

SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS
ATTORNEY-GENERAL'S PORTFOLIO

Group: 2

Program: 1.1

Question No. AE15/056

Senator Leyonhjelm asked the following written question from the 24 February and 27 March 2015 hearings:

1. Did the Law Reform Commission discuss or make recommendations on this issue in its report? If so, what was this discussion/recommendation? If not, are you aware as to why there was no discussion or recommendation on this issue?

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

The ALRC did not examine the distinction between 'soft core' and 'hard core' pornography in its 2012 report, *Classification—Content Regulation and Convergent Media* (ALRC Report 118). Classification criteria are discussed more generally in Chapter 9 of the report. The chapter considers the question of whether there should be common classification criteria for different types of media (films, computer games, magazines, etc) and the question of research and community consultation in the review of classification criteria. Chapter 11 of the report discusses the scope of the Refused Classification (RC) category, and recommends current prohibitions in relation to, among other things, the depiction of sexual fetishes in films be reviewed. However, the report does not otherwise discuss the specific classification criteria for pornographic material. This was considered beyond the scope of the ALRC Inquiry, which focused on the legal framework for the classification and regulation of media content in Australia rather than on particular classification criteria.