details to be decided in consultation with industry.

The Department of Industry, Science and Tourism and the Department of Communications and the Arts have commenced consultation with the broadcasting and electronics industries on the form and timing of implementation.

Legal Processes and Enforcement

Prohibitions should be introduced on the export of all refused classification materials ensuring export regulations are consistent with import regulations.

Subject to consideration of resource implications the Australian Customs Services should increase vigilance in respect of prohibited material at the Customs barrier.

These matters were referred to the Attorney-General and the Minister for Small Business and Consumer Affairs.

The Australian Customs Service, in consultation with the Attorney-General's Department, has issued drafting instructions to the Office of Legislative Drafting in order to implement the necessary legislative changes. A draft has been received and is currently being settled between the relevant agencies.

The Commonwealth Attorney-General should discuss with State Censorship Ministers arrangements to make it an offence to possess films, videos, and video and computer games that have been or would be refused classification because of violent content.

This issue is under consideration by Commonwealth, State and Territory Censorship Ministers. It is understood that this matter will be discussed further at a meeting scheduled for March 1997.

The Commonwealth Attorney-General should propose to State Censorship Ministers that consideration be given to the expansion of the Community Liaison Officer (CLO) scheme into a national scheme covering all jurisdictions. The CLO Scheme provides assistance to State enforcement agencies and industry, particularly at retail level. CLOs should be invested with State powers at least sufficient to permit the confiscation of illegal material.

Victoria, South Australia, the Northern Territory, and the Australian Capital Territory had previously agreed to participate in a trialing of the scheme for one year. At the October meeting of the Standing Committee of Attorneys-General, Tasmania also agreed to join the scheme. NSW, Queensland and Western Australia will reconsider their position at the end of the trial period.

Broadcasting and Classification

The Commonwealth Attorney-General should propose to the State Censorship Ministers that they amend current draft OFLC classification guidelines for films and videos to remove the high level violence material from the 'R' classification resulting in such material being refused classification.

On 11 July 1996, the Attorney-General and State and Territory Censorship Ministers amended classification guidelines for films and videos to remove high level violence material from the R classification. Such material would now be classified as RC (Refused Classification). Implemented by the Office of Film and Literature Classification.

The Commonwealth Attorney-General should propose to the State Censorship Ministers that the Classification Board recall for reclassification those films classified high 'M' prior to 1993 such as Cape

Fear and Silence of the Lambs which are now likely to attract an 'MA' classification.

The continued modification, in accordance with Office of Film and Literature Classification guidelines, of films by free to air broadcasters in recognition of the community expectation that lower levels of violence should be depicted on television than portrayed in cinema films.

These are matters for national and commercial broadcasters to implement through their respective codes of practice. The revised draft Federation of Australian Commercial Television Stations Commercial Television Industry Code of Practice contains a clear reference to the need to modify films in this way.

The broadcast of MA programs carrying a consumer advice V symbol should only be shown between the hours of 9.30pm and 5am.

FACTS has released a revised draft code which proposes a new AV classification with a 9.30pm to 5.00am time zone.

All broadcasters should review complaints mechanisms so as to ensure that they are effective and responsive to community concerns.

These also are matters for national and commercial broadcasters to implement through their respective codes of practice.

Community Representation

The Commonwealth Attorney General should review the composition of the Classification Board and the Classification Review Board to ensure that they are broadly representative of the Australian community as required under the Commonwealth Act. The Attorney General to ensure that the terms of appointment of members of the Board enable the regular rotation of Board membership.

The review of the Classification Board and the Classification Review Board has been completed. The Attorney-General has since announced that he has requested his Department to review the selection process for appointments to the Classification Board.

Monitoring Public Concerns

Matters arising from submissions to the Committee should be referred to the Senate Select Committee on Community Standards Relevant to the Supply of Services Utilising Electronic Technologies or to a Task Force of Government Members (with a reporting date to be determined) in order to ensure that the Government is fully apprised of community expectations and to enable all submitters to have an adequate opportunity to be heard.

The Senate Committee tabled its report on 13 February 1997.

The Senate Committee's inquiry concentrated on the views of the community as revealed in submissions. Following a close reading of the 700 submissions, the Senate Select Committee on Community Standards invited almost 10 per cent of those who had made submissions to the Committee of Ministers to attend a public seminar in Canberra on 29 November 1996. Seminar participants were selected on the basis of whether their submission made a substantial contribution to the debate on the portrayal of violence in the media. However, not all those who were invited were able to attend.

Organisations that had already made oral presentations to the Committee of Ministers were not initially invited to participate in the Senate Committee's seminar since they had already been heard. These included the Australian Broadcasting Authority (ABA) the Federation of Australian Commercial Television Stations (FACTS) the Australian Broadcasting Corporation (ABC) the Special Broadcasting Service (SBS) and the Australian Visual Software Distributors Association (AVSDA). Most expressed interest in the Committee's seminar which was open to the public and chose to send representatives as observers.

The Director of the Office of Film and Literature Classification (OFLC) Mr John Dickie, was the only person who had appeared before the Committee of Ministers who was also invited to act as a facilitator at one of the Senate Committee's seminar sessions. The Committee felt that it was important for seminar participants to have access to an expert on classification issues.

It must be stressed at the outset of this report that submissions to the Committee of Ministers and the Senate Select Committee on Community

Standards were not equally divided on the issue of the portrayal of violence in the electronic media. Some 99 per cent of submissions called for action to reduce the amount of violence portrayed. The remaining one per cent of submissions argued for a no-change approach on the basis that stricter rules for classification and stricter regulation of media broadcasters and distributors would be an infringement of people's right to see and hear what they wish.

Since participants in the Senate Committee's seminar were drawn from individual and groups who had made submissions to the Committee of Ministers (the overwhelming majority of which called for reductions in the levels of violence portrayed) it was not surprising that most participants proved to be critical of the electronic media industry for what they saw as its tolerance of violent material. In this report the Senate Committee addresses in turn, the main issues contained in the majority of submissions and raised at the public seminar held on 29 November 1996.

In order to ensure that a fair hearing had been given to all those concerned, after its public seminar the Committee wrote to the major players in the film, television (both commercial and government-funded) video and computer software distribution industry sending them a copy of the Hansard transcript of the seminar proceedings and inviting comments. Responses were received from the Federation of Australian Commercial Television Stations (FACTS) and the Federation of Australian Narrowcasting and Subscription Services Inc. (FANSS) and the Eros Foundation.

COMMUNITY CONCERN

The strong support expressed in submissions for a reduction in the amount of violence shown must be seen in the broader context of community attitudes generally and of the shocked reaction in the wake of the Port Arthur massacre. Public opinion polls conducted after the mass murders showed that up to **68 per cent** of those surveyed favoured more restrictions on violent movies, videos and video games and **75 per cent** of voters believed violence on television was excessive.²

Public concern was fuelled by a debate in the electronic and print media about the effects of film violence on certain people and by statements by prominent figures in the entertainment industry, such as the actor Dustin Hoffman who told the 1996 Cannes Film Festival: "Do I think screen violence contributes to violence on the streets? Of course the answer is yes". Hoffman was supported by film directors, including Francis Ford Coppola who had made the *Godfather* trilogy and George Miller, the maker of the *Mad Max* series who called the easy availability of violent films and high-powered guns "a lethal mix".³

The strong community feelings revealed by the public opinion polls had not developed overnight: As far back as 1990, the Australian Broadcasting Authority's predecessor, the Australian Broadcasting Tribunal found that 60 per cent of adults surveyed believed that too much violence was shown on television.⁴ The ABA's latest survey of audience concerns (which preceded the Port Arthur events) found that violent portrayals remains a major concern after news and current affairs: 71 per cent of the sample surveyed thought too much violence was shown in movies starting at 8.30 pm on commercial television.⁵

Submissions came from a broad spectrum representative of the Australian community, covering all states and men and women of all ages. A substantial number of submissions (not petitions) came from

2 *The Australian*, 14 May 1996 (Newspoll) and *The Age*, 17 July 1996 (AGB McNair)

3 *The Australian*, 13 May and 17 May 1996

4 Australian Broadcasting Tribunal (ABT) *TV Violence in Australia*, Report to the Minister for Transport and Communications, 1990.

5 Australian Broadcasting Authority, *Your say, A review of audience concerns about Australia's broadcast media*, Sydney, 1996, p.33

groups and were signed by more than one person (for example, there were 74 signatures from the National Council of Women of Tasmania). Members of Parliament, both state and federal put in submissions on behalf of their constituents. Other submissions were written as a result of public meetings (Tamworth City Council held such a meeting).⁶

Educators were particularly strong in voicing their opinions because of a feeling that violent television programs and videos make their task of educating the young more difficult. A particular concern was the unsuitability, as a role model, of the "super hero" who has recourse to violence to achieve his goals. Many teachers felt that young boys in particular (under 8 years) who identified strongly with such characters often behaved in ways that were unacceptable in a group situation. This was a view expressed by teachers from the government-funded system as well as from denominational schools. Their concern was supported by Young Media Australia Director, Barbara Biggins who told the Senate Committee:

Our classification systems presently reflect a proper concern to minimise children's and young people's exposure to extreme forms of violence, but they are not adequately reflecting concerns about the socialising effects of violent heroes on the young.⁷

Other professional groups well represented in submissions were psychologists, some of whom spoke of the damage that they see in children exposed to violent material at a young age (ranging from nightmares to phobias and excessive fear of social contact in a world perceived to be more dangerous than it really is). Social workers also expressed concern that young people referred to them for professional assistance often watched an inordinate amount of violent material.⁸

Their concern was not only that poor role models were being presented to young people who were at a vulnerable stage in their development but that a worrying trend was developing towards portraying the violence from the perpetrator's perspective. This approach does not readily allow the viewer to feel empathy for the victim and it could have long-term negative effects on the social development of young people.⁹

6 Submissions No 102, 397, 96060212

7 Hansard, Friday 29 Nov. 1996, p.41 (Ms Biggins)

8 Submission Nos 27, 170, 173

9 Submission No 27 (Prof Sheehan)

Even if such material is rated R, once available on video, it can be obtained by someone over 18 years of age for the use of much younger people.

Submissions called for the inquiry to address the issue of the sale and distribution of X-rated videos from the Northern Territory (NT) and the Australian Capital Territory (ACT). The Senate Select Committee stresses that the issue of sexually explicit material (which is given an X-rated classification) is technically outside the scope of its inquiry's terms of reference and, accordingly, it will not be considered in this report. The Committee is aware that many of those who raised that matter did so from the viewpoint of the seminar participant who considered the X-rated video industry to be "a violence against women".¹⁰ It understands the concerns of those who hold such views and it is mindful of evidence presented on this point to the Joint Select Committee on Video Material. Professor James Check met with the Joint Committee to discuss his research data which showed that

those who had been exposed to Category II non-violent pornography subsequently reported a higher likelihood to rape, and to force unwanted sexual acts on women, than subjects who had not been so exposed.¹¹

The Office of Film and Literature Classification (OFLC) *Guidelines for the Classification of Films and Videotapes* (approved on 11 July 1996 by the Commonwealth State and Territory Censorship Ministers) state that the X-rated ¹²classification:

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.

10 Hansard, Friday 29 Nov. 1996, p. 64 (Mrs Casley-Smith)

11 *Report of the Joint Select Committee on Video Material*, Vol 1, Canberra, AGPS, 1988, para. 13.57 (p.205)

12 NB: This classification is for material only available on video and can be obtained only from the ACT and Northern Territory.

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 .¹³

Accordingly, the Committee has kept within its terms of reference and has concentrated its inquiry into how physical violence is portrayed in the electronic media in programs including news, current affairs, documentaries and films and videos rated in the G, PG, M, MA and R categories. It has not inquired into issues of what constitutes coercion and consent and whether an X-rated or a Refused Classification (RC) should apply to a sexually explicit video because these matters are clearly outside this inquiry's terms of reference. A summary of how the OFLC's Guidelines are applied in the allocation of the various categories just listed is at Appendix 1.

13 Office of Film and Literature Classification (OFLC) *Guidelines for the Classification of Films and Videotapes* 1996, p 13.

WHAT CAN GOVERNMENTS DO?

When releasing the terms of reference and membership of the Committee of Ministers, the Minister for Communications and the Arts pointed out that the Coalition parties had indicated during the 1996 federal election campaign that, if elected, they would review television codes of practice in relation to the portrayal of violence.¹⁴ However, the government's decision to set up an immediate inquiry was announced against the backdrop of the shocking events at Port Arthur and it is in this climate that the Senate Committee has conducted its further inquiry. In such a climate, there are many who want to see immediate action and who would prefer to believe that simple solutions can be found in order to stop the recurrence of mindless killings. Confronted with repeated media reports of police finding large numbers of violent videos in the personal belongings of persons accused of mass killings in recent years, some are pointing an accusing finger to the industry responsible for the production, broadcast and distribution of this material.

The majority of the 700 submissions received by the Committee offered suggestions on how to reduce the amount of violence portrayed in the electronic media. A substantial number called for governments to place a total ban on violent films. There were also repeated calls for complaints mechanisms to be more accessible and responsive. Other suggestions included a continuing ban on R-rated programs on pay television and on-the-spot fines for television networks that breach their own codes of practice, that is the Federation of Australian Commercial Television Stations (FACTS) Code of Practice or the ABC and SBS Codes of Practice. Ideas were put forward on how to refine the classification process to make it more in tune with community standards. The Committee will return to the issue of classification later in this report.

In view of the prominence given to the need to "do something" in the majority of submissions and at the Senate Committee's public seminar, a sample of the measures suggested by participants is listed below:

14 Senator the Hon. Richard Alston, Minister for Communications and the Arts, Press Release, 8 May 1996, p. 1

Classification and Consumer Advice:

- That a more elaborate system of classification be devised for under 15 year olds so that more information is given to parents. For example, horror, violence and sex could be signalled and parents given some indication of whether a film contains material that is problematic for an under 8 year old or an 8 to 12 year old.
- That film producers be encouraged to submit to the OFLC (Office of Film & Literature Classification) the reasons for the amount and type of violence portrayed in their films.
- That film producers should be encouraged to make a claim for the level of classification which they believe to be appropriate to their productions. This would enable those involved in classification decisions to engage in dialogue about the potential effect of the violence portrayed.
- That television stations be required to state the reasons behind the classification they give to movies shown in the 8.30 pm time-slot.
- That violent cartoons based on toys from the United States (or elsewhere) be banned in Australia and that the US Federal Communications Commission be informed of the decision.
Alternatively, that the classification level (currently G) of toy-based cartoons originating from the United States be reviewed because of the level of violence depicted in them.
- That during television time allocated for children (before school time in the morning and after school in the afternoon) advertising for television shows broadcast in other time slots should be limited to categories deemed appropriate for children.
- That the type of consumer advice given on video jackets and prior to television screening of films be more detailed in regard to the level and frequency of the violence portrayed. For example, just as a film can be said to be 3 stars ***, a violence rating (V) could be given in the form of (VV) or (VVV)

depending on the frequency and intensity of violent episodes portrayed in the film.

- That selected members of the general public (including parents and teachers) be given the opportunity to provide feedback to those who serve on the Classification Board.¹⁵

Film Production:

- That funding incentives, in the form of a grant or a taxation incentive be given to producers to make films of a non-violent nature.
- That an award system be developed to encourage the production and promotion of non-violent films (films in which conflict is resolved in non-violent ways). The award selection mechanism could involve the National Violence Prevention Awards organisation, the United Nations Association of Australia and the Australian Film Institute (AFI).
- That men and boys in particular be exposed to male role models that are positive and encouraging and that help them see that "a real man does not have to be violent"¹⁶ or to always respond violently in conflict situations.
- That film producers be encouraged to canvass non-violent solutions in their films (portraying alternative solutions to killing others or oneself as a means of resolving personal dilemmas and or conflict).

Television Broadcasters

- That television stations use a blurring image effect (as they are legally required to do for news coverage of certain court

15 NOTE: The Attorney-General announced on 27 December 1996 that State and Territory Censorship Ministers have agreed in principle to such a proposal.

16 Hansard, Friday 29 Nov. 1996, p 66 (Mr Laming)

proceedings) when reporting violent occurrences at sporting events.

- That a *Hotline* be re-introduced for the public to register complaints about television programs to the Australian Broadcasting Authority (along the lines of the hotline service offered by the former Australian Broadcasting Tribunal (ABT).

That "on the spot" fines of up to \$100,000.00 be introduced for breaches by television networks of their own Codes of Practice.

Video Distribution

- That the hiring time for violent videos be reduced to a maximum of 24 hours and that large penalties be imposed on video retailers for any breaches of rules governing the distribution of violent material.
- That a violence levy be imposed on video distributors and retailers so that they have to pay a large sum to distribute violent videos. They would then have to charge higher than normal for renting out those videos. This would act as an economic disincentive to children's hire of such material.
- That an intensive public education campaign be conducted to educate parents and children about the potentially harmful effects of violent videos.
- That there be a legal requirement that labels be placed on violent videos warning that they contain material that are potentially detrimental to the well-being of children and adolescents.

All Categories

- That a community education campaign be conducted on the lines of the anti-smoking and *Clean-Up Australia* campaigns, stressing the possible adverse effects (especially on children) of over exposure to violent images.

RESEARCH FINDINGS

For many years now, research has been conducted on possible links between watching violent material in the electronic media (playing with that material in the case of computer and video games) and subsequent violent behaviour. The majority of submissions to the Committee quoted one or more of the research findings to support the argument put forward and many claimed that the research "proved" that exposure to on-screen violence caused aggressive behaviour, including killings. Alternatively, the few who made submissions against any change in current classification, broadcast and distribution practice argued unanimously that since it was not possible to demonstrate a direct cause and effect link between watching violent action and subsequently engaging in such action, the government should not take steps that might affect access to any type of entertainment or information currently available through any branch of the electronic media.

The ABA, the OFLC and the Australian Institute of Criminology (AIC) submitted research findings to the Committee of Ministers which they took into account in their report and in making their recommendations. The Senate Committee found the regular surveys conducted by the ABA to assess Australian attitudes and expectations of what is shown on television very useful to its work.

While they are useful in indicating what the viewing public expects, attitudinal surveys do not help us find out about the effects of media violence. The Committee is aware of the complexity of the problem faced by researchers in that area since so many factors are involved in influencing human behaviour that it is almost impossible to isolate the impact of any particular factor. There is now such an amount and diversity of research on the effects of violent images accessed through the electronic media that Dr Adam Graycar, the Director of the Australian Institute of Criminology (AIC) told the Committee at its public seminar:

Essentially...you can find something in the literature to back up any point of view you want. They are all rigorous studies; they are all carefully done..¹⁷

17 Hansard, Friday 29 Nov. 1996, p.5, (Dr Graycar)

Dr Graycar based his remarks on a paper written for the AIC by Melanie Brown (and distributed at the Senate Committee's seminar) which reviewed the literature in this area. It highlighted that the causes of aggressive behaviour are extremely complex because so many factors are involved and it is almost impossible to isolate one possible cause from another. Not every person who watches violent acts on screen go on to imitate them and, although the public is concerned about the effects of on-screen violence, there are many factors in society (such as poverty, violence and abuse in the home and cultural disintegration) that impact on violent behaviour. However, the paper pointed out that the research findings include:

- watching violence on screen is related to increased aggression, desensitisation to violence and increased fear of crime...
- the relationship between viewing violent screen images and exhibiting aggressive behaviour appears to be bi-directional. That is aggressive people are more likely to watch violence, and people who watch violence are more likely to be aggressive
- the context in which violence is portrayed plays a critically important role in relation to its effects...
- children are most at risk from these effects, and young adults may also be at risk.¹⁸

The paper also refers to Paik and Comstock's analysis of 217 studies (1994) which concluded that "there is sufficient evidence to suggest an association between watching violence (and erotica) on television and subsequent aggressive behaviour"¹⁹

Dr Graycar's comments at the public seminar reinforced this point:

When we were trying to say what triggers off violence after watching some aspect of violence in the media, we could not determine any causes and effects....But the majority of studies that were reviewed concluded that there are a number of adverse effects from watching violence on television and films: effects such as increased aggression, desensitisation to violence, and increased fear

18 Brown, M. *The Portrayal of Violence in the Media: Impacts & Implications for Policy, Trends and Issues in Crime and Criminal Justice* No 55, Australian Institute of Criminology, Canberra, June 1996.

19 As above.

of crime – particularly among young children and adolescents, who are the most vulnerable.²⁰

Rather than concentrating on a largely inconclusive cause and effect debate, the Senate Committee's view is that action should be taken on the basis of the consensus among researchers that there are possible adverse effects from watching violence and that children and adolescents are particularly vulnerable. It is with a view to protecting the most vulnerable in society that the Committee has made its recommendations in this report.

Most submissions supported such an approach arguing that even if it is only probable that there is an **association** between repeated viewing of violent material and aggressive behaviour, the community cost of events such as the Port Arthur and Hoddle Street massacres is so high that the interest of the community should take precedence over individual liberty in the same way as it does on national highways. Most drivers act responsibly and take care of their vehicles, do not drink-drive or drive at excessive speeds but since there are a few who are willing to break all the rules and put all others at risk, speed and blood alcohol level limits are set at a level which minimise the danger for everybody.

Portraying the Consequences

In one of the most informative submissions to the inquiry, Professor Peter Sheehan, on behalf of the National Committee for Psychology, stressed that the combination of realistic film effects in portraying the actual acts of violence and the failure to follow this up with a realistic portrayal of the consequences of the violence on both victims and perpetrators can have negative consequences on the behaviour of children and other immature individuals. The reality is so distorted that the viewer might learn a repertoire of aggressive responses without ever confronting what the consequences might be:

Very violent films often teach in addition a tacit acceptance of "might is right," that violence is a proper way to resolve problems. And

20 Hansard, Friday 29 Nov. 1996, p.5-6 (Dr Graycar)

where the violent action is rewarded, the violent behaviour is seen to be often successful in gaining what the perpetrator wants.²¹

This thesis was supported by the experience of a worker in a behaviour change program for violent men in Victoria who told the Senate Committee:

One of the things that comes out of education groups, both with young men who have been charged and convicted of assault in the community and with men who have been found guilty of domestic violence, is that a key common denominator is that they do not have to take responsibility. They are not faced with the consequences, ramifications and effects of their violence or abuse, and that allows them to get away with whatever form of violence it is, and they identify that as one of the factors that affects their re-offending and not taking it seriously.²²

There was discussion at the Senate Committee's seminar about the need to tackle the problem of violence in films and other television programs at the production end rather than at the broadcasting and distribution end when classification and local censorship are applied. In addition to offering incentives to script-writers and producers to make non-violent movies and programs, it was felt that an effort should be made to raise their awareness of how young people perceive the violence they watch and what their reactions are.

A responsible approach

There is a need for example, to bring to the attention of professionals involved in writing and producing television shows recent research findings on the importance of the context in which violence is portrayed and on the portrayal of the consequences of violence, both on the perpetrators and on their victims. The Director of the OFLC quoted recent research from the University of California, which looked at this issue: The researchers found that in about 74 per cent of cases portrayed, the perpetrator of violence did not suffer any consequences of his actions. More disturbingly, in only 16 per cent of television shows, was any attempt made to subsequently confront the viewer with the real

21 Submission No 27, p.2 (National Committee for Psychology)

22 Hansard, Friday 29 Nov. 1996, p.11 (Mr Laming)

effects of the violence portrayed (how the victims or even the places were after the violence had been committed).²³ The Senate Committee believes that this type of research should be more readily highlighted among film writers and producers.

Some submissions pointed out that it appears to be easier for film production teams and for script-writers in particular to use violence as a conflict resolution mechanism rather than further the action through character development or other means. *Young Media Australia* told the Senate Committee that it had identified this problem and had already sought funding for a proposal:

to run seminars for writers and storyboarders about developing alternatives to portrayals of violence... looking at how you can make your scenarios just as exciting and interesting without resolving your conflict with violence.²⁴

While this is an excellent idea, it would only resolve part of the problem because most of the material portraying high level violence that is shown on Australian television stations originate from overseas. Nevertheless, the Senate Committee believes that every effort should be made to encourage the making of non-violent programs. Accordingly, the Committee recommends:

That organisations such as Young Media Australia, the Australian Broadcasting Authority and the Australian Film and Television School be given a financial allocation to run seminars for script writers and film and video games producers aimed at highlighting the need for a more balanced and realistic portrayal of the long term effects of violence. (Recommendation 1)

23 Hansard, Friday 29 Nov. 1996, p.11 (Mr Dickie)

24 Hansard, Friday 29 Nov. 1996, p. 62 (Ms Biggins)

FOCUS ON TELEVISION

Concern with the portrayal of violence on television is not new. The National Committee on Violence (NCV) set up in 1988 as a result of a Commonwealth/State Agreement made in 1987²⁵ to investigate all aspects of violence in Australian society, published a pamphlet on the issue of *Violence on Television*. The Chair of the National Committee wrote at the time:

Of all aspects of violence considered by the NCV, the issue most frequently raised in submissions from the general public was that of violence and the media. Research commissioned by the Australian Broadcasting Tribunal also highlights the concern felt by many Australians about the impact of televised violence upon the community.²⁶

In its extensive report, the National Committee on Violence made five recommendations aimed specifically at media organisations. These are reproduced at Appendix 2. It is interesting that submissions to this inquiry show that public demand for more pro-social and non-violent television programs and concern with the glorification of violence, especially in sport, remains as strong today as it was almost a decade ago.

In the interim, the television industry has responded to community concerns by reviewing their codes of practice. In March 1991, FACTS issued a pamphlet, *The Portrayal of Violence on Television, A Code of Industry Practice*, bringing together for the first time the different guidelines that commercial television broadcasters had on the portrayal of violence. The ABC and SBS also reviewed their codes.

Again in the week following the Port Arthur massacre, commercial television stations withdrew advertised movies that contained high level violence from their programs and in June 1996, FACTS launched an extensive on-air advertising campaign explaining the classification symbols used and highlighting the on-screen advice available to parents to assist them in controlling what their children watch. FACTS is also

25 Note: The National Committee on Violence was set up in the wake of continuing community disquiet partly triggered by the mass murder in Queen Street, Melbourne during 1987.

26 Wright, Andree, *Violence on Television*, Pamphlet No.6, National Committee on Violence, 1989

amending its Code of Practice so that programs classified MA (where higher levels of violence may be portrayed) would be shown at 9.30 pm rather than at 9.00 pm. Both the ABC and SBS told the Committee of Ministers that their programming styles did not generally involve excessive portrayal of violence. They argued that they showed MA programs beginning at 9.30 pm and that they operated well within community standards.

FACTS's efforts to amend its Code of Practice reflects the television industry's willingness to meet community expectations in relation to the portrayal of violence on television. Yet, submissions to the Ministerial Committee after the Port Arthur events and opinion polls indicate that public concern about violence on television remains strong. Why does the public find it hard to accept that the television stations are acting in good faith on this issue?

The behaviour of the TV stations may provide part of the clue to the attitude of the community. In relation to television program promotion practice, for example: A movie might contain few episodes of violence but it is often the most violent one that will be highlighted and shown repeatedly in promotion segments giving a distorted impression to those who will not watch the movie but who may see the same violent extract repeated dozens of times while they are watching another program. A key factor here is that while viewers can choose to avoid a violent program if they prefer, they do not have the same control over violent images shown in promotions for other programs.

Program promotion managers might argue that they select the violent image for use in the screen promotion because it is the surest way to catch the attention of potential viewers. In a climate where the community is indicating its concern about the amount of violence on television, it seems to the Committee that program promoters should avoid repeated use of violent sequences in screen promotions and concentrate instead on highlighting other dramatic aspects of their programs.

This focus on violence often extends to promoting the evening news bulletin. Those bulletins will often carry distressing news (sometimes the result of violent acts) from not only the local area but from national and international sources as well. The result is that many viewers of other programs feel that they are being bombarded with violent images

which appear disproportionate to each individual's limited personal experience of violence.

Effectiveness of the Codes of Practice

Another major contributor to the negative public perception of television stations' willingness to deal with violence in programming is the extent to which the stations themselves abide by their own Codes of Practice. There is no doubt that a lot of thought and community consultation have gone into the development of the codes (FACTS, the ABC's and SBS's). They meet the requirements of the *Broadcasting Services Act 1992* and they provide excellent guidelines on how to deal sensibly and sensitively with the issue of violence. However, the bulk of submissions indicate that there is a feeling in the community that self regulation has not worked satisfactorily because television stations do not abide by the rules they have made themselves.

This appeared to be a problem particularly in relation to children's viewing times. One example mentioned was in terms of screening inappropriate program promotion (usually the news or other programs scheduled for the early evening) during children's viewing times in the afternoon and early evening viewing times.²⁷ This is in spite of the FACTS Code of Practice, for example, stating:

In "G" viewing periods and in all "G" programs starting at 3.30 pm on a weekday, or broadcast between 7.30 pm and 8.30 pm on any day, no program promotion may include material (whether visual or auditory) which involves:

the use of guns, other weapons or dangerous objects in a manner clearly intended to inflict harm or to seriously menace;

heavy punches, blows or other physical violence against people or animals;

any form of violence or cruelty to children;

genuinely threatening or frightening situations;

sequences that involve loss of life

27 Hansard, Friday 29 Nov. 1996, p.75

close-up vision of dead bodies

close-up vision of bloodied, maimed or wounded bodies;

nudity or partial nudity

depictions of, or discussions about, sexual activity except of the most innocuous kind

improper language, including mild expletives

approving or condoning references to illegal drug use.²⁸

This Clause (3.6) of the FACTS Code of Practice applies from 3.30pm and includes the 7.30pm to 8.30 pm time slot. The intention is apparently to protect children. It is equally clear from submissions made to the Committee, that parents do not feel that television stations are abiding by their codes of practice in that area. This may be a problem particularly during *News* bulletins and *Current Affairs* shows. The Committee will return to the issue of violence shown in *News* and *Current Affairs* programs later in this report. In its submission, *Young Media Australia* gave the Committee examples of breaches of the FACTS Code of Practice which it had successfully complained about: Breaches included showing screen promotions that included violent material during children's programs and screening violent cartoons with inappropriate classification during general viewing (G-rated) periods.

The Committee notes that the information package released by FACTS to accompany the Review of the Commercial Television Industry Code of Practice in August 1996 revealed that the "unsuitable scheduling of screen promotions" was the most often upheld consumer complaint since the FACTS Code of Practice has been in operation in 1993.

The Committee recommends:

That the Australian Broadcasting Authority undertake, at different times and for limited periods, a review of television stations practice in the area of program promotion between the hours of 3.30pm and 8.30pm, against their written codes to assess the extent of compliance (or otherwise) with their Codes of Practice. (Recommendation 2)

28 Federation of Australian Commercial Television Stations, (FACTS) *Commercial Television Industry Code of Practice and other Self-regulatory Documents.*, August 1993, Clause 3.6 (p.31)

There was widespread agreement among witnesses that stations make it difficult for people to register their disapproval. Committee members themselves have experienced TV stations reluctance to deal with criticism of their programming.

When we write to the television stations, they say, 'Sorry, we want you to ring in at the time it is being shown.' When we ring in at the time it is being shown, they say, 'You're the only one who has complained, and you've already seen it, it's already been out anyway.' That is a comment we have had consistently over the last three or four years.²⁹

The Committee notes FACTS's explanation that the above example may simply reflect a misunderstanding arising from the possibility that the complainant might have complained after the 30 day period during which stations are required to investigate complaints about programs they have broadcast.³⁰

The Senate Select Committee has been concerned for some time that breaches of the codes of practice occur and that when they do, there is reluctance on the part of the television station concerned³¹ to address the issue. Under section 148 of the *Broadcasting Services Act 1992*, the complainant can then turn to the Australian Broadcasting Authority and the Authority is required (under section 149) to investigate the complaint and notify the complainant of the results of its investigation. It is not clear whether the majority of viewers are aware of their rights in this regard. The evidence before the Committee is that many of those who would like to register a complaint to a television station find the process cumbersome and the stations uncooperative.

Accordingly, the Committee recommends:

(a) That a telephone/fax *Hotline* be re-introduced by the Australian Broadcasting Authority for the public to register complaints about

29 Hansard, Friday 29 Nov. 1996, p 28 (Mrs Grant)

30 Letter to Committee Chairman from Mr Tony Branigan, General Manager of FACTS, 28 January 1997

31 Note: In the Committee's experience, the government funded stations have generally been prepared to accept responsibility for breaches of their own code of practice.

television programs. The *Hotline* could work in a similar way to the one operated by the former Australian Broadcasting Tribunal.

(b) that the ABA report on the operation of the *Hotline* in its annual report. (Recommendation 3)

and

That the *Broadcasting Services Act 1992* be amended to allow the Australian Broadcasting Authority to impose penalties, including "on the spot" fines of up to \$100,000.00 on television stations for proven breaches of their own codes of practice.

A decision on whether non-compliance had occurred would be required to be made within a 48-hour period. (Recommendation 4)

PROTECTING CHILDREN AND ADOLESCENTS

It is widely accepted that young children and adolescents are more vulnerable to suffering adverse effects from the portrayal of violence through the electronic media. Moreover, research evidence shows that those of them who have more aggressive tendencies will also be more attracted to watching violent material.³² This tendency can sometimes be exacerbated by a difficult home life (or no home at all) and growing up in an environment where conflict is always resolved through aggressive means. There are also those who suffer from depression and mental illness.

There was widespread agreement among those who forwarded submissions that young children and adolescents must be protected from the possible adverse effects of violent images. Opinions differed however about the best ways to go about this and about who should be responsible for ensuring that adequate protection is achieved. On the one hand, there are those who believe that material for viewing and playing should be censored by the parent, teacher or other responsible adult, at the point of entry into the home or school. Others believe that, since parents do not have as much time on their hands as children to spend on electronic media entertainment, and since some parents do not recognise their responsibilities in this area, other forms of control are necessary. These could include prescribing a late night time slot for some television programs and refusing classification to others on the ground of too much graphic violence.

The Senate Committee was told that even for those parents who wish to exercise their responsibilities seriously, the lack of detailed information on how movies and games are classified poses difficulties. Another argument put forward was that television stations in particular advertise material containing violence that some parents do not wish their children to see during times that are billed as children's viewing times. This is apparently done during the *News* and *Current Affairs* segment (which taken together last for more than one hour on all

32 Brown, M. *The Portrayal of Violence in the Media: Impacts & Implications for Policy, Trends and Issues in Crime and Criminal Justice* No 55, Australian Institute of Criminology, Canberra, June 1996.

television stations) and which are exempt from the G classification that otherwise applies at that time of the early evening.

Classification Issues

Section 122 of the *Broadcasting Services Act 1992* requires the Australian Broadcasting Authority to develop standards for children's programming. The Authority assesses children's programs for classification. It also assesses commercial television licensees' compliance with children's television standards. However, the ABA does not classify the majority of children's programs imported from overseas (Australian made "specials" for children are submitted to the ABA for classification). The television stations are responsible for the classification of those programs, in accordance with the FACTS Code of Practice.

A major concern in the children's program category involves the G classification given to so-called "toy-cartoons". The Australian Psychological Society told the Committee that such cartoons often have the highest levels of violence and that:

There is evidence that even the 'unrealistic' violence displayed in such cartoons can affect young children's behaviour (Sanson & di Muccio, 1993; Silvern & Williamson, 1987)...Evidence suggests that the effects of viewing such cartoons and then playing with the associated toys has marked effects on subsequent aggressive behaviour. From a theoretical perspective, this finding suggests that the toys act as retrieval cues for the aggressive scripts encoded during viewing of the cartoon. The calling up and expression of the script through play with the toys then further establishes its prominence in the child's mind.³³

The Committee recognises the concerns expressed by numerous experts working with children about this important component of children's television. Cartoons generally came in for criticism because of the violence they portrayed. Submissions repeatedly referred to *The Ferals*, *The Mighty Morphin Power Rangers*, as being unsuitable for the age group at which they are aimed. In its response to the Hansard transcript of the Committee's public seminar, FACTS explained that its Code of Practice

33 Submission No 173 (Australian Psychological Society)

allowed "more latitude" in the classification of cartoon characters than "characters which closely resemble people". But it recognised that this remains a "vexed issue".³⁴

The Committee recommends:

That the Australian Broadcasting Authority be made responsible for the classification of all children's programs (including cartoons for children). (Recommendation 5)

The Committee is aware that all commercial television stations have intensified their on-air campaigns in recent months, about the television classification system. While the Committee welcomes this, it feels that as well as advertising that classification and consumer advice is given by the station in printed programs and at the start of each broadcast, the advertising campaign should include *information about the meaning of each classification*. At the moment, viewers are told that films are rated PG, M or MA but no information is given about what the symbols mean.

The Committee recommends:

That the current on-air information campaign by the Federation of Australian Commercial Television Stations (FACTS) be modified so that, in addition to telling viewers that classification and consumer advice is available, information should be given about the meaning of each classification symbol. (Recommendation 6)

Desensitisation

The difficulties faced by members of the Classification Board in making decisions about classifications was recognised at the public seminar and mentioned in submissions. There was concern however, that repeated exposure to violent material leads to the desensitisation of members of the Classification Board so that they no longer respond in the way most other members of the community would (resulting in lower

34 Letter to Committee Chairman from Mr Tony Branigan, General Manager of FACTS, 28 January 1997.

classification levels than the community expects). As a result of research presented to it over the years, the Committee had been aware for some time that this could become a problem. It had made recommendations in a number of its previous reports, including the latest to be tabled in October 1996, that a committee drawn from representatives of a wide cross section of the community (a community committee) be established to review certain decisions of the Classification Board.

The Committee of Ministers on the Portrayal of Violence also recommended broader community representation on the Classification Board and the Classification Review Board. On 27 December 1996, the Attorney-General and Minister for Justice, the Hon. Daryl Williams, announced that he had recommended to State and Territory Censorship Ministers that Community Assessment Panels be established to examine decisions of the Classification Board before the release of a film. He also announced that his department would review the process for selecting Classification Board members.³⁵ The Senate Committee welcomes the Minister's decision.

Classification of videos

Violent material shown on television came in for stronger criticism than material shown at cinema venues because of the tendency of children to accept or closely identify with everything that is available within the security of their home. When people go to the cinema, the physical distance may help them establish a distance between themselves and the action on screen. It may be more difficult, especially for children, to achieve this when watching television or videos in the comfort zone of their own home. Violent videos were seen as having a greater potential to exert an adverse influence on children, adolescents and disturbed adults because they are not only available in the home but the video can be replayed over and over again so that the viewer experiences a concentration of violence.³⁶

For this reason the Committee has always believed that videos should be classified more strictly than film for cinema release because young

35 The Hon. Daryl Williams, AM QC MP, Attorney-General and Minister for Justice, Press release, 27 December 1996.

36 Submissions Nos 155, 270, 333

children at home are often unintentionally exposed to videos. The Committee reiterates the recommendation made in its last report:

That separate guidelines be introduced for the classification of videotapes to ensure that higher standards are applied to videotapes than for the equivalent categories of film for cinema release.

(Recommendation 7)

Classification by Television Stations

Films are classified by the Office of Film and Literature Classification (OFLC) according to published Guidelines (the latest revised Guidelines were gazetted in September 1996). However, the majority of films are "modified" for television screening. This is especially necessary if the television station wishes (as is usually the case) to begin to screen the movie at 8.30 pm rather than at 9.00pm which would become necessary if the movie is rated MA or 9.30 pm (for MAV-rated movies). Unacceptable images and language are "edited out" so that the movie will fit into M-rated classification and be able to be shown at the 8.30 pm time-slot. The editing and classification process is carried out by "in-house" classification officers at the television station according to the guidelines stated in the various codes of practice. Young Media Australia deplored the fact that, at the TV stations:

Those responsible for classification work in isolation and with significant commercial pressures. The commercial TV classifiers mostly individually decide what classification should be applied. There also is no appeal system for commercial TV program classifications, in contrast to the comprehensive appeal process for other media.³⁷

In a letter to the Committee's Chairman, FACTS challenged the assertion from Young Media Australia that "classifiers" work in isolation:

The commercial television industry goes to some lengths to encourage station classification officers to meet with their counterparts at the ABC, SBS and the OFLC to discuss classification issues. Outside those meetings, there is quite a deal of informal

37 Submissions No 333

contact, and all commercial classification officers make extensive use of OFLC classification reasons in reaching decisions.³⁸

It is the Committee's view that all television stations (FACTS, the ABC and SBS) must accept responsibility for achieving greater consistency in the classification of the movies and other programs they show. The Committee believes that such consistency will be made possible if there was an opportunity for the ABA to review decisions made about the classification of films shown on television and if adequate feedback was available to classification officers.

The Committee recommends:

(a) That the Australian Broadcasting Authority, in association with the Office of Film and Literature Classification undertake at different times throughout the year a random audit of films and other programs classified for television by the television stations themselves and require the television stations to state:

(i) how much footage they have cut in the process of modifying the film for TV broadcast

(ii) their reasons for the classification they chose to give to the film under review.

and

(b) That the Australian Broadcasting Authority report on its findings in its annual report. (Recommendation 8)

In the Committee's view, parents would find it easier to limit the amount of violent images to which their children are exposed if television stations classifiers gave consumers more precise advice. For example, the symbol V could be used to label violent material. Different number of Vs would indicate the frequency and intensity of violence in a movie: V- for low level violence, VV for medium level violence and VVV for high level violence.

The Committee recommends:

38 Letter to Committee Chairman from Mr Tony Branigan, General Manager of FACTS, 28 January 1997.

That television stations vary the use of the symbol V to indicate the level of violence in a film ranging from V-low level violence to VV-medium level violence and VVV- to indicate high level violence.

(Recommendation 9)

The Committee wishes to make it clear that adoption of an additional classification for violent depictions would not exempt television stations from complying with section 123 (3B) of the *Broadcasting Services Act 1992* which requires industry groups representing commercial television broadcasting licensees and community television broadcasting licensees to develop codes of practice which ensure that films classified "M" or "MA" do not portray material that goes beyond the previous "AO" classification criteria.

Violence on Videos

The protection of children from possible adverse effects of violent images in the electronic media is an area where a great degree of consensus is found. More controversial however, is the issue of how to minimise the possible adverse effect of violent portrayals on those adults who are prone to violent behaviour. As mentioned earlier, many who fall in the "aggressive personality" category tend to enjoy watching violent material repeatedly with occasionally disastrous results. Police regularly report finding large numbers of violent videos in the home of those charged with assault and other similar and more serious offences.

The video industry caters to over 5 million Australian homes where a video player and recorder is owned. The Senate Committee is aware that the majority of videos offer non-violent entertainment. However, violent videos become a problem when they are misused. The majority of submissions called for stricter classification to be set for violence (including Refused Classification -RC- for high level violence) portrayed on videos to reduce the possibility of their being available to already aggressive people or those prone to violent action. The Senate Committee welcomes the decision taken in July 1996 (following the recommendation of the Ministerial Committee) by the Attorney General and the State and Territory Censorship Ministers to amend the

classification guidelines for films and video to remove high level violence material from the R classification.

The Committee recommends:

That the Attorney General increase the level of fees imposed by the Office of Film and Literature Classification (OFLC) for the classification of material found to contain high level violence.

(Recommendation 10)

and

That the funds raised by the increased fees be used to finance public education campaigns aimed at highlighting the possible adverse effects of watching large amounts of violent material.

(Recommendation 11)

The Committee recommends also

That State and Territory Ministers consider proposals to require that all R-rated violent videos carry a label indicating that the content of such videos might be harmful to the mental wellbeing of children and those adults suffering from depression and other mental disorders.

(Recommendation 12)

When it comes to children, it is widely accepted that it is up to parents to exercise control on their children's viewing habits. At present, however, it appears to be relatively easy for children to obtain through rental outlets videos that cause concern to parents. Some rental outlets are more rigorous than others and ask for identification before allowing anyone under 18 years of age to borrow their R-rated videos but the majority do not question potential young customers.

The Australian Visual Software Distributors Association (AVSDA) suggested to the Committee of Ministers that a "video chip" could be introduced to allow parents and carers to limit the type of material that a child could borrow using their card. This would operate concurrently with a an Industry Code of Practice for Video and Interactive Software Retailers who would make a commitment to comply with the code. That

suggestion has been adopted by the Committee of Ministers and is one of their recommendations.

The Senate Committee believes that every effort should be made to make the classification system and the accompanying consumer advice from the OFLC as simple possible. Under the present system, the advice: "Medium level Violence" on a video cassette can have **four** different meanings, according to whether the advice accompanies a movie rated PG, M, MA or R. "Medium level Violence" in a PG- rated movie is very different in intensity and frequency to "Medium level Violence in a M-rated or MA- rated context. The Committee's view is that the current system is confusing for many parents and makes it difficult for them to guide their children.

The Committee recognises that classification decisions involve making fine judgements about the impact particular images may have on potential viewers. Each individual reacts differently, so that a depiction of violence that may be considered by the classifiers as not having "a high impact" and is classified M may in fact have a high impact on a 15 year old. It would be useful to potential borrowers and to parents in particular if both the frequency and intensity of violence in a video was highlighted. If the advice received was consistent across all classifications, a parent would be in a position to make a more accurate judgement of what an adolescent should be permitted to watch and there would be greater public confidence in the classification system.

News and Current Affairs programs

Submissions revealed a high degree of concern about the often violent content of television *News* and *Current Affairs* programs. This is borne out by the findings of the ABA's recent audience surveys. In surveys conducted in both 1995 and 1994, the content of news and current affairs concerned more people than any other aspect. The next major concern was violence and aggression. The ABA's 1994 survey of children's attitudes to television found that 45 per cent of parents in the survey nominated portrayals of real life as the top issue to cause children to become most upset when viewing. This was followed by 40 per cent nominating images of violence as being the most upsetting for their children. (48 per cent of parents claimed to place restrictions on programs depicting too much violence) The children also placed real depictions and "total violence" at the top of their list of what was most likely to upset them.³⁹

All television stations Codes of Practice have clear guidelines on how to deal with this sensitive issue. The Federation of Australian Commercial Television Stations (FACTS) Code of Practice for example states:

Where news, current affairs, or other programs not classified "M" or "MA" include for public interest reasons, material which is, in the licensee's opinion, likely to seriously distress or offend a substantial number of viewers, the licensee must provide adequate prior warning to viewers. The warning must precede the relevant segment in news and current affairs programs and precede the program in other cases.⁴⁰

The ABC and SBS television networks' Code of Practice have similar guidelines and all television networks appear to abide by those guidelines. In correspondence with the Committee, FACTS stressed that clause 2.6 of its Code of Practice requires that "care is exercised in the selection and broadcast of all material" and argued that the ABA "has not been called upon to investigate a complaint about violent footage in a news or current affairs program".⁴¹ Nevertheless, representations

39 Australian Broadcasting Authority, 'Cool' or 'gross', *Children's attitudes to violence, kissing and swearing on television*, Sydney 1994, p. x, p.46 and 22

40 Federation of Australian Commercial Television Stations (FACTS), *Commercial Television Industry Code of Practice and other Regulatory and Self-Regulatory documents*, Aug. 1993, para.2.25.

41 Letter to Committee Chairman from Mr Tony Branigan, General Manager of FACTS, 28 January 1997

made to the Committee of Ministers and to the Senate Committee on the level of violence portrayed in news and current affairs programs show that this issue remains a major concern.

Some would argue that the news deal with facts and as such must be reported as they happened. However, news editors often show a tendency to focus on the sensational and use those images that are most likely to shock. The ABA's surveys indicate that this effect is achieved. The time-slot at which news programs are shown may explain the high level of concern reported in the surveys. Not only are most children watching at that time (92 per cent of children in the ABA survey said that they did) but many would identify with the Grade 3/4 boy from Coffs Harbour who was reported in the survey as saying:

We usually get our tea when the news is on and therefore I don't like watching it when all the blood and guts and that sort of stuff is on when you are eating.⁴²

The Senate Committee is not calling for the news to be censored here. Violent events can be adequately reported without accompanying the report with distressing images. One possible way of dealing with this problem may be to report the news item but to avoid using graphic footage to accompany it during the early evening news bulletin. Footage depicting more graphic violence could be used to accompany later evening news.

The Committee recommends:

That when reporting news items which are identified by the television stations themselves as being accompanied by "disturbing footage", that footage should only be shown in later evening news bulletins and not during the early evening news bulletins when large numbers of children are watching television.

(Recommendation 13)

42 Australian Broadcasting Authority, 'Cool' or 'gross', *Children's attitudes to violence, kissing and swearing on television*, Sydney 1994, p.26

OTHER MATTERS

Music Lyrics

Violent and anti-social messages in music lyrics was raised in a number of submissions and this concern was echoed at the Senate Committee's seminar. In response to community concerns on this issue, Australia's censorship ministers agreed on 25 October 1996 to a proposal from the Australian Record Industry Association (ARIA) for a 12 month trial of voluntary warnings about explicit lyrics on retail CD covers. Of more direct relevance to this inquiry, the trial industry Code of Practice requires members of the industry to refuse distribution and sale of records with lyrics which encourage extreme violence or crime. The Ministers responsible have warned that a compulsory censorship scheme would be considered if the trial self-regulation fails.

Concerns in relation to music lyrics centred around the difficulty for parents to monitor what children are listening to on the radio since so much listening is done with headphones. The repetitive nature of many popular lyrics also leads to a fear that a depressed adolescent may succumb to negative messages (such as lyrics promoting suicide as a means of resolving personal problems). Violent acts, whether directed towards the self as in suicides or towards others in mass shootings tend to engender a 'copycat' element. There have been reports that people contemplating suicide may be particularly vulnerable to 'copying' other suicides.⁴³ It is therefore important to control material that encourages violent acts against the self. The Senate Committee would like to see specific mention made of suicide in the ARIA Code of Practice's Guidelines for *Material which exceeds the upper parameters of 18+*

The Committee recommends:

That the ARIA Code of Practice Guidelines No. 3 for "material which are not permitted to be sold" be amended to add the word "suicide" after the words "incest" and "child abuse". (Recommendation 14)

43 Cantor, C. H. & Sheehan, P. Violence and Media Reports - A Connection with Hungerford? Archives of Suicide Research, Griffith University.

Computer Games and Internet Access

Song lyrics are not the only media through which the virtues of suicide and other violent acts are extolled. Easy access to information on the Internet on how to commit suicide was another area of concern revealed in submissions to this inquiry.⁴⁴ The issue of children gaining Internet access to a whole range of information (including depictions of violence) that is not controlled by any responsible adult is a continuing concern to many parents.

The Senate Committee's seminar was told by the Australian Broadcasting Authority's representative that a new package has been developed to address this problem: Platform for Internet Content Selection (PICS). The manager of on-line services at the ABA explained to the Committee that PICS "enables Internet content to be labelled and it also allows PICS compatible software to respond to those labels".⁴⁵ Parents can set their software at home in such a way that it blocks out material which is labelled violence, strong language or sex. Parents and teachers can also choose what level of violence (or strong language or sex) they will allow through. The Senate Committee was told that the Recreational Software Advisory Council (RSAC) in the United States have made the labels they have developed for on-line services freely available on the Internet. In addition, an international advisory council is being formed to enable other countries, such as Australia and Britain to have an input into the RSAC when it is making decisions on how material should be classified (labelled).

Seminar participants expressed some scepticism as to whether PICS would in fact give parents and teachers effective control of access to material on the Internet. The ABA's representatives were very positive in their assessment of the new package.

The Senate Committee welcomes any development aimed at protecting children from material unsuitable for their age group or deemed inappropriate by those responsible for them. The Committee is aware that constant technological developments in the electronic industry and the pace of change in the availability of on-line services make it difficult for parents and teachers to keep abreast of developments in those areas.

44 Submission Nos 98

45 Hansard, Friday 29 Nov. 1996, p.70 (Ms Koomen)

In its next inquiry, the Committee intends to revisit the issues surrounding the proliferation of on-line services to monitor changes and assess whether community standards have been maintained since it last looked at that rapidly developing area. PICS and the labelling of software may not resolve all the problems parents and teachers face in protecting children from unsuitable material on the Internet but they will go some way towards making the task less formidable.

WHAT ROLE FOR EDUCATION?

As new technologies make more information and entertainment from anywhere in the world accessible from within the home, it is increasingly difficult for governments to use centralised bodies (such as the Office of Classification) to effectively prevent access to certain type of portrayals deemed offensive or unsuitable for a particular age group or for the community in general. It is becoming imperative that the viewers themselves be educated to make informed choices about the images they choose to watch or interact with. The task of controlling information and entertainment of children at home is falling largely to parents.

The Committee of Ministers recognised the need for "regular public and school education campaigns" on the subject of violence in the electronic media. A large percentage of submissions also pointed to this need. The most popular call was for an intensive public education campaign through the electronic media itself, modelled on past successes such as the *Life Be In It* and the anti-smoking campaigns. The campaign's main focus would be to warn parents that repeated exposure to high level violence through television, videos and videogames and other electronic means could have an adverse effect on their child's attitudes and behaviour.

The Senate Committee also believes that public education campaigns are needed and that the electronic media are one means through which the public can be informed. However, if it is to be effective, a public education campaign will need to use various approaches, target many different groups in the community and operate at many levels:

- School media studies must equip young viewers to make informed choices about the programs that are available to them through television, videos, games and the Internet.
- continuing on-air campaigns aimed at parents and teachers to help them remain familiar with classification symbols and the on-screen advice about programs.
- media campaigns to make parents and teachers aware of the latest control tools available to them (such as the V-chip and PICS) and to encourage them to become conversant with how those controls operate.

The Committee recommends:

That State and Territory education ministers take steps to encourage schools to offer a compulsory course on a critical evaluation of the media at some stage during the latter primary school years.

(Rec 15)

and

That the federal government fund a public education campaign through the media to make parents and teachers aware of the means (such as the classification symbols, the V-chip as it becomes available and PICS labelling on the Internet) available to them to control material that their children watch and play with. The campaign should include information on how to find out more about how those control systems operate.

(Recommendation 16)

Educating specific groups

The Committee of Ministers has recommended that specific research " be undertaken to identify groups most at risk from the portrayal of violence, analyse reasons why these groups are at risk and identify possible solutions".⁴⁶ This work will be under the responsibility of the Minister for Health and Family Services.

The Senate Committee endorses this recommendation and awaits the results of the research. In the meantime, it sees a need for continuing support for programs for people identified as being at risk of violent behaviour.

This group, consisting of people who have engaged in violent behaviour or are assessed by health or other community workers to be at risk of engaging in such behaviour, heads the list of those requiring help and education. As already mentioned, that group is identified in the research findings as being the group more likely to watch violent movies. One approach is to raise their awareness of the devastating consequences of their own violent behaviour and of the possible role of violent images in reinforcing that behaviour and desensitising them. A number of

46 Report of the Committee of Ministers on the Portrayal of Violence, p. 11

organisations work with people identified as being at-risk of violent behaviour, concentrating on behaviour change and conflict resolution programs. One such program, the Men's Shed Project in Gippsland, Victoria, took the following initiative in response to the need it saw:

One of the things we did last year was start a program for kids in schools called the COOL project, which means control of one's life. That came out of a request from violent men in the program who said, 'Why could we not have had something when we were younger? Why do we have to wait until we are 30 or 40 to learn how not to be violent?'⁴⁷

Men's Shed Project is not the only group extending to schools. Melbourne University's *International Conflict Resolution Centre* is involved in a number of joint programs, in partnership with education departments in Victoria and Tasmania aimed at promoting a climate of non-violence in schools. The Centre is involved in training teachers to address the issue of violence in schools. It assists with developing curriculum material for use in violence reduction programs and it also conducts research among children to find out how they apply the conflict resolution skills they have learnt in the programs. *Enough is Enough* is an organisation that goes out to schools mainly in New South Wales and the Australian Capital Territory and has similar aims to the programs mentioned above. The "BIG hART" projects in Tasmania targets released young offenders and young people identified as being "at-risk" of engaging in violence because of being disconnected from the community.⁴⁸

The Senate Committee urges governments at all levels to continue support for such programs both in the community and in schools since they offer people who show aggressive tendencies opportunities to learn non-violent ways of coping. To the community such programs offer some hope of reducing instances of violence occurring.

47 Hansard, Friday 29 Nov. 1996, p.47 (Mr Laming)

48 Submissions Nos 155, 131 and 96051204

The Committee recommends:

That the federal and state governments increase, through the relevant departments, funding currently available to organisations that run conflict resolution programs and other programs designed to promote a culture of non-violence in the community.

(Recommendation 17)

The Senate Committee has already referred to the issue of educating media professionals responsible for film production, television programming and computer and video game production by keeping them informed of research findings such as the one referred to at the seminar by the Director of the OFLC. That research, done at the University of California had revealed the tendency for film makers to portray violence without also showing its consequences. Violence was not being portrayed in context although research indicated that context is very important in determining the impact of violent images. The Committee was told that the Communications Law Centre has recently developed a computer program for journalists "looking at the ethics of various practices in the electronic media...there is a very heavy demand from the mainstream media organisations to book journalists into these courses" ⁴⁹ The Committee welcomes such developments as they can assist those responsible for creating electronic media images to be more responsive to community and individual needs when reporting the effects of violence.

The Senate Committee is aware however, that the overwhelming majority of violent films available in Australia do not originate here but are imported from overseas. There is a need for the management of television stations to recognise that the community remains extremely concerned at the amount of violence shown on television (possibly, as has been said before, because television brings the violent images into the comfort zone of their own homes) and that it has a right to expect more responsible programming from its sources of information and entertainment in the electronic media. The Committee believes that the Australian Broadcasting Authority should investigate the possibility of imposing a limit on the amount of violence shown by television

49 Hansard, Friday 29 Nov. 1996, p.83 (Mr Grant)

networks as an "additional condition" of holding a commercial broadcasting licence, under section 43 of the *Broadcasting Services Act 1992*.

The amount and level of violence portrayed by any television station could be monitored through the ABA *Hotline* recommended by the Committee earlier in this report. Any network identified as showing violent programs repeatedly would be required to explain to the ABA why it is showing a high level of violent programs in the face of continuing community concern over the issue.

The Committee recommends:

That the Australian Broadcasting Authority review the number of viewer complaints about the amount and levels of violence shown by a television network in order to:

- (a) highlight those television networks showing the most violence**
- (b) encourage a reduction in violent programming by linking it to the commercial television licence renewing process.**

(Recommendation 18)

CONCLUSION

The task of the Senate Committee was to inquire into the portrayal of violence in the electronic media and matters arising from the submissions made to the Committee of Ministers on that issue. The Committee has therefore dealt with the issue of violence from the standpoint of how it is portrayed in the media and how that portrayal is perceived in the community (as revealed by written and oral submissions to the Committee). The submissions call for governments to apply greater control and for those involved in the production and programming aspects of the electronic media industry to act in a responsible way towards the viewing community they wish to attract.

The need for continuing education and co-operation between all the groups involved is becoming more widely recognised. There is a need for audiences generally to become more discriminatory in the information and entertainment that they watch. Schools need to teach children and adolescents to critically evaluate what they watch and the electronic games they play with. At the other end of the creative spectrum, some believe that the creators of movies and programs have to be told of the possible negative effects of the images they create. The latest research seems to indicate that those creators are not aware of their tendency to portray violence without also portraying its ugly consequences nor do they seem aware of the long term effects that this approach seems to have on their young audience. Finally, there is a need to educate those who are identified as being aggressive and who may, as the research indicate have a liking for watching violent images. They may need help to cope with aggressive feelings after exposure to violent material so that they do not see aggressive behaviour as the only possible response.

The Committee is well aware that violence in society existed before the advent of the electronic media and it has repeatedly stated throughout this report, that the issue is one of great complexity. The need for storytelling is universal and it is to the electronic media that today's generation turns for its stories. The Committee recognises that the community needs "true stories" and "dark stories"⁵⁰ as well as happy

50 Note: Joseph Cambell, in a book about the place of story telling in society discusses the need for "dark stories". *The Hero of a Thousand Faces*, London, Paladin 1988.

tales. Violence is often part of the former and must be portrayed. The evidence before the Committee suggests, however that the community questions the graphic way in which the violence is conveyed and the frequency with which the electronic media offers violent portrayals for consumption. It expects government action on this issue but it also expects professionals in the electronic media industry to assume responsibility for reducing the volume of anti-social messages conveyed in programs and films.

As technological advances make more electronic images and information easily available, the problem of reducing exposure to violent portrayal becomes so complex that it can only be dealt with by a concerted effort at international, federal and state government levels. The need for international cooperation on some aspects of this issue has recently been recognised by the United Nations Education Scientific and Cultural Organisation and the Committee welcomes the announcement on 21 January 1997 that UNESCO has invited the ABA to conduct a pilot study (as a preliminary to what might become a wider project) on the possibility of international regulation of the Internet.

The Committee urges the electronic media industry to co-operate with governments and organisations both within Australia and overseas to achieve a reduction in the volume and levels of violent images that can be received in homes and schools around the country. The result may be a safer and more peaceful environment for all.

Appendix 1

Extract from the

Guidelines for the Classification of Films and Videotapes

(Office of Film and Literature Classification)

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.

M 15+ 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.

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.



15+ 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.

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.



18+ 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.

**X 18+ 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.

Films and videos will be refused classification if they contain:

- (a) 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;
- (b) detailed instruction in:
 - (i) matters of crime or violence,
 - (ii) the use of proscribed drugs;
- (c) depictions of practices such as bestiality.

Films and videos will be refused classification if they contain gratuitous, exploitative or offensive depictions of:

- (d) violence with a very high degree of impact or which are excessively frequent, prolonged or detailed;
- (e) cruelty or real violence which are very detailed or which have a high impact;
- (f) sexual violence;
- (g) sexual activity accompanied by fetishes or practices which are offensive or abhorrent;
- (h) incest fantasies or other fantasies which are offensive or abhorrent.

Appendix 2

Extract from the

RECOMMENDATIONS OF THE NATIONAL COMMITTEE ON VIOLENCE

Media Organisations

Recommendation 112. The media generally, and the television industry in particular, should demonstrate a commitment to programming which promotes pro-social conduct and non-violent values.

Recommendation 113. Media organisations should develop a code of conduct aimed at reducing gratuitous intrusions upon victims' and alleged offenders' privacy and dignity; avoiding glorification of violence; and avoiding portrayals which may encourage the commission of similar offences.

Recommendation 114. Media coverage of sporting events should avoid the gratuitous re-play of violent incidents.

Recommendation 115. Media commentators on sporting events should avoid glorification of violence and should forcefully condemn violence when it occurs, and should shame the perpetrators of violence.

Recommendation 116. Media advertising of sporting events should avoid metaphors of violence and should emphasise themes of fair play.

Appendix 3

LIST OF SEMINAR PARTICIPANTS

MRS PHILLIPA BALLARD

New Zealand Broadcasting Standards Authority

MS BARBARA BIGGINS

Young Media Australia

MR JOHN BOOTH

Australian Video Retailers Association

PROFESSOR JULIE JAMES BAILEY

PROFESSOR PIERRE BAUME

Australian Institute for Suicide Research & Prevention

PROFESSOR DI BRETHERTON

Director, International Conflict Resolution Centre, University of Melbourne

MRS P CASLEY-SMITH

MR JOHN DICKIE

Office of Film and Literature Classification

MR BARRY EBEDES

MS PENNY EDMUND

Catholic Women's League

MR TERRY FLEW

Australian Key Centre for Cultural and Media Policy, Griffith University

FATHER CHRISTOPHER GLEESON

Association of Heads of Independent Schools of Australia

MR ALASDAIR GRANT

Communications Law Centre

MRS LINLEY GRANT

National Council of Women of Tasmania

DR ADAM GRAYCAR

Australian Institute of Criminology

MS HEATHER GRIDLEY

The Australian Psychological Association

MS JENNY HARVEY
South Australia Child Health Council

MS ROBYN KERR
Australian Association of Social Workers WA Branch

MRS KAREN KOOMEN
Australian Broadcasting Authority

MR CHRIS LAMING
Men's Shed Project

MR ANTHONY LARME
Moorooka, Queensland

MR HARRY MACDONALD
Association of Heads of Independent Schools of Australia

FR PETER MALONE
Australian Catholic Film Office

MR KEN MARSLEW
Enough is Enough Anti-Violence Movement

MS ROSLYN PHILLIPS
Festival of Light (SA)

MRS ELIZABETH SHARP

MS J TILLEY
Hobart, Tasmania

MRS MARY UHLMANN
Canberra, ACT

MRS BERYL VAN LUYN
National Viewers and Listeners Association of Australia

CR. WARREN WOODLEY
Tamworth City Council

Appendix 4

**MINISTERIAL COMMITTEE INQUIRY
INTO THE
PORTRAYAL OF VIOLENCE IN THE ELECTRONIC MEDIA**

**IMPLEMENTATION OF DECISIONS
AS AT 7 FEBRUARY 1997**

This document was prepared by Officers of the Department of Communication and the Arts. The Senate Committee thanks them for their cooperation during this inquiry and the preparation of this report.

**MINISTERIAL COMMITTEE INQUIRY INTO
THE PORTRAYAL OF VIOLENCE IN THE ELECTRONIC MEDIA**

IMPLEMENTATION OF DECISIONS AS AT 7 FEBRUARY 1997

Decision

(a) Commission specific research to identify and investigate ways of assisting groups most at risk from the portrayal of violence.

(b) Continue public education campaigns by industry and in schools.

(c) Introduce an industry code of practice for video and interactive software retailers.

(d) Technical blocking devices (eg the V-chip) should be built into all new television sets and should be made available for existing sets.

(e) Prohibitions should be introduced on the export of all refused classification material ensuring export regulations are consistent with import regulations.

(f) Consideration of arrangements to make it an offence to possess films, videos, video and computer games that have been or would be refused classification because of violent content.

Implementation

This matter was referred to the Ministers for Health and Family Services. The report on research commissioned by the sub-committee is expected to be considered by the Government shortly.

The Minister for Schools, Vocational Education and Training is to promote school education programs.

These matters were referred to the Attorney-General. The Australian Visual Software Distributors Association and The Australian Video Retailers Association have commenced discussion on the development of codes of practice. AVRA has circulated a draft code to its Board, industry stakeholders and members of the Association and expects to submit the code to the Attorney-General's Department by the end of May 1997.

The Department of Industry, Science and Tourism and the Department of Communications and the Arts have commenced consultation with the broadcasting and electronics industries on the form and timing of implementation.

These matters were referred to the Attorney-General and the Minister for Small Business and Consumer Affairs.

The Australian Customs Service, in consultation with the Attorney-General's Department, has issued drafting instructions to the Office of Legislative Drafting in order to implement the necessary legislative changes. A draft has been received and is currently being settled between the relevant agencies.

This issue is under consideration by Commonwealth, State and Territory Censorship Ministers. It is understood that this matter will be discussed further at a meeting scheduled for March 1997.

(g) Expand Community Liaison Officer (CLO) scheme.

Victoria, South Australia, the Northern Territory, and the Australian Capital Territory had previously agreed to participate in a trialing of the scheme for one year. At the October meeting of the Standing Committee of Attorneys-General, Tasmania also agreed to join the scheme. NSW, Queensland and Western Australia will reconsider their position at the end of the trial period.

(h) Amend classification guidelines for films and videos to remove the high level violence material from the 'R' classification; and reclassify films classified high 'M' prior to 1993.

On 11 July 1996, the Attorney-General and State and Territory Censorship Ministers amended classification guidelines for films and videos to remove high level violence material from the R classification. Such material would now be classified as RC (Refused Classification). Implemented by the Office of Film and Literature Classification.

The Ministers have decided to institute a complaints based approach which provided for reclassification on a case by case basis after an audit of video titles classified M between July 1991 and May 1993 (when the MA category was introduced) was conducted. It revealed that only 0.9% of total titles classified during that period contain high level violence. These titles had been the subject of little or no complaint and are not currently in high demand.

(i) Free to air broadcasters to modify films for broadcast in accordance with Office of Film and Literature Classification Guidelines.

These are matters for national and commercial broadcasters to implement through their respective codes of practice. The revised draft Federation of Australian Commercial Television Stations Commercial Television Industry Code of Practice contains a clear reference to the need to modify films in this way.

(j) The broadcast of 'MA' programmes carrying a consumer advice V symbol to be restricted to between 9.30am and 5.00pm.

FACTS has released a revised draft code which proposes a new AV classification with a 9.30pm to 5.00am time zone.

(k) Broadcasters should review complaints mechanisms to as to ensure that they are effective and responsive to community concerns.

As for (i).

(i) Review the composition of, and the terms of appointment to, the Classification Board and the Classification Review Board.

Review has been completed. The Attorney-General has since announced that he has requested his Department to review the selection process for appointments to the Classification Board.

(m) Matters arising from submissions to the Ministerial Committee to be referred to the Senate Select Committee on Community Standards Relevant to the Supply of Services Utilising Electronic Technologies.

The Committee is expected to report by the end of the second sitting week in February 1997.