

Output 1.2

Provision of services ancillary to the operation of the national classification scheme including research, the community liaison scheme, policy development and ministerial support.

Objective Two

To enhance confidence in, and utilisation of, OFLC classification systems among existing and potential clients.



This objective addresses the OFLC's relationships with key government and industry stakeholders. It addresses the requirement to effectively service the Standing Committee of Attorneys-General (SCAG) (Censorship), regulatory reform, media convergence and OFLC communication with other industry, consumer and classification bodies.

Key Achievements

- Work continued on reviews of:
 - the classification guidelines for films and computer games;
 - advertising arrangements under the national classification scheme; and
 - the ARIA Code.
- A range of training programs to industry, government and enforcement agencies were conducted.
- A program of targeted projects focussing on the computer games and cinema industries was initiated by the CLS.
- Planning commenced for an international classification conference to be held in 2003.
- Relationships continued to be developed with classification bodies from New Zealand, Singapore, the United Kingdom, Norway and South Africa. Links were also established with ratings bodies in the United States.

Standing Committee of Attorneys-General (Censorship) Meetings

The OFLC provides secretariat and policy support for SCAG (Censorship) meetings. SCAG comprises the Attorneys-General of the Commonwealth, States and Territories. SCAG (Censorship) meetings involve Commonwealth, State and Territory Ministers with censorship responsibilities. At the end of 2001-2002, the Ministers responsible for censorship were all members of SCAG, with the exception of the Queensland member, who is the Minister for Tourism, Racing and Fair Trading, rather than the Attorney-General.

Issues considered at SCAG (Censorship) meetings include the operation and administration of the national classification scheme, classification legislation, enforcement of legislative requirements, classification guidelines and community standards.

SCAG (Censorship) met once during the reporting period. This meeting took place on 8 March 2002. Matters considered at the meeting included:

- the review of the classification guidelines for films and computer games (see page 46);
- the review of advertising provisions (see page 48);
- State and Territory Amendment Bills; and
- the review of the ARIA Code (see page 49).

In March 2001, Commonwealth State and Territory Censorship Ministers agreed to reduce the number of meetings per year to two, with the option of a third meeting if necessary. At their meeting on 8 March 2002, however, they agreed to convene a mid-year meeting to further consider the review of the classification guidelines for films and computer games. The mid-year meeting did not fall within the reporting period.

Censorship Officials' Meetings

State and Territory censorship officials meet prior to Censorship Ministers' meetings to consider SCAG (Censorship) agenda items. The OFLC hosts these meetings in Sydney. Officials met on 28 August 2001, 4 December 2001 and 13 June 2002.

Review of Classification Guidelines for Films and Computer Games

The Board and the Review Board are required to apply the Code and classification guidelines when making classification decisions. The Code and the guidelines can only be amended with the agreement of Censorship Ministers.



▲ Commonwealth Attorney-General, the Hon Daryl Williams AM QC MP (right), and the then ACT Attorney-General, the Hon Bill Stefaniak MLA, launched the Review of the Classification Guidelines for Films and Computer Games in Canberra, with computer games demonstrators David (left) and Matthew.

In 1995, Censorship Ministers agreed to sequentially review the guidelines for the classification of films, publications and computer games to ensure that the guidelines continue to reflect current community attitudes and standards. Censorship Ministers also agreed to a procedure for conducting the reviews, including calling for public submissions, and analysis of submissions and draft revisions to the guidelines by independent experts.

A review of the Guidelines for the Classification of Films and Videotapes was completed in July 1996. A review of the Guidelines for the Classification of Publications was completed in July 1999.

The Guidelines for the Classification of Computer Games, which had not been reviewed since their introduction in 1994, were scheduled to be reviewed in 2000. In April 2000, Censorship Ministers agreed to a review of the film guidelines at the completion of the review of the computer games guidelines. However, it became apparent that issues arising from the convergence of media in digital recordings could not be addressed in the context of a review of the computer games guidelines alone. Accordingly, in November 2000 Censorship Ministers agreed to a combined review of the film and computer games guidelines.

The OFLC subsequently prepared a discussion paper titled *A Review of the Classification Guidelines for Films and Computer Games* which included, among other things, draft combined guidelines for films and computer games. The paper is available on the OFLC website.

The review was launched at Parliament House, Canberra, on 24 August 2001 by the Commonwealth Attorney-General, the Hon Daryl Williams AM QC MP, and the then ACT Attorney-General, the Hon Bill Stefaniak MLA. The launch received media coverage on major television news broadcasts. On 25 August 2001, advertisements were placed in major newspapers around Australia calling for submissions to the review. More than 370 submissions were received.

In November and December 2001, the OFLC conducted a select tender process to engage an independent expert to analyse the submissions to the review. Dr Jeffrey Brand, Centre for New Media Research and Education, Bond University, was appointed to the role in January 2002.

At their meeting in March 2002, Censorship Ministers were presented with Dr Brand's report, titled *A Review of the Classification Guidelines for Films and Computer Games – Assessment of Public Submissions on the Discussion Paper and Draft Revised Guidelines* (February 2002). The report is available on the OFLC website.

Censorship Ministers decided that the draft combined guidelines should be further developed to ensure that they are clear, simple and streamlined.

Any changes to the guidelines will require the agreement of Censorship Ministers. If new guidelines are agreed to, the OFLC will ensure that industry and the community have ample notice of any changes prior to their date of effect.

Advertising Review

In December 1997, Censorship Ministers agreed to a review of the legislative and administrative requirements relating to advertising for films, publications and computer games under the national classification scheme.

Preliminary consultations were conducted with industry on this matter in 1999, with further industry and public consultation occurring in 2000. Twelve submissions to the review were received.

In 2001-2002, the OFLC continued the detailed analysis of submissions and issues for the review which had commenced in the previous reporting period. A paper was prepared for Censorship Ministers which contained a number of options and recommendations for improvements to advertising arrangements. At their March 2002 meeting, Censorship Ministers considered the paper and announced the outcome of the Advertising Review.

Specifically, Ministers agreed to a number of improvements to the Advertising Exemption Scheme which allows for the advertising, under strict conditions, of certain cinema films in advance of their classification. Implementation of the changes will, however, be subject to a satisfactory commitment from the cinema industry to improved compliance with advertising arrangements.

Ministers also agreed to rewording the “This film is yet to be classified” message that must appear on advertising for eligible films under the Advertising Exemption Scheme. This will be developed during the coming year.



▲ Community Liaison staff Ron Robinson (left) and Barbara Vosoba, and Paul Griffiths of the Commonwealth Attorney-General's Department, discuss the Advertising Review.

Ministers requested that the OFLC further explore the feasibility of two longer-term changes to advertising arrangements. These relate to the classification of advertisements based on their content, and the introduction of a self-regulatory scheme for advertising.

A working group of exhibitors and distributors representing the cinema industry was established to generate options to improve compliance. The main focus has been on effective and timely communication.

Review of the ARIA Code

Audio recordings are not classified under the national classification scheme except where they also contain visual material and are classified under the film classification guidelines.

The music industry operates under a self-regulatory scheme based on the voluntary ARIA Code. The ARIA Code was introduced in October 1996 in response to concerns about audio recordings containing offensive or explicit lyrics. The ARIA Code provides for audio recordings containing explicit lyrics to be labelled with either of two levels of warning: Level 1 “Warning: this recording contains explicit language” or Level 2 “Warning 18+: this recording contains explicit language and is not recommended for persons under the age of 18”.

On its introduction, the ARIA Code was provisionally endorsed by Censorship Ministers on the basis that its operation and effectiveness would be monitored. Censorship Ministers have continued to monitor the ARIA Code on an annual basis.

Generally, the ARIA Code has been found to be operating effectively. However, during 2000-2001 a rise in the number of complaints to the OFLC and the Commonwealth Attorney-General about explicit or offensive music lyrics indicated that a review of the ARIA Code was timely.

A reference group of Commonwealth and State officers and Mr Ian Robertson, a member of the ABA, was established to oversee the review which was conducted by the OFLC in consultation with ARIA and industry representatives. The reference group convened on three occasions during the reporting year. The OFLC is grateful to Holding Redlich for making Mr Robertson available.

A report on the review was presented to Censorship Ministers at their meeting on 8 March 2002. The findings of the review included that:

- the music industry was generally complying with the requirement to label audio recordings with explicit lyrics;
- the level of compliance by retailers with the requirement to display point-of-sale information about the ARIA Code was low;
- complaints about the sale of Level 2 audio recordings to minors had risen in 2000-2001;
- the standards in the ARIA Code were in line with community standards and the standards used in the classification guidelines for films and by radio and television broadcasters; and
- effective mechanisms for improving industry understanding of, and compliance with, the ARIA Code need to be developed by ARIA and the Australian Music Retailers Association.

As a result of the review, Censorship Ministers requested that, under the ARIA Code, ARIA prohibit the sale of Level 2 audio recordings to minors. Also, ARIA undertook to implement a music industry ombudsman scheme to deal with unresolved complaints and other matters related to the ARIA Code.

The OFLC and ARIA met during the latter part of the reporting period to discuss the implementation of the outcomes of the review.

Censorship Ministers have asked ARIA to report back to them on the operation of the Code and the music industry ombudsman scheme in early 2003.

Ministerial Correspondence

The OFLC dealt with 722 items of ministerial correspondence (letters, emails and facsimiles) referred by the Attorney-General in the reporting period. The main issues raised in the correspondence were:

- the Board's R18+ classification of the film *Baise-Moi* and the subsequent request from the Attorney-General for a review of this decision by the Classification Review Board, which resulted in an RC classification (402 items);
- complaints about offensive song lyrics on CDs and radio (103 items, including 42 complaints about the lyrics of artist *Eminem*);
- *Cosmopolitan* magazine campaign dealing with "censorship" of women's genitalia in adult magazines and the general media (77 items); and
- an R18+ classification for computer games and the effects of computer games on children (37 items).

Submissions to Government Committees and Inquiries

The Director of the OFLC appeared before the New South Wales Legislative Council's Standing Committee on Social Issues on 5 March 2002 to provide information to the *Inquiry into the Classification (Publications, Films and Computer Games) Enforcement Amendment Bill 2001 – Online Matters*.

Training

During the reporting period the OFLC continued to conduct a range of training programs on classification standards for industry, government and enforcement agencies.

Computer Games Industry

The training and authorisation of 18 people to assess, and recommend classifications for, computer games in the advisory categories was undertaken over five one-day sessions in 2001-2002.

Due to a number of procedural and technical changes brought about by the 2001 Amendment Act, assessors in the computer games industry were contacted and invited to attend refresher training. Twenty-one people attended this training, which was conducted over four one-day sessions.

A total of 24 businesses were represented in both training programs.

The OFLC continued to offer an on-call consultancy service to assist computer games assessors in making recommendations. During the reporting period 30 calls were handled.

Publications Industry

During the reporting year, three training sessions were conducted for distributors of submittable publications. Seven people attended these sessions, which focussed on the classification guidelines at both the unrestricted and the restricted levels.

Australian Customs Service

At the request of the ACS, eight two-day training sessions were conducted by the OFLC for ACS staff in Sydney, Brisbane, Melbourne, Darwin and Perth.

The training focussed on the application of Regulation 4A of the Prohibited Imports Regulations and the comparison between these regulations and the RC category of the Code and guidelines. Officers were trained to assess material and determine its status under the Regulations.

To supplement the training, the OFLC offers an on-call consultancy service to ACS officers who have attended the program. This service is widely used by officers and results in an efficient process which supports the work of both agencies. During the reporting period 70 calls were handled.

In the reporting period, a total of 89 officers were trained. The outcomes are more appropriate referral of items to the OFLC, closer liaison between the two organisations, and support for the ACS in its role.

Australian Broadcasting Authority

At the request of the ABA, a training session was conducted for four officers from the agency's Online Investigations Team in September 2001. The ABA is required under the *Broadcasting Services Amendment (Online Services) Act 1999* to assess certain online content to determine if it should be referred to the Board for classification against the film or computer games classification guidelines. The training covered aspects of the Code and the classification guidelines for films.

Classification Review Board

At the request of the Convenor of the Review Board, three training sessions were conducted with new and ongoing members.

Enforcement Agency

In November 2001, the OFLC conducted a training session for the Queensland Crime Commission. One of the core functions of the Commission is to investigate criminal paedophilia. The training session focussed on the Code and the classification guidelines for films and publications. The session was conducted in Brisbane.

Industry

The OFLC was also invited to participate in an adult industry training course on the national classification scheme and the operation of the OFLC. The one-day training session took place on 13 December 2001.

Other

Training was provided to the Singaporean Ministry of Information and the Arts, Film and Publications Department. (See “International Liaison” on page 55).

Community Liaison Scheme

The CLS is a joint Commonwealth, State and Territory initiative with the specific aim of educating developers, importers, distributors, retailers and consumers of classified or classifiable products about how to comply with their legal obligations under the national classification scheme. These products include films, videos, DVDs, certain advertising materials, home and arcade computer games, magazines and certain publications.

The CLS was established in 1997 with a single officer serving six participating jurisdictions. Since then the scheme has expanded to a staff of three covering all Australian States and Territories.

CLS staff visit distributors, suppliers and retailers in each State and Territory to provide detailed information about classification laws and requirements. The role of the CLS is primarily educative, but also to identify major breaches which are referred to enforcement authorities. The CLS also provides valuable feedback to both the OFLC and the States and Territories about the practical operation of the national classification scheme and identifies trends in non-compliance that can assist in policy formulation.

During the reporting period, the CLS initiated a program of targeted projects focussing on individual industry sectors. These projects involve a multi-level approach to improving legislative compliance by educating the production, import, distribution and retail sectors of the industry. This includes education sessions with industry peak bodies and large retail chains, followed by site visits to reinforce compliance.

Other regular education initiatives include the provision of classification advice to the Sexpo (Health, Sexuality and Lifestyle Exhibition) exhibition in each State and Territory followed by a site visit to ensure compliance, annual attendance at the Australian International Movie Convention with an information stall, contact with enforcement agencies to exchange information on current classification issues and site visits.



▲ *The Community Liaison Scheme Coordinator David Emery (left) and David Cannavan, Queensland censorship official, discuss local priorities for industry education.*

While the CLS continues to identify a large number of breaches of classification legislation (1354 in the reporting year), these are generally minor compliance matters resolved by intervention from CLS staff. Experience during 2001-2002 indicates an increase in public awareness of the national classification scheme and classification issues generally. This is reflected by an increasing number of complaints from members of the public directed to the CLS which in turn assist in identifying and targeting areas of low compliance.

Client and Industry Liaison

During the reporting period the OFLC continued to liaise and consult closely with industry and clients to improve services and build relationships. These included both formal and informal communications. The purpose of the consultations was to inform and provide opportunities to discuss such issues as amendments to the Classification Act, the guidelines review and the introduction of serial classification of publications, as well as general procedures and practice.

Industry Functions

In August 2001, the Director, CLS staff, and senior staff of the OFLC attended the Queensland Motion Pictures Exhibitors Association's *Australian International Movie Convention* on the Gold Coast, Queensland. At the convention, information was provided to delegates about the national classification scheme.

The OFLC further broadened its contact with key groups who do not directly apply for classification. In November 2001, the Director addressed the Screen Producers Association of Australia Conference in Melbourne about the importance of considering classification issues early in the production process, and other classification matters.

The OFLC also continued to provide advice to stakeholders at Sexpo in Brisbane, Sydney and Adelaide. This has proved a successful way of reaching retailers in these industries and providing practical and timely advice on compliance with classification requirements, particularly on displaying product and including correct classification information.

Government Liaison

Australian Broadcasting Authority

From March to July 2002, Board member Robert Sanderson undertook a secondment by invitation to the ABA. During that time, he was extensively involved in Internet and television content investigations as well as the review of the Commercial Television Industry Code of Practice.

Training programs were conducted for ABA and ACS staff. For more information see the preceding section on Training.

Liaison with Other Classification Bodies

Ongoing liaison and consultation with other classification bodies, such as television classifiers and the ABA, took place during the year. The main reason for the consultations was to provide briefings on the review of the classification guidelines for film and computer games (see page 46).

Speaking Engagements

During the reporting period, the OFLC provided speakers for the following engagements:

Organisation	Topic	Location	Date	Speaker
Australian International Movie Convention	Guidelines review, advertising review and compliance with the national classification scheme	Gold Coast	16 Aug 2001	Des Clark
Australian Visual Software Distributors Association	Classification issues affecting DVDs and computer games	Sydney	20 Sept 2001	Des Clark
Screen Producers Association of Australia Conference	The national classification scheme	Melbourne	17 Nov 2001	Des Clark
Timeout – West Ryde Mothers' Group	The national classification scheme	Sydney	27 Mar 2002	Margaret Clancy
Point Piper Liberal Party Branch Meeting	The national classification scheme	Sydney	20 May 2002	Des Clark
Sydney Film Festival	The national classification scheme and film advertising	Sydney	12 June 2002	Des Clark
Censorship Review Committee (Singapore)	The national classification scheme	Singapore	29 May 2002	Paul Hunt
Cinema Owners of Australia	Advertising exemptions	Sydney	29 May 2002	Patricia Flanagan

International Conference Planning

In December 2001, the OFLC commenced the planning of an international classification conference to be presented in Sydney in September 2003. The conference title — *International Ratings Conference: Classification in a Convergent World* — encapsulates the direction and scope of the event. It will address the latest challenges and dilemmas facing classification in the rapidly evolving entertainment and technology environment. It will be the first conference hosted by the OFLC since 1997.

Planning has progressed well and a professional conference organiser, International Conferences and Events Pty Ltd, was appointed in April 2002.

International Liaison

Singapore

During the reporting period, the OFLC was invited to provide an education and information program to the Films and Publications Department within the Singaporean Ministry of Information, Communications and the Arts. The Department was keen to build on the relationship it had established on a visit to the OFLC in 2000.



▲ Kathryn Reidy (OFLC) (right) and Shirley Soh (Films and Publications Department) in Singapore, at an educational program about the Australian national classification scheme.

The program included an overview of the national classification scheme, as well as a focus on practices, policies and procedures relating to classification of films and computer games in Australia. This program was attended by 25 people from both the Films and Publications Department and the Singapore Broadcasting Authority.

During the visit, the OFLC was also invited to address the Censorship Review Committee. This committee obtains representative views on censorship from industry experts and the public. It also reviews and makes recommendations for change to existing censorship policies and guidelines. The acting Deputy Director addressed delegates from government, industry and business on classification in Australia.

New Zealand

In 2000, the OFLC began an exchange scheme with its New Zealand counterpart, the New Zealand Office of Film and Literature Classification (NZ OFLC). In March 2002, Board member Rachel Williams became the first Australian participant, working at the Wellington office of the NZ OFLC for a period of six weeks.

While the classification scheme in New Zealand differs from the Australian national classification scheme, the exchange provided a valuable opportunity to closely observe New Zealand's classification processes and approach to a number of common classification issues. These include the impact of media convergence, the representation of community views in decision-making and the serial classification of publications.

Electronic Entertainment Exposition & Conference

In May 2002, the acting Deputy Director attended the *Electronic Entertainment Exposition & Conference* (E3) in Los Angeles. E3 is a premier industry forum showcasing new technology and products in the computer games industry. The exposition provided the OFLC with an insight into the games and electronic entertainment products which may be introduced to the Australian market in the next 12 months. It also provided a valuable opportunity to network with the many Australian industry and media representatives who took part, as well as overseas organisations involved in the regulation of games content.

South Africa

In July 2001, a member of the South African Film and Publication Board met with senior staff members and observed the Board classifying films and computer games.

Output 1.2

Provision of services ancillary to the operation of the national classification scheme including research, the community liaison scheme, policy development and ministerial support.

Objective Three

To enhance community understanding of, and confidence in, classification systems and outcomes.

This objective addresses the requirements that decisions of the Board reflect community standards, and that our communities are aware of the OFLC's role and the implications of its classification decisions.

Key Achievements

- The OFLC conducted market research which was aimed at identifying key issues for community audiences.
- The development of a draft marketing plan during the reporting year resulted in the identification of target markets and avenues for the dissemination of information about the OFLC and the national classification scheme.
- The OFLC website, which is compliant with the Government Online Strategy, was expanded. A new design and layout has been planned and extra content has been written in preparation for launching a new website.
- Work commenced on the development of a new message to be displayed with advertising for unclassified films under the Advertising Exemption Scheme.
- Media reporting assisted in enhancing public understanding of, and confidence in, the classification services provided by the Board and the OFLC.



▲ Marketing and Development section staff Midge McCall (left) and Hudson Bawden prepare a questionnaire booklet for a national consumer survey on familiarity with classification symbols.

Market Research

During the reporting period, the OFLC conducted quantitative market research to better understand a range of issues including the current level of consumer familiarity with the organisation and with the symbols it uses to classify films (including videos and DVDs) and computer games.

On 15 to 17 February 2002, a national consumer survey was conducted using AC Nielsen's face-to-face omnibus study. It covered both metropolitan and rural areas with a total of 1075 individuals aged 14 years and over being interviewed during a three-day period. The key objectives of the research were to measure:

- consumer familiarity with the OFLC including recognition of the logo, and awareness and understanding of the "This film is yet to be classified" message that must be displayed on advertising approved under the Advertising Exemption Scheme;
- awareness, recognition and interpretation of film classification symbols;
- awareness of computer game classification symbols; and
- attitudes towards the use of different classification symbols for films and computer games.

The research will be used to inform future education and marketing initiatives aimed at strengthening consumer knowledge and understanding. See Appendix Four for highlights from the research.

Advertising Exemption Message

Under the Advertising Exemption Scheme, certain cinema films can, under strict conditions, and with the approval of the Board, be advertised before they have been classified. One of the conditions assigned by the Board is for the message "This film is yet to be classified" to be displayed with the advertising for such films. Results from the market research indicated that consumers were unclear about the meaning of this message. During the reporting period, work commenced on improving the wording in order to present a clear message to consumers.

OFLC Website

The OFLC website is a useful tool for accessing information about the national classification scheme. The website contains a classification database which enables users to search for past and present classification decisions. The website also contains a "Latest News" section, information about the legislative framework of the classification scheme and downloads of recent Classification Board and Classification Review Board annual reports.

During the reporting period, more information about classification decisions has been included on the OFLC website, and media releases about decisions by the Board and Review Board were added. Additional links to enable the download of key documents were added.

Reasons for decisions made by the Review Board since 1 July 2000 are now available on the website and can be downloaded in full.



▲ David Stratton, *The Movie Show*, (left) interviews Des Clark, Director, OFLC, about how consumer advice is determined by the Classification Board.

During the reporting period the OFLC continued upgrading its online content, and is continuing work on a new website. The site will contain more information targeted to specific user groups, and the navigation will be easier to use.

Media Liaison

A media liaison team within the Marketing and Development section was established in November 2001. From December 2001 to June 2002, the media liaison team managed 201 media enquiries on behalf of the Board and Review Board. These ranged from general enquiries to major news stories, articles and interviews. There was national media interest in the classification process and decisions made by both Boards. Decisions which made headlines included *Baise-Moi*, *ET – The Extra-Terrestrial (The 20th Anniversary)* and *Grand Theft Auto III*. Articles and interviews about the OFLC and how it functions appeared in *Vogue*, *The Sydney Morning Herald* Metropolitan section, *The Australian* and on ABC Radio National's *Life Matters*, SBS's *The Movie Show* and Channel 31's *Movie Show*.

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Operation of the national classification scheme.

Output 1.2

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Objective Four

To provide access to information that clearly sets out:

- roles and responsibilities;
- work processes;
- basis for classification decisions; and
- emerging issues.

This objective is directed toward ensuring that people requiring information relating to the activities or operation of OFLC are able to access accurate information in a convenient, timely manner.

Key Achievements

- The OFLC's Corporate Plan was launched in September 2001.
- Development of an Information Management strategy commenced.
- An "Employment Opportunities" section was added to the OFLC website in June 2002.
- The development of new protocols for handling written correspondence and telephone enquiries commenced.
- Additional workflow capabilities were added to the OFLC's internal information system, BOSS.
- The OFLC's computer servers were upgraded in September 2001.

OFLC Corporate Plan

The OFLC's Corporate Plan was developed through a consultative process involving OFLC staff and a number of informed external stakeholders and was launched in September 2001. The plan provides direction for the OFLC for the period 2001-2006. It sets out the OFLC's vision statement and the objectives and strategies adopted to achieve this vision. (See pages 33-35.)



▲ Alina Hughes (left), Nancy Huggett and Paul Montgomery prepare a work plan for the Policy section following the development of the OFLC Corporate Plan 2001-2006.

The Annual Plan of the Corporate Plan details actions that were undertaken in 2001-2002. It also sets out measures by which the OFLC could judge its performance over that period, and provides a reporting framework for the Annual Report.

It addresses the OFLC's obligations to:

- the Australian community;
- Australian governments;
- the industries with which the OFLC works; and
- OFLC employees.

The Annual Plan is reviewed each year to take into account changing priorities, technology and relevant legislation. It is available on request from the OFLC.

Information Management

The OFLC creates and stores a vast amount of information. For example, the classification decisions database on the OFLC website contains over 110,000 records. The OFLC is responding to the complexity of managing this volume of electronic information by developing a comprehensive information management strategy.

OFLC Website

An addition to the OFLC website in this reporting period was the "Employment Opportunities" section. This provides detailed information for prospective job applicants about public service vacancies at the OFLC and appointment opportunities with the Board. This section outlines the selection process for jobs and the roles and responsibilities of employment opportunities on offer. The latest round of recruitment for Board Members was advertised on the website as well as in the national and regional press and information packages were available online.

(For further information about the OFLC website, see page 60.)

Information Packages

In addition to the information available on the website, the OFLC provides other information resources for its clients. For example, information packages are produced for clients on applying to have material classified and job information packages are provided to prospective applicants. During the reporting period work commenced on developing information packages for other groups such as students and parents.

Provision of Timely and Accurate Advice

In 2001-2002, the OFLC continued to provide consistent and timely advice to members of the public enquiring or complaining about classification matters. As the OFLC Customer Service Charter sets out, the OFLC endeavours to respond to written correspondence within 30 days. During the reporting period, the OFLC commenced a review of protocols and procedures for allocating written correspondence and phone enquiries. (For more information on the OFLC's Customer Service Charter, see page 41.)

Improvements to Internal Information Provision

Improvements to the workflow capabilities of the OFLC's electronic information system, BOSS, have also resulted in more efficient processing of classification material by the Board.

In September 2001, the OFLC installed new computer servers that allow staff to better access information held on files or stored electronically.

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Objective Five

To provide OFLC people with the skills and support to maximise their contribution to the organisation.



This objective is directed towards ensuring that the Board and support staff are appropriately resourced, diversity is recognised and valued, and that OFLC people have the information and support required to perform their role and optimise their contribution to the broader objectives of the OFLC.

Key Achievements

- Formal, structured induction, orientation and training programs were established for both APS staff and Board members.
- The first full annual cycle of the OFLC's Performance Development and Review scheme was completed with outcomes linked to salary progression.
- Recruitment procedures for the appointment of Board members were commenced with an advertising campaign in April 2002. Current Board members' terms expire in October 2002.
- The OFLC's Harassment policy and procedures were finalised.
- The OFLC's own Occupational Health and Safety (OH&S) policy was finalised and an agreement concluded with the relevant staff association regarding consultation on OH&S issues.
- The OFLC's Employee Assistance Program provider was formally contracted to provide broader, ongoing support to Board members and staff in relation to dealing with the more distressing material handled by OFLC.

These outcomes have contributed significantly to ensuring OFLC people have the skills and support to maximise their contribution to the organisation.

Staffing statistics, SES remuneration and Performance Pay details for the reporting period are at Appendix Six.

Training and Development Strategies

The OFLC's Performance and Development Review scheme commenced in September 2000. The scheme seeks to improve the overall performance of the OFLC through focussing on the development and improvement of individual staff performance against key result areas. The scheme is based on the establishment of Performance and Development Agreements between the staff member and his/her supervisor, observation of the agreement by both parties over a 12-month cycle and a final appraisal of the staff member. The scheme is designed to determine salary advancement within employment classification levels.

The implementation of the Performance and Development Review scheme, following training on the scheme for all staff, has introduced a more systematic approach to identifying and addressing training and development needs for individual staff members.

The formal induction and training programs provide for the introduction of APS staff and Board members to the organisation, their duties, entitlements and responsibilities.

In the reporting year, staff were also assisted in work-related study with both financial and leave

assistance through the OFLC's Staff Development Assistance Program.

Over the reporting period there has been ongoing training, both formal and informal, across a wide range of areas. Expenditure by the OFLC on training and development activities in 2001-2002 was \$54,088. The total number of person days that staff participated in training and development programs during the year was 166. There were 96 attendances at training and development activities during 2001-2002.

Features of Certified Agreements and Australian Workplace Agreements

The *OFLC Agency Agreement 2001-2003* was certified by the Industrial Relations Commission in May 2001. The Agreement, made with the Community and Public Sector Union under section 170LJ of



▲ Human Resources Officer, David Lock, explains the functions of sections within the OFLC to new staff member, Barbara Vosoba, as part of an improved induction program.

the *Workplace Relations Act 1996*, covers all APS employees in the OFLC (39 as at 30 June 2002) below the SES level. The main features of the OFLC's certified agreement include:

- establishment of a work environment and employment framework to better support the day-to-day operation of the OFLC and also ensure commitment to, and support for, the ongoing process of change through, amongst other provisions:
 - effective operation of a performance management system driving skill development across the organisation;
 - a cooperative and consultative approach to workplace relations; and
 - working arrangements which support staff in balancing work and family responsibilities.
- Commitment to continuous improvement and the ongoing reform of OFLC structures, procedures and practices to maximise flexibility, productivity and responsiveness in the delivery of high quality services.

Salary ranges for staff covered by the OFLC's certified agreement are at Appendix Six. Non-salary benefits provided by the OFLC to employees covered by the agreement include:

- superannuation coverage under the *Superannuation Act 1990* or the *Superannuation Act 1976*;
- access to flexible remuneration packaging on a salary sacrifice basis;
- reimbursement of certain health improvement related expenditure; and
- reimbursement of dependant care related expenditure in certain circumstances.

Occupational Health and Safety

The OFLC recognises the importance and value of taking all reasonable steps to ensure the safety and well-being of its staff, and, during the reporting period, finalised its own OH&S policy and an agreement for consultation with staff and the relevant union.

The OFLC has its own qualified and accredited health and safety representative. Staff safety and welfare is monitored and any safety concerns are addressed through designated work group meetings and the Consultative Committee which operates as the OFLC's OH&S committee. The HR Manager has been designated by the Director as the officer responsible for OH&S.

During the reporting period the OFLC's Employee Assistance Program provider was contracted to provide self care training in relation to stress management as well as regular debriefing sessions to Board members and staff who come into frequent contact with the more offensive and confronting material handled by OFLC. This training was directed at developing abilities to identify and manage responses to viewing the more distressing material and to provide a range of options for dealing with, and seeking assistance in relation to, the responses. Such training has been incorporated into induction programs for staff in relevant areas.

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

Workplace Diversity

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

The OFLC's Workplace Diversity Program 2000-2001 commenced in September 2000 to ensure the establishment of equity and diversity as key employment principles within the OFLC. This program, developed in consultation with staff, aims to create an inclusive environment that values and utilises the contributions of employees of different backgrounds, experiences and perspectives.

During the reporting period, the OFLC finalised its Harassment policy in consultation with staff. The policy and accompanying procedures will support diversity by helping to establish and maintain a working environment free from discrimination and harassment.

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

Participative Work Practices

The OFLC's formal consultative mechanism, the Consultative Committee, continued to operate throughout the reporting period. The Consultative Committee, which included a representative from the Board, is the forum for formal discussion and consultation on major developments within the OFLC relating to the operation of the business or employment arrangements.

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

Classification Review Board
Annual Report 2001/2002



Letter of Transmittal





Locked Bag 3, HAYMARKET NSW 1240
ABN 35 001 170 433
Telephone 02 9289 7100 Facsimile 02 9289 7101
Internet www.oflc.gov.au

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

Dear Attorney-General

In accordance with sub-section 85(1) of the *Classification (Publications, Films and Computer Games) Act 1995*, I am pleased to submit the report on the management of the administrative affairs of the Classification Review Board for the period 1 July 2001 to 30 June 2002.

A handwritten signature in black ink, appearing to read 'Maureen Shelley', is positioned above the typed name.

Maureen Shelley
Convener

23 July 2002

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Introduction

This report includes an overview of the Review Board's activities during 2001-2002, profiles of Review Board members, and a table of the Review Board's decisions made during the reporting period.

Although the Review Board is, for decision-making purposes, an independent body, it is funded and administratively supported by the OFLC, which also funds and administratively supports the Classification Board.

Accordingly, financial reporting requirements and reporting against relevant outputs and outcomes are met, so far as the Review Board is concerned, in the report of the Classification Board.

Convenor's Overview



▲ Maureen Shelley, Convenor, Classification Review Board.

This is my first report as Convenor having been appointed to the role in October 2001. I would like to acknowledge the work of Barbara Biggins OAM, the previous Convenor, and the contribution she made to the effectiveness of the Classification Review Board. Ms Biggins has years of experience associated with the film industry. This depth of knowledge assisted her in the rewarding and challenging tasks undertaken as Convenor. Ms Biggins completed her term on 22 July 2001.

I would also like to acknowledge the work of Jonathan O'Dea, the Deputy Convenor. Mr O'Dea acted as Convenor from July until October 2001. During that time he fulfilled all the duties of Convenor and continues to provide great support to me. I was particularly appreciative of this when I started in the job.

Summary of Activity

The year had a quiet start and no applications for review were heard in July to September 2001. Since then, nine valid applications and one invalid application for review were received. One of the valid applications was withdrawn, as was the invalid application. Eight review meetings were held. In reviewing the applications, the Review Board confirmed three classifications (*Joy Ride*, *Grand Theft Auto III* and *ET – The Extra Terrestrial (The 20th Anniversary)*), lowered four (*Black Hawk Down*, *Three Ballerinas*, *Australian Rules* and *Spirit: The Stallion of the Cimarron*) and increased one (*Baise-Moi*).

In addition, the Review Board participated in the establishment of the Council of Australasian Tribunals. This important body will provide support through research projects, procedure development and training to administrative tribunals in Australia and New Zealand. In the complex area of administrative law I welcome, particularly as a non-lawyer, the establishment of the organisation.

In March 2002, the sections relating to “persons aggrieved” in the Classification Act were amended. The purpose of these amendments was, according to Bills Digest No. 120 1999-2000 Classification (Publications, Films and Computer Games) Amendment Bill (No. 2) 1999 of the Department of the Parliamentary Library of the Parliament House of Australia, to expand the definition of “standing” for those wanting to challenge the classification decisions of the Classification Board. As yet, these provisions are untested.

Significant Issues

The films *ET – The Extra Terrestrial (The 20th Anniversary)* and *Baise-Moi* were the subject of some controversy. For *ET – The Extra Terrestrial (The 20th Anniversary)* — a modified version of a film which had been classified G under the system prevailing 20 years earlier — a classification of PG was given by the Classification Board and confirmed by the Classification Review Board. Whilst this change of classification caused some concern to media commentators the Boards must exercise their authority under the current classification provisions.

Baise-Moi was refused classification by the Review Board following an application for review by the Attorney-General. Media commentators and some members of the public engaged in vigorous debate concerning the classification scheme following this decision. However, the Review Board was unanimous in its decision that the film should be refused classification given the provisions of the Classification Act, the Code and the classification guidelines. Detailed reasons for the decision were published to the OFLC website.

Conclusion

The role of the Review Board, an independent body, in the national classification system is vital. The work of the Review Board is intellectually challenging and very rewarding. The other members of the Review Board and I enjoy the work and are honoured to participate in this important aspect of administrative function. I would like to thank the members of the Review Board for their contributions this year and I look forward to working with them in future. I would also like to thank the members of the Review Board secretariat, who have supported the Review Board ably during the year.

Maureen Shelley

Convenor

Classification Review Board
Member Profiles





MAUREEN SHELLEY *Convenor*

APPOINTED 11 October 2001
APPOINTMENT EXPIRES 10 October 2005

Maureen Shelley, 46, is married with adult and pre-school aged children. She holds a Bachelor of Arts majoring in English from Curtin University, a Graduate Diploma and a Masters in Equity and Social Administration from the University of New South Wales and is studying for a Graduate Diploma in Law (Tribunal Procedures) at Monash University. She has authored and published many government reports, seminar papers and articles.

Employed as a sub-editor with *The Daily Telegraph*, Maureen has a distinguished record of community service. She was a member of the NSW International Year of the Family advisory committee, the NSW Disability Council, and a member of the National Small Business Forum. She lives in Sydney.



BARBARA BIGGINS OAM *Convenor*

APPOINTED 27 June 1994
APPOINTMENT EXPIRED 22 July 2001

A recipient of the Medal of the Order of Australia and a Churchill Fellow, Barbara Biggins, 64, is a graduate of the University of Adelaide and the University of South Australia, and has been Senior Librarian with Child and Youth Health (SA) since 1981.

She has made a lifetime study of the impact of the media on children. Barbara was a part-time member of the Australian Broadcasting Tribunal's Children's Program Committee (1982-1991), and of the ABC's South Australian and National Advisory Councils (1983-1990). In an honorary capacity, she is President of the Australian Council for Children's Films and Television, Executive Director of Young Media Australia, and Editor of *small screen*. She has been a member of the Australian Film Institute since 1988.

Barbara served as Convenor of the Classification Review Board from 1994 until her retirement from the position on 22 July 2001.


JONATHAN O'DEA *Deputy Convenor*

APPOINTED 20 February 2000
APPOINTMENT EXPIRES 19 February 2003

Jonathan O'Dea, 36, is married with two young children. He has completed bachelor degrees in arts and law, a Masters Degree in Law and an MBA, and is the author of a number of seminar papers and articles. He lives in Sydney.

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

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


DAWN GRASSICK *Review Board Member*

APPOINTED 18 June 2001
APPOINTMENT EXPIRES 17 June 2004

Dawn Grassick, 40, is a scientist with extensive experience in the communication of complex science issues to the general community. She holds a bachelor's degree in microbiology and a graduate diploma in sciences communication and has worked as a professional scientist for over 20 years. Currently she is studying towards a Graduate Certificate in Management.

Dawn is currently an industry representative on both the Therapeutic Goods Advertising Code Council and the Complaints Resolution Committee of the Complementary Healthcare Council of Australia. She is a board member of the Queensland Chiropractor's Board, a member of Australian Science Communicators and an associate member of the Australian Medical Writers' Association.

Dawn has experience as an office holder in community-based organisations, including Australian Junior Chamber. She also has experience in conducting adult education classes in public speaking. She lives in Brisbane.



ROBIN HARVEY *Review Board Member*

APPOINTED 18 December 1997
APPOINTMENT EXPIRES 17 December 2002

Robin Harvey, 43, a registered psychologist, has two children who both attend school in Western Australia. She has worked extensively with young children displaying emotional and behavioural problems and their families. She is currently appointed as a lecturer and clinician for the Department of Psychology at the University of Western Australia and is a post-doctoral research fellow at Edith Cowan University. She has been involved in the establishment of the Child Study Centre Clinic, which is part of the Department of Psychology at the University of Western Australia. This clinic aims to provide expert psychological services to children and families, and directly link current research with practice. Her current area of research and clinical interest is the development of effective early intervention strategies for pre-school children displaying behavioural problems. She is also involved in research focussed on examining risk and resilience factors related to positive outcomes for adolescent behaviour. Robin is involved in the training of both clinical and educational and developmental psychologists, and plays an active role in ensuring that students become good practitioners after graduation.



KATHRYN SMITH *Review Board Member*

APPOINTED 18 June 2001
APPOINTMENT EXPIRES 17 June 2004

Kathryn Smith, 45, a Sydney mother of three and former member of the Classification Board, has lived in Tasmania for most of her life. She has had wide community contact, having worked as a social worker, TAFE teacher and Employee Assistance Counsellor. She has also been involved in volunteer and community activities as a telephone counsellor for the Samaritans Inc and as a committee member of the Launceston Family Day Care and Launceston Crèche Inc. Kathryn is currently at home caring for her family and studies part time for a Graduate Diploma of Counselling. Kathryn now lives in Sydney.

**JAN TAYLOR***Review Board Member*

APPOINTED	18 June 2001
APPOINTMENT EXPIRES	17 June 2004

Jan Taylor, 52, has extensive experience in the public and private sectors, both in Australia and overseas. Formerly Queensland's Commissioner for Consumer Affairs, Jan is now Managing Director of a corporate consultancy which provides services in community consultation and land management.

She is Director of the Royal Automobile Club of Queensland and a member of the Red Tape Reduction Task Force. She is the National Credit Union Ombudsman, President of Epilepsy Queensland Inc, and President (Queensland) of Women Chiefs of Enterprises International.

Jan is a trustee of the Committee for Economic Development of Australia (CEDA), a fellow of the Australian Institute of Management, and a member of the Queensland Advisory Committee of CEDA. She is an arts graduate of the University of Queensland (Economics and Government) and a law graduate of the Queensland University of Technology. She lives in Brisbane.

Legislative Base

The Review Board is established under the Classification Act.

The Classification Act provides that the Review Board is to consist of a Convenor, a Deputy Convenor and at least three, but not more than eight, other members.

The Governor-General appoints members to the Review Board on the recommendation of the Attorney-General who is required by the Classification Act to have consulted with State and Territory Censorship Ministers. The Classification Act also provides that the Governor-General must have regard to the desirability of ensuring that membership of the Review Board is broadly representative of the Australian community. For further information on the legislative base underpinning Review Board decisions, see page 7.

Legislative Changes

Amendments to the Classification Act which directly affect the procedures of the Review Board came into effect on 22 March 2002. The amendments affect who can apply for a review by broadening the definition of a “person aggrieved” to mean organisations or persons with a particular prior interest and involvement in the contentious aspects of the subject matter or theme of the material concerned. The prior involvement of an organisation would need to be demonstrated by its objects and activities. The amendments limit applications under this category to restricted classification decisions (ie MA15+, R18+, X18+ and RC for films, MA15+ and RC for computer games and Categories 1 and 2 or RC for publications). The amendments provide that the Review Board may decline to deal with an application for review made by a “person aggrieved” if it is satisfied that the application is frivolous, vexatious or not made in good faith.

Decisions of the Classification Review Board

The Review Board reviewed eight titles during the reporting period. In five cases the Review Board changed the Board's original classification. In two cases the Review Board confirmed the Board's classification, but varied the consumer advice. In one case the Review Board confirmed the Classification Board's decision of RC.

In addition, the Review Board received an application from a distributor for approval to lodge an out of time application for review of the Classification Board decision to classify the film *Cubbyhouse* MA15+ with the consumer advice "Medium Level Violence, Supernatural Theme". The Review Board decided not to deal with the application for a review.

Classification Review Board Decisions

Title	Media	Original classification	Classification changed	Review classification
<i>Joy Ride</i>	Film	MA15+ "Medium Level Violence"	No	MA15+ "Violence May Disturb"
<i>Grand Theft Auto III</i>	Computer Game	RC	No	RC
<i>Black Hawk Down</i>	Film	R18+ "Medium Level Violence"	Yes	MA15+ "High Level Violence"
<i>Three Ballerinas</i>	Film	PG "Low Level Coarse Language"	Yes	G
<i>ET – The Extra Terrestrial (The 20th Anniversary)</i>	Film	PG "Medium Level Coarse Language, Supernatural Theme"	No	PG "Some scenes may disturb small children"
<i>Australian Rules</i>	Film	MA15+ "Drug Use, Medium Level Violence"	Yes	M15+ "Medium Level Violence, Drug Use, Adult Themes"
<i>Baise-Moi</i>	Film	R18+ "Strong Sexual Violence, High Level Violence, Actual Sex, Adult Themes"	Yes	RC
<i>Spirit: Stallion of the Cimarron</i>	Film	PG "Adult Themes, Low Level Animated Violence"	Yes	G "Some scenes may scare very young children"

During the reporting year it was decided to place full reports of the Review Board decisions made since 1 July 2000 on the OFLC website.