

## Output 1.1

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Operation of the national classification scheme.

## Objective One

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To manage the classification system to time, cost and quality standards.

The OFLC is required under the Classification Act to meet time standards for classification decisions. The cost of making classification decisions is recovered from applicants. Consumers and industry depend upon us for consistency in our decision-making, which moves in line with evolving community standards.

Consistency is a significant measure of quality as it reflects the application of community standards to the classification of product, and ensures members of the community and industry can make choices in a predictable environment. Consistency in decision-making can, in part, be measured by feedback from clients and the community.

### Key achievements

- The Classification Board and the Director finalised 6,412 applications, resulting in 6,294 decisions and 5,779 classification decisions, a very slight decline compared with 2001-2002
- The Board made 5,656 decisions about commercial films, computer games, publications and advertising approvals
- Of these, 5,636 items, or 99.65 per cent of Board decisions on commercial product were made within the service target of 20 business days
- The Training Records and Classification Education database was further developed as a technical resource for Board members and OFLC staff
- Weekly staff briefings by the Senior Classifier (Standards) provide a forum for information exchange between the Board and key OFLC staff.

### Timeliness of decisions

In 2002-2003, 5,636 or 99.65 per cent of Board decisions on commercial applications were made in under 20 business days out of a total of 5,656 commercial decisions. A breakdown of these figures follows:

**Table 1: Timeliness of decisions on commercial applications by application type**

<b>Application type</b>	<b>No. under 20 business days</b>	<b>No. over 20 business days</b>
Commercial film (public exhibition)	441	2
Commercial film (sale/hire)	2,742	3
Commercial computer games	664	2
Commercial publications	1,692	13
Commercial approval of advertisements	97	0
<b>Total</b>	<b>5,636</b>	<b>20</b>
<b>Percentage of total</b>	<b>99.65%</b>	<b>0.35%</b>

**Table 2: Overdue applications by reason for delay**

<b>Reason</b>	<b>No.</b>
Consideration by full Classification Board	1
Legal advice required by Classification Board	0
Workflow delay	19
<b>Total</b>	<b>20</b>

The Board and the OFLC conduct ongoing reviews of applications procedures to ensure that obligations for timely decisions are met. As a significant volume of product for classification includes longer formats, such as DVDs with additional material, a number of new internal procedures were implemented to ensure timely and consistent service to clients.

### **Classification Board workload**

The Board dealt with a slightly lower volume of applications with a total of 6,412 finalised, compared with 6,650 in 2001-2002. This resulted in 6,294 decisions, including 5,779 classification decisions. Of the decisions, the Director approved 188 film festival exemptions and 28 fee waiver applications. Table 3 contains a summary of the workload of the Board and the Director.

**Table 3: Commercial and other applications finalised by format/source**

<b>Format/source</b>	<b>Applications finalised</b>	<b>Decisions<sup>1</sup></b>	<b>Classification decisions</b>
Commercial film (public exhibition)	449	443	439
Commercial film (sale/hire)	2,809	2,745	2,727
Commercial computer games	676	666	661
Commercial publications	1,709	1,705	1,705
Certificates of Exemption for advertising eligible films	117	115	not applicable
Certificates of Approval for advertisements	114	97	not applicable
Internet content	33	33	not applicable <sup>3</sup>
Enforcement	249	247	247
Approvals to exempt classification of films for festivals/events	188	188	not applicable
Fee waiver applications	28	26	not applicable
Advice to Australian Customs Service	40	29	not applicable
<b>Total</b>	<b>6,412</b>	<b>6,294<sup>2</sup></b>	<b>5,779</b>

In commercial product, the number of films submitted for classification was similar to 2001-2002 for both public exhibition and sale or hire formats. Computer game applications were again high, but a little lower than last year, while the 2001-2002 decline in submitted publications did not continue and applications have now returned to levels similar to previous years.

<sup>1</sup> This includes all applications except for withdrawn applications

<sup>2</sup> Finalised applications minus 118 withdrawals

<sup>3</sup> Decisions about Internet content are made under the Broadcasting Services Act 1992, not under the Classification Act

## Cost

The current fees for classification services were introduced in November 1997, and are set out in the Commonwealth Classification (Publications, Films and Computer Games) Regulations. The major expenditure of the OFLC is on classification decisions. Fees are based on the cost to the OFLC of classification.

## New technology

The growing expertise of media providers in using and marketing recent technology continues to provide challenges for the OFLC. For example, it is becoming more popular to market classified and unclassified products through promotional DVDs and through inclusion with previously classified and released product. This type of marketing does not directly impact on classification decisions, however, it raises issues for distributors and publishers about legally marketing those products in a rapidly changing media environment.

## Quality decision-making

The Board employs a number of practices and procedures to ensure quality decision-making:

- regular internal meetings are held to ensure issues on current classification decisions are communicated, and a forum is provided for the Board to debate and discuss classification standards and ensure a consistent approach to decision-making
- Senior Classifier (Standards) chairs weekly standards briefings with other sections of the OFLC
- a training records and classification education database provides an essential link between the Board and other areas of the OFLC and ensures the Board's decisions are reflected in both internal and external education and training sessions.

## Classification trends and issues

The Classification Board made 5,779 classifications decisions in 2002-2003, of which only seven were subject to applications for review by the Classification Review Board.



▲ Applications team leader Nick Perrett checks material in the OFLC bond area before a film screening for the Classification Board

**Publications**

The Board finalised 1,709 applications for publications and made 1,705 classification decisions.

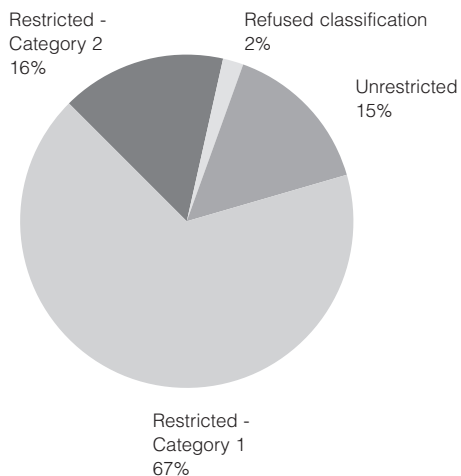
**Table 4: Commercial publications applications finalised by classification**

Classification	Applications finalised	Classification decisions
Unrestricted	261	261
Restricted - Category 1	1,147	1,147
Restricted - Category 2	267	267
Refused classification	30	30
Withdrawn	4	not applicable
<b>Total</b>	<b>1,709</b>	<b>1,705</b>

**Table 5: Commercial publications applications refused classification by reason**

Reason	No.
Bestiality	1
Child pornography	1
Incest fantasy	1
Minors	9
Minors & offensive fantasy	1
Non-consent	1
Offensive fantasy	7
Offensive fantasy & non-consent	1
Offensive fetish	1
Offensive paedophile references & sexual violence	1
Sexual violence	3
Sexual violence & offensive fantasy	1
Sexualised violence	2
<b>Total</b>	<b>30</b>

**Publication classifications**



*Publications complaints*

The OFLC received 20 complaints about publications that concerned unsealed publications, unclassified newspaper articles, breaches in classification requirements and the sexual content of unrestricted magazines. Complaints also concerned material available to children and books demonstrating how to make weapons.

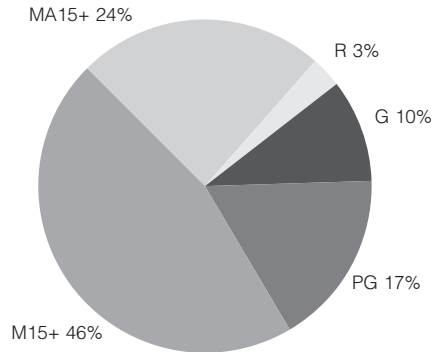
## Films – public exhibition

The Board finalised 449 applications for the classification of ‘public exhibition’, or cinema, films and made 439 classification decisions. No films for public exhibition were refused classification during 2002-2003.

**Table 6: Commercial films (public exhibition) applications finalised by classification**

Classification	Applications finalised	Classification decisions
G	43	43
PG	76	76
M15+	202	202
MA15+	106	106
R18+	12	12
Refused classification	0	0
Withdrawn	6	not applicable
Decline to deal	4	not applicable
<b>Total</b>	<b>449</b>	<b>439</b>

**Public exhibition film classifications**



Approximately 73 per cent of public exhibition film classifications during the year were in the advisory categories of G, PG and M, with the highest number of decisions in the M category.

In March 2003, the Board received an application for classification of the film *Salo – 120 Days of Sodom*. The Board determined that a valid classification, refused classification, had already been made under the Classification Act. The Board consequently declined to classify the submitted version of the film.

### *Films – public exhibition - complaints*

There were 149 complaints about commercial films exhibited in cinemas with 66 complaints about the G classification of *Scooby-Doo*. Most complaints were from parents concerned that the film contained disturbing depictions of ghosts and monsters. The correspondents were advised of the Board’s consumer advice ‘Some scenes may scare very young children’. Although not mandatory for the G classification, the Board thought it appropriate to include this consumer advice to assist consumers and parents make a more informed entertainment choice for themselves and those in their care.

Other cinema complaints included 14 about coarse language and sexual references in the film *8 Mile* (M15+) and six about the G classification of *Lilo & Stitch*. There were four complaints about sex scenes in the film *Unfaithful* (MA15+). Individual complaints were also received about other films.

**Films – sale or hire**

The Board classified 2,809 films for sale or hire (videotapes, DVDs and enhanced CDs), and made 2,727 classification decisions.

**Table 7: Commercial films (sale or hire) applications finalised by classification**

Classification	Applications finalised	Classification decisions
G	531	531
PG	456	456
M15+	899	899
MA15+	327	327
R18+	168	168
X18+	336	336
Refused classification	10	10
Withdrawn	64	not applicable
Decline to deal	18	not applicable
<b>Total</b>	<b>2,809</b>	<b>2,727</b>

**Table 8: Commercial films (sale or hire) applications refused classification by reason**

Reason	No.
Actual sex	1
Offensive fantasy	2
Offensive fantasy, non-consent	1
Offensive fetish	2
Violence	4
<b>Total</b>	<b>10</b>

Approximately 70 per cent of sale or hire film classifications during the year were in the advisory categories of G, PG and M, with the highest number decisions in the M category. These results are similar to the breakdown of decisions for public exhibition films.

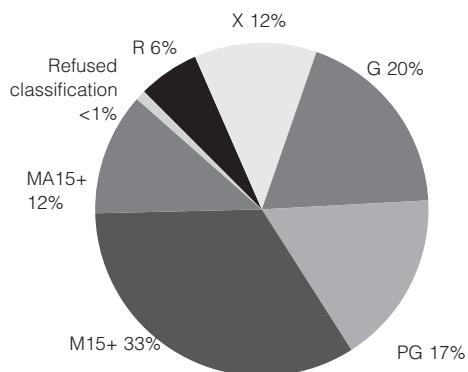
The Board classified the film *Ken Park* refused classification for depictions of actual sex. For more information, see page 46.

*Films – sale or hire - complaints*

There were 35 complaints about videos and DVDs which concerned a range of films. Three complaints, including one from the RSPCA, were about animal cruelty in the video *Tension 3*. There were two complaints about sexual references in *My Big Fat Greek Wedding* (G), two about violence in *Blade 2* (MA15+) and two about coarse language in *Black Hawk Down* (MA15+).

The remaining complaints covered issues relating to coarse language, sexual references and violence which in the opinion of the complainants placed the material in the incorrect classification category.

**Sale or hire film classifications**



## Computer games

The Board finalised 676 applications for computer games and made 661 classification decisions.

**Table 9: Commercial computer games applications finalised by classification**

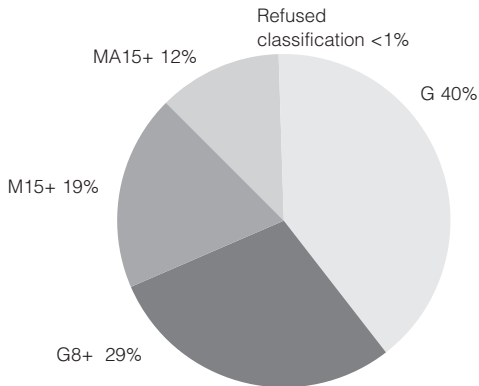
Classification	Applications finalised	Classifications decisions
G	262	262
G8+	194	194
M15+	125	125
MA15+	78	78
Refused classification	2	2
Withdrawn	10	not applicable
Decline to deal	5	not applicable
<b>Total</b>	<b>676</b>	<b>661</b>

**Table 10: Commercial computer games refused classification by reason**

Reason	No.
Nudity	1
Excessive violence	1
<b>Total</b>	<b>2</b>

Approximately 88 per cent of computer game classifications during the year were in the advisory categories of G, G8+ and M, with the highest number of decisions in the G category.

### Computer game classifications



The Board classified the computer games *BMX XXX* and *The Getaway* refused classification for nudity and excessive violence respectively. The Board decided that neither game could be accommodated in the MA15+ category.

Under the previous Guidelines for the Classification of Computer Games, and the current *Guidelines for the Classification of Films and Computer Games*, computer games that exceed the MA15+ classification category are classified refused classification.

The distributor of *BMX XXX* then submitted a revised version of the game which did not

contain nudity. The Board classified this modified version MA15+ with the consumer advice, 'Sexual references, medium level coarse language, adult themes'. The applicant for *The Getaway* submitted a revised version of the game which omitted the strongest elements of violence and obtained an MA15+ classification with the consumer advice, 'High level animated violence, high level coarse language, sexual references, drug references'.

These computer games are an example of changes to game content to reflect the demands of the changing gaming demographic.



### *Computer games - complaints*

The OFLC received 178 complaints about computer games, including 48 complaints from persons objecting to the distributor's modification of the computer game *Grand Theft Auto Vice City* to achieve a lower classification for sale in Australia. The Board classified this game MA15+.

There was one complaint about the previous year's refused classification decision for *Grand Theft Auto III*. A further 13 complaints were received about the Board's decision to classify *BMX XXX* refused classification. There were 95 complaints about the lack of an R18+ classification for computer games. The above figures overlap as some people raised several of these issues in one item of correspondence.

There were also some complaints about other, miscellaneous computer games.

### **Film festivals**

Under State and Territory enforcement legislation, a film festival or event may make an application to screen an unclassified film. Exemptions are granted in accordance with the Film Festival Exemption guidelines approved by Commonwealth, State and Territory Censorship Ministers in 1996.

The Director approved 188 film festivals for exemption from State and Territory classification enforcement provisions in 2002-2003. South Australia and Queensland have retained the power to grant exemptions to films festivals in those States. Classification certificates are not issued for the Director's approval of film festival exemptions.

An application in respect of the film *Ken Park* was the subject of extensive media reporting in 2002-2003.

In a split decision on 21 May 2003, seven members of the Board classified *Ken Park* refused classification for depictions of actual sex. One member considered the film should be classified R. In the Board's majority opinion, the film warranted a refused classification decision as it deals with matters of sex in a way that offends against the standards of morality, decency or propriety generally accepted by reasonable adults. Films that are refused classification cannot be legally sold, hired, publicly exhibited, advertised or imported into Australia.

The Sydney Film Festival subsequently asked the Director to approve a film festival exemption application for *Ken Park*, even though the film had been refused classification. The Film Festival Exemption guidelines do not permit the Director to approve an exemption application for a film that is, or is likely to be, refused classification. Therefore, the Director could not approve the Sydney Film Festival's application to screen *Ken Park*.

On 28 May 2003, the Director, acting in accordance with the guidelines made under the New South Wales *Classification (Publications, Films and Computer Games) Enforcement Act 1995*, declined to grant a film festival exemption for *Ken Park*.

Following an application from the Sydney Film Festival, the Review Board confirmed the refused classification decision. See page 82 for more information about the Review Board decision.

These decisions prompted significant media interest and debate, with the NSW Attorney-General foreshadowing a proposal to amend the Film Festival Exemption guidelines to enable the screening of certain refused classification films at festivals. Censorship Ministers are expected to consider this matter in November 2003.

There is general information about film festivals in the overview of the national classification scheme on page 9.

#### *Film festivals – complaints*

Twenty-two complaints were received about the film *Ken Park* receiving a refused classification decision and not being screened at the Sydney Film Festival in June. The complaints covered a range of views on the refused classification decision and the film festival exemption scheme. The 22 complaints were the early stages of a letter writing campaign which was mainly received in the next reporting period.

#### **Advertisements**

In accordance with section 29 of the Classification Act, 97 certificates of approval for advertisements were granted.

#### **Advertising exemptions**

In accordance with section 33 of the Classification Act and the Classification (Eligible Films) Determination 2001, certificates of exemption were granted in relation to 80 eligible films during the 2002 calendar year.

In the reporting period 1 July 2002 - 30 June 2003, 115 certificates of exemption were granted in relation to 94 eligible films. This is in accordance with the Classification (Eligible Films) Determination 2002, which allows for certificates of exemption to be granted to 100 eligible films.

#### **Fee waivers**

The Classification Act allows the Director to waive all or part of the fees payable under the Act in specific circumstances, such as when it is in the public interest to do so for public health or educational reasons. There are also fee waiver provisions for non-profit organisations, documentary records or cultural events, and short films from new and emerging film-makers.

**Table 11: Fee waiver applications finalised**

Type	Applications finalised	Decisions
Full fee waiver approved, public exhibition film	13	13
50% fee payable, public exhibition film	0	0
75% fee payable, public exhibition film	0	0
Fee waiver application refused, public exhibition film	0	0
Full fee waiver approved, sale/hire film	11	11
50% fee payable, sale/hire film	2	2
75% fee payable, sale/hire film	0	0
Fee waiver application refused, sale/hire film	0	0
Applications withdrawn	2	not applicable
<b>Total</b>	<b>28</b>	<b>26</b>

## Classification services for other agencies

### Enforcement agencies

The Board classifies films, publications and computer games submitted by enforcement agencies such as State and Territory police. These classification decisions are often used in legal proceedings undertaken by the agency involved.

**Table 12: Enforcement applications finalised by agency**

Enforcement Agency	Publications	Films Sale/Hire	Films Public Exhibition	Computer Games	Section 87 <sup>1</sup> Certificates	Total
Australian Defence Forces	0	1	0	0	0	1
Australian Federal Police	2	6	1	0	9	18
ACT Office of Fair Trading <sup>2</sup>	0	0	0	0	0	0
NSW Police Service	9	50	0	0	60	119
NT Police Service	3	8	0	0	5	16
Qld Office of Fair Trading <sup>2</sup>	0	12	0	0	7	19
SA Police Service	1	26	0	0	22	49
Vic. Police Service	1	10	0	0	1	12
WA Police Service	0	11	0	0	2	13
Withdrawn	2	0	0	0	0	2
<b>Total</b>	<b>18</b>	<b>124</b>	<b>1</b>	<b>0</b>	<b>106</b>	<b>249</b>

### Internet content

Under Schedule 5 of the *Broadcasting Services Act 1992*, the Board classifies certain Internet content submitted by the Australian Broadcasting Authority.

<sup>1</sup> Section 87 of the *Classification Act* provides that a person may apply, for evidentiary purposes, to the Director for a certificate about action taken, or not taken, under the *Classification Act*.

<sup>2</sup> On behalf of enforcement agencies in this jurisdiction

**Table 13: Internet content finalised by classification**

Classification	Applications finalised	Decisions
G	1	1
PG	5	5
M15+	4	4
MA15+	2	2
R18+	8	8
X18+	8	8
Refused classification	5	5
Withdrawn	0	not applicable
<b>Total</b>	<b>33</b>	<b>33</b>

### Australian Customs Service

The Board provides advice to the Australian Customs Service to assist it in making decisions on the status of material under the Prohibited Imports Regulations and the Prohibited Exports Regulations.

The OFLC considers its administrative agreement with the Australian Customs Service and training programs for ACS staff as important in ensuring consistent decision-making based on community standards in both agencies.

### Commencement and induction of new Board members

Paul Hunt commenced his appointment as Deputy Director on 28 May 2003.

The Classification Act limits Board members to a maximum of seven years on the Board. The terms of nine Board members expired on 10 October 2002. From 11 October 2002, a number of acting appointments of previous Board members were made, pending new Board appointments. On 28 May 2003, four new Board members, Tracey Carthew, Jeremy Fenton, Alexandra Greene and Rodney Smith, commenced their appointments. On the same day, three previous Board members, Wendy Banfield, Robert Sanderson and Lynn Townsend, also commenced their appointment for a second term.

From 28 May 2003, all Board members participated in a two-week induction and training program addressing all aspects of the classification process. The induction also included information about the other functions of the OFLC.

**Table 14: Internet content refused classification by reason**

Reason	No.
Offensive fetish	1
Child pornography	2
Offensive paedophile references	1
Instructs in matters of crime & violence/promote matters of crime	1
<b>Total</b>	<b>5</b>

**Table 15: Advice to Australian Customs Service by format**

Format	Applications finalised	Decisions
Films	13	13
Publications	16	16
Computer games	0	0
Withdrawn	11	not applicable
<b>Total</b>	<b>40</b>	<b>29</b>

### **Customer service charter**

The customer service charter represents the OFLC's commitment to providing high quality service to all clients, including those who apply to have publications, films (including videos and DVDs) and computer games classified, and consumers of these products in the wider Australian community.

The customer service charter outlines the objectives, responsibilities and service standards of the Board and the OFLC, and outlines how clients can give feedback and make complaints about OFLC services.

The standards in the charter include response to correspondence within 30 days, classification decisions within 20 working days, issue of receipts for payment within three working days, and regular consultation with industry and the public.

The OFLC's performance against the 'classification decisions within 20 working days' standard is outlined on page 31.

As part of its commitment to customer service, the OFLC automatically acknowledges all email correspondence. The automatic response informs the correspondent that they will receive, when appropriate, a full response within 30 days.

The OFLC has incorporated the customer service charter standards into its induction training for new staff to ensure all staff are aware of, and endeavour to meet, these standards.

The OFLC customer service charter complies with the Australian Public Service Commission's *Customer Service Charter Principles* (June 2000). Members of the public can obtain a copy of the charter from the OFLC.

### **Telephone enquiries and other assistance**

The OFLC responded to telephone enquiries from the public and clients requesting information about the national classification scheme.

Education and training officers are responsible for providing information and education on certain classification matters to members of the publications, computer games and films industries.

The Classification Board responds to telephone enquiries from the public about Board decisions. The Board reflects current community standards in its decision-making and this feedback from the community is informative.

### **General and miscellaneous complaints**

A total of 632 complaints were received in 2002-2003 by email, post, facsimile and telephone, compared to 664 complaints during 2001-2002. In most cases when given contact details, the OFLC responded in writing or by telephone to complaints within 30 days of receipt.

As mentioned previously, there were 149 complaints about public exhibition films, 35 about films for sale or hire, 20 about publications and 178 about computer games.

Out of all complaints, only 114 individual titles of films, computer games or publications were complained about.

The OFLC welcomes comments from the public as a strategy to keep the Board informed of community views.

#### *General*

The OFLC received 225 general complaints.

Of these, 132 were about the combined *Guidelines for the Classification of Films and Computer Games* with most about perceived changes to the G classification. This misunderstanding arose due to a lack of clarity in the drafting of the previous *Guidelines for the Classification of Films and Videotapes*.

The OFLC received 22 complaints about the film *Ken Park* receiving a refused classification decision and not being screened at the Sydney Film Festival in June.

Remaining complaints concerned film advertising, cinema trailers perceived to be inappropriate, the OFLC website, inadequate consumer advice and calls for greater censorship.

#### *Audio*

There were two complaints about song lyrics which were considered to be offensive.

#### *Miscellaneous*

The OFLC also received 23 complaints about entertainment products or media that fell outside its area of responsibility. There were 11 complaints about the content of television programs, five complaints about product advertisements, and three about the image and language on a promotional toy available in food packaging. Two complaints were received about theatrical productions, one about a radio program and one about the sale of sex toys. In these cases, complainants were referred to the relevant agency.

See also Ministerial Correspondence in Objective Two for discussion of the issues in correspondence directed to the Attorney-General. Ministerial correspondence reflected a slightly different pattern to correspondence received by the OFLC.

**Table 16: Complaints**

<b>Complaints</b>	<b>Total</b>	<b>%</b>
General	225 <sup>1</sup>	36%
Publications	20	3%
Films – public exhibition	149	24%
Films – sale/hire	35	5%
Computer games	178	28%
Audio	2	<1%
Miscellaneous	23	4%
<b>Total</b>	<b>632</b>	<b>100%</b>

<sup>1</sup>General complaints include 22 about the film *Ken Park* receiving a refused classification decision and not being screened at the Sydney Film Festival in June, and 132 about the *Guidelines for the Classification of Films and Computer Games*.

## Output 1.2

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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

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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 advise the Commonwealth Attorney-General on policy matters and service the Standing Committee of Attorneys-General (SCAG) (Censorship), review classification guidelines and other aspects of the national classification scheme, OFLC communication with other industry, consumer and classification bodies, training and research.

### **Key achievements**

- Review of the classification guidelines for films and computer games was completed and the Combined Guidelines commenced on 30 March 2003
- Provided forty-one training programs for industry, the Classification Board, the Classification Review Board, the Australian Customs Service and OFLC staff
- The CLS undertook a targeted compliance program focusing on aspects of the computer games, publications and cinema distribution and exhibition sectors
- Scheduled a range of high level national and international speakers to appear at the OFLC's International Ratings conference in September 2003, *Classification in a Convergent World*
- Maintained existing relationships with overseas classification bodies and established new links with Canada, China and Norway.

### **Standing Committee of Attorneys-General (Censorship) meetings**

The OFLC provides secretariat and policy support for the Standing Committee of Attorneys-General (Censorship) meetings. SCAG (Censorship) meetings involve Commonwealth, State and Territory Ministers with censorship responsibilities. At the end of 2002-2003, the majority of the Ministers responsible for censorship were Attorneys-General, except the Queensland member (Minister for Tourism, Racing and Fair Trading) and the Western Australian member from 27 June 2003 (Minister for Police, Emergency Services and Justice).

Three meetings were held in 2002-2003 to discuss censorship matters on 26 July 2002, 8 November 2002 and 10 April 2003. Matters considered at the meetings included:

- review of the classification guidelines for films and computer games, with Ministers agreeing to the Combined Guidelines presented at their November 2002 meeting
- review of the *Recorded Music Labelling Code of Practice*, with Ministers endorsing the proposal by ARIA and AMRA to establish a new labelling category for audio material restricted to persons over 18 years of age.

### **Censorship officials meetings**

State and Territory censorship officials meet prior to SCAG (Censorship) Ministers' meetings to consider agenda items. The OFLC hosts these meetings in Sydney. Officials met on 26 September 2002, 28 February 2003 and 26 June 2003.



### **Review of guidelines for films and computer games**

The combined *Guidelines for the Classification of Films and Computer Games* (the Combined Guidelines) were launched on 28 March 2003 at Parliament House by the Attorney-General, the Hon Daryl Williams AM QC MP, and the independent language consultant to the review, Professor Peter Butt, Faculty of Law, University of Sydney.

The Combined Guidelines are the result of a review of the classification guidelines for films and computer games that commenced in 2000. Censorship Ministers decided to combine the guidelines for films and computer games to address issues arising from the convergence of media in digital recordings.

The development of the revised guidelines included extensive community and industry consultation in 2001 with the OFLC distributing a discussion paper which resulted in 372 submissions.

The submissions were analysed in February 2002 by an independent expert, Associate Professor Jeffrey Brand, Centre for New Media Research and Education, Bond University.

In July 2002, Censorship Ministers were presented with a further draft of the guidelines and agreed to refer them to Professor Butt.

At their November 2002 meeting, Ministers were presented with the outcomes of Professor Butt's analysis. Professor Butt confirmed that the revised draft guidelines were simpler, clearer and easier to use. He also confirmed that the standards in the re-formatted guidelines were unchanged from those in the previous Guidelines for the Classification of Films and Videotapes. Ministers agreed to the Combined Guidelines and that they would come into effect on 30 March 2003.

At this meeting, Ministers considered an R18+ classification for computer games which would be legally restricted to adults. They declined to introduce this new classification for games because, on balance, not all Ministers were satisfied that children would not access games classified as suitable only for adults.

The guidelines review process followed a procedure that was agreed to by Censorship Ministers in 1995. The procedure includes public submissions, analysis of submissions, and draft revisions by independent experts that included an expert language consultant. Censorship Ministers decided in 2002-2003 to amend the procedure for future guideline reviews to include targeted small group consultation.

### **Review of the initial period of operation of the Combined Guidelines**

The Attorney-General has asked the OFLC to conduct a review of the initial period of operation of the Combined Guidelines.

The purpose of this review is to ensure that the Board's decisions under the Combined Guidelines are consistent with those made under the previous Guidelines for the Classification of Films and Videotapes, and to ensure that the standards reflected in the Combined Guidelines have not changed from those in the previous film guidelines.



▲ *Language expert Professor Peter Butt from the University of Sydney (left) and Attorney-General the Hon Daryl Williams AM QC MP (right), play computer games with Dylan and Matthew at the launch of the Guidelines for the Classification of Films and Computer Games on March 28 2003.*

It is proposed to commence the review following the first 12 months of operation of the Combined Guidelines. The review will provide a sound basis for examining classification decisions before and after the commencement of the Combined Guidelines.

#### **Changes to the Classification Act**

No amendments to the Classification Act were made during 2002-2003.

#### **Review of the ARIA Code of Practice**

In April 2003, the Australian Record Industry Association (ARIA) and the Australian Music Retailers Association (AMRA) implemented their revised *Recorded Music Labelling Code of Practice*.

The revised code replaced the previous two-tier labelling system for audio recordings and established a new three-tier system. Under the revised code, the third tier contains high impact content that is not to be sold to persons under the age of 18.

The previous code, which had operated since 1996 and was provisionally endorsed by Censorship Ministers, was found to generally operate effectively. However, in 2000-2001 Censorship Ministers decided that a review of the code was timely.

The OFLC provided assistance to ARIA and AMRA to develop the revised code. The review was overseen by a reference group in consultation with ARIA, AMRA and industry representatives.

As a result of the review, ARIA and AMRA proposed establishing a new labelling category for high impact audio material that should be restricted to persons over 18 years. Also, ARIA undertook to implement a music industry ombudsman scheme to deal with unresolved complaints and other matters related to the code. Censorship Ministers noted these proposals, which are now incorporated in the revised code.

Censorship Ministers have asked ARIA and AMRA to report on the operation and effectiveness of the revised code for the 12-months following implementation.

Audio recordings are not classified under the national classification scheme, except when they also contain visual material such as music videos or enhanced CDs. The Board only becomes involved in the classification of printed materials relating to audio recordings, such as printed lyric sheets or album covers, if those items are submitted for classification.

#### **Development of an administrative agreement with the Australian Broadcasting Authority**

In 2003, the OFLC completed an administrative agreement with the ABA, which came into effect in May 2003. The agreement sets out administrative arrangements between the ABA and the OFLC for the classification of Internet content by the Board and the Review Board under the *Broadcasting Services Act 1992* and the Classification Act. While practical arrangements for the classification of potentially prohibited online content have been in place for some time, the administrative agreement enhances the procedures required under the legislation by clearly identifying the responsibilities of each agency.

#### **Review of the administrative agreement with the Australian Customs Service**

In 2003, the OFLC began a review of its administrative agreement with the ACS with the aim of clearly identifying the responsibilities of each agency. The existing agreement, signed in October 2000, outlines the processes for the operation of import and export controls over objectionable goods under Regulation 4A of the Prohibited Imports Regulations and Regulation 3 of the Prohibited Exports Regulations. It is anticipated the review will be completed in 2003-2004.

#### **Ministerial correspondence**

The OFLC processed 931 items of ministerial correspondence, including letters, emails and facsimiles, referred by the Attorney-General in the reporting period. This compares with 722 items of ministerial correspondence during 2001-2002.

Main issues raised in the correspondence were:

- the Combined Guidelines and perceived changes to the G classification (479 items)
- the decisions to refuse classification for the film *Ken Park* (264 items)
- a possible R18+ classification for computer games (76 items)

- the Board's R classification of the film *Baise-Moi* and the subsequent request from the Attorney-General for a review of this decision by the Review Board, resulting in a refused classification decision (22 items). The majority of correspondence about *Baise-Moi* was handled in 2001-2002. The 2001-2002 Annual Report contains more details.

### Training

During 2002-2003, the OFLC continued to conduct training on classification matters for industry, the Australian Customs Service, the Board and the Review Board:

#### *The computer games industry*

The Classification Act provides that the Director may authorise certain people from the computer games industry to assess and make recommendations on the classification of computer games in the advisory categories of G, G8+ and M15+. The OFLC provided five training programs for 10 games businesses for this purpose. Sixteen people were trained and subsequently authorised by the Director to recommend classifications. The Board takes into account the recommendation from an authorised assessor when making a classification decision.

Prior to commencement of the combined *Guidelines for the Classification of Films and Computer Games*, 31 authorised assessors from 20 businesses attended one program of retraining.

#### *Tailored general industry training*

Three training sessions on the previous *Guidelines for the Classification of Films and Videotapes* were held for film or music industry representatives.



- ▲ *Classification Education Officer Janine McLennan (right) and Tim Carter from computer games developer and distributor Auran during a training session for Authorised Assessors, part of the OFLC's liaison with its industry clients*

*Customs training*

At the request of the Australian Customs Service, 10 two-day courses were held for ACS officers in Sydney, Melbourne, Brisbane, Darwin and Adelaide, resulting in 139 people being trained.

Officers were trained in applying Regulation 4A of the Prohibited Imports Regulations, and comparing this regulation, and the refused classification category of the National Classification Code.

The training enables ACS officers to make decisions about intercepted material and only refer items to the Board where there is a need for further consideration.

*Telephone enquiries*

OFLC education and training officers responded to telephone queries from clients requesting information about the national classification scheme, and provided information and education on certain classification matters to members of the publications, computer games and films industry. Education and training officers also continue to offer support for ACS officers following their training programs.



▲ *Community Liaison Officer, Barbara Vosoba, on a site visit to video retailer Michael McKirdy*

*Classification Board training*

Four new Board members were appointed in May 2003 and undertook intensive training over two weeks. The Board also undertook two training programs about the combined *Guidelines for the Classification of Films and Computer Games*.

*Classification Review Board training*

At the request of the Convenor of the Review Board, one training session was conducted on the Combined Guidelines.

**Community Liaison Scheme**

The CLS is a joint Commonwealth, State and Territory initiative which educates creators, importers, distributors, retailers and consumers of classifiable material about how to comply with their legal obligations under the national classification scheme.

The CLS visits distributors, suppliers and retailers in each State and Territory and provides detailed information about classification. The CLS also identifies and refers major breaches to enforcement authorities. The CLS provides feedback to the OFLC and States and Territories about the practical operation of the national classification scheme and identifies trends in non-compliance that can assist in formulating policy.

In 2002-2003, the CLS targeted computer games retailers with information on their responsibilities, worked on implementing the Classification (Eligible Films) Determination 2002, made progress with major newspapers on compliance with cinema advertising regulations, and improved the exchange of information between classification enforcement officers in each State and Territory. The CLS also conducted 1,189 site visits to retailers, distributors, suppliers and consumers of classifiable material including submittable publications, computer games and cinema advertising. The aim of the visits was to educate these businesses about the national classification scheme and encourage compliance.

### **Client and industry liaison**

The Director, Deputy Director and other senior staff continued to meet regularly with bodies such as the Australian Visual Software Distributors Association, the Interactive Entertainment Association of Australia, the Australian Record Industry Association, the Australian Music Retailers Association and individual clients to maintain an open channel for discussing up to the minute issues.

Relationships with industry and client groups were strengthened in the area of compliance in cinema advertising through the establishment of the Cinema Advertising Working Group which comprises cinema distributors, exhibitors and representatives from peak bodies. In 2002-2003, the group met three times on establishing compliance measures that will improve the provision of timely and accurate classification advice for consumers.

### **Liaison with other classification bodies**

The OFLC continued to liaise and consult with other classification bodies, including television classifiers and the Australian Broadcasting Authority on relevant issues, such as the implementation of the *Guidelines for the Classification of Films and Computer Games*.

### **International conference planning**

Substantial planning is under way for the International Ratings conference, *Classification in a Convergent World*, in Sydney on 21-24 September 2003, with publication of the program with stimulating sessions that will be addressed by regulators and experts from Australia, Austria, Canada, France, Netherlands, New Zealand, Norway, Singapore, South Africa, Sweden, UK and USA.

### International liaison

The Director was an international observer at the *European Conference on Film Classification* in Norway in September 2002. The conference provided an opportunity to discuss and compare issues faced by regulators across Europe. It was also an important opportunity to encourage international interest in the OFLC's International Ratings conference in September 2003.

In April and May 2003, the Director addressed the Canadian film classification bodies at *ShowCanada* on the Australian national cooperative classification scheme. Canada has a system where each province is responsible for the classification of its own material. The classification bodies are moving towards greater harmonisation of their schemes.

On 31 March 2003, a senior delegation representing the China News Publication Authority visited the OFLC and discussed the guidelines for publications and enforcement issues.

During 2002-2003 two delegates from Singapore visited the OFLC to learn more about the national classification scheme in response to recommendations by the Singaporean Censorship Review Committee.



▲ Director Des Clark, Deputy Director Paul Hunt and Acting Senior Classifier Wendy Banfield with Vice Minister Gui Xiaofeng, Chinese General Administration of Press and Publications, who visited the OFLC in March 2003

**Industry events**

The Director, CLS staff and senior staff attended the Australian International Movie Convention on the Gold Coast, Queensland in August 2002 and provided information on the national classification scheme. The Director addressed the convention on compliance issues and the development of the Combined Guidelines.

The CLS visited exhibitors at Sexpo in Sydney, Melbourne, Brisbane and Perth to give advice on compliance with classification requirements and this proved a successful way of reaching businesses in the adult entertainment industry.

The Deputy Director Paul Hunt, and Acting Senior Classifier Wendy Banfield attended product launches in Sydney by Microsoft and Electronic Arts. The launches provided a 'hands on' preview of new computer games titles.



## Output 1.2

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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

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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**

- An improved and expanded website with comprehensive information, upgraded security and better search functions was launched in December 2002
- Work completed on the changes to the message displayed with advertising for unclassified films under the Advertising Exemption Scheme
- The OFLC conducted market research to identify key issues for community audiences. Findings of the research will direct future education activities and legislative amendments
- Education about the national classification scheme continued with speakers provided for a variety of events.

### **Website**

On 16 December 2002, an improved and expanded website was launched by the Attorney-General, the Hon Daryl Williams AM QC. The improved website includes expanded information for industry and consumers, advanced search functions for the classification database, upgraded security and the Business Online service which is outlined in more detail in Objective Four.

Since the introduction of the improved and expanded website, telephone and mail enquiries have dropped by 22 per cent.

### **Advertising Exemption Scheme**

The Advertising Exemption Scheme allows for the advertising, under strict conditions, of a limited number of eligible cinema films in advance of their classification.

In consultation with industry, the OFLC developed a new advertising exemption message to be displayed with advertising for the limited number of eligible films in advance of their classification. The new message appears in this form:

This film has advertising approval.  
Check the classification closer to the release date.



Office of Film and  
Literature Classification  
Informing your choices [www.oflc.gov.au](http://www.oflc.gov.au)

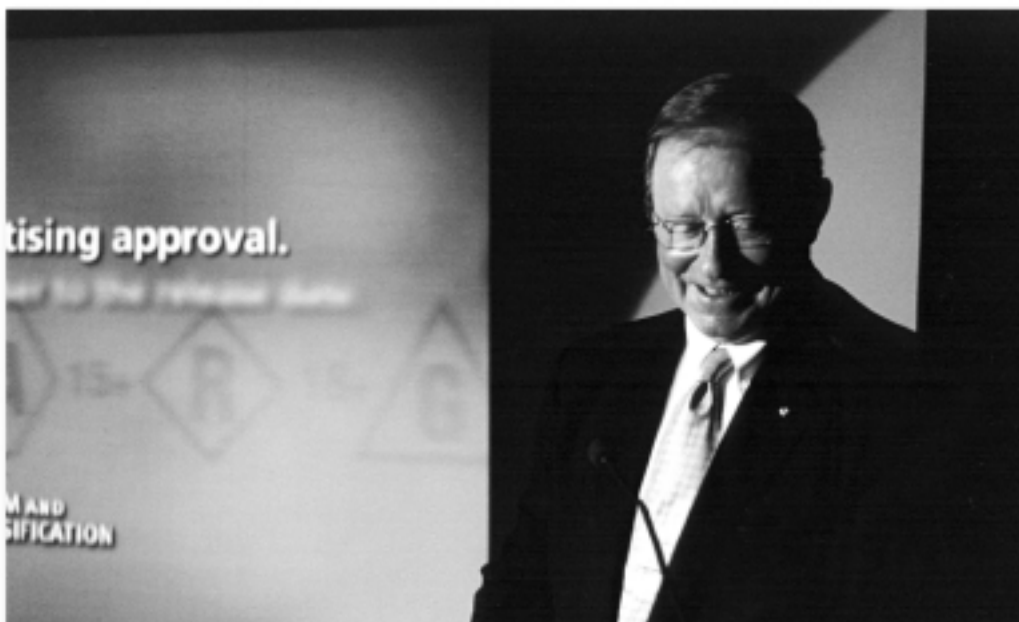
To assist industry, the OFLC created high quality masters of the new message in a variety of formats and made these available at no charge.

The new message is used for all advertising for films given an advertising exemption from 1 January 2003. The new message screens in cinemas and on television.

The message provides the OFLC website address. When screened in cinemas, the message also displays in the background the classification symbols. Industry has responded positively to the more accurate wording of the message and its more professional look.

Film distributors and exhibitors were provided with an information sheet on the new message, how it affects them, and how to access and display the new message.

The new message replaces the former 'yellow slide' with the words 'This film is yet to be classified', a message that market research showed very few people understood.



▲ *The Attorney-General, the Hon Daryl Williams AM QC MP, launches the new advertising exemption message at the OFLC in December 2002*

### **Advertising review**

As an outcome of the review of advertising arrangements under the national classification scheme, Commonwealth, State and Territory Censorship Ministers agreed to a number of improvements to the Advertising Exemption Scheme that included the new exemption message and an increase in the annual quota for eligible films from 80 to 100 a year.

A working group of cinema exhibitors and distributors was established to identify options to improve compliance. See also Client and Industry Liaison in Objective Two, page 59.

These initiatives follow consultation with industry and the public. The OFLC has undertaken to respond to a request from Censorship Ministers to further explore the feasibility of longer-term changes to advertising arrangements.

### Media liaison

The media liaison team fielded 120 media enquiries for the Board and the Review Board in 2002-2003. Wide debate on classification continued with areas of most interest being the possible introduction of an R18+ rating for computer games, the Combined Guidelines for films and computer games, the classification process in general and the refused classification decision for the film *Ken Park*. A database of journalists interested in OFLC decisions was established and news releases were issued.

The OFLC's media service to the Review Board included fielding calls, distributing media releases and co-ordinating interviews for the Convenor.

### Speaking engagements

The OFLC provided speakers for the following:

Organisation/Event	Topic	Location	Date	Speaker
<i>Update on Censorship Issues – Australian International Movie Convention</i>	National Classification Scheme, Guidelines Review, film advertising compliance	Gold Coast	15/8/02	Des Clark
European Conference of Film Classification 2002	Guidelines review, media convergence, OFLC conference	Norway	17/9/02	Des Clark
Australian Christian Lobby Annual Conference	National Classification Scheme	Parliament House, Brisbane	9/11/02	Des Clark
Launch of OFLC website	OFLC website and new Advertising Exemption Message	OFLC, Sydney	16/12/02	Des Clark
Launch of the Combined Guidelines	Launch of the <i>Guidelines for the Classification of Films and Computer Games</i>	Parliament House, Canberra	28/3/03	Des Clark
ShowCanada 2003 Film Classification Film Conference	Classification Harmonisation in Australia; and Computer Game Classification in Australia	Ottawa, Canada	30/4/03 and 1/5/03	Des Clark
Government Marketing Conference	Achieving Your Departmental Objectives on a Limited Budget: The value of creating a brand	Canberra	24/03/03	Patricia Flanagan
Cinema Owners of Australia Conference	Classification and the Cinema Experience	Melbourne	29/04/03	Patricia Flanagan

## Market research

To enhance the OFLC's understanding of public awareness of classification, and assist with strategic development, in 2002-2003 three market research studies were conducted, one quantitative and two qualitative.

### *Market research study 1: Classification usage and attitudes*

A quantitative national survey of classification use and attitudes was conducted in September 2002 using Newspan's telephone omnibus service. The research was conducted in all States and Territories in two parts, covering 1,200 adults in its first part and 400 teenagers between 13 and 17 in its second part. The quantitative research used sampling methods that allowed generalisation of results to the Australian population. The research measured:

- influences on personal viewing selections among adults and youth
- influences on computer games selections among youth.

The research established that the Australian community supports the OFLC and appreciates the benefits of a classification system for films and computer games. Both the adult and youth segments of the community expressed strong support for the classification scheme with 94 per cent of adults and 93 per cent of young people agreeing that it is useful to have classifications for films and computer games. The research showed the strong influence of advertising for films and computer games particularly on young people. Trailers in television and cinema were a strong influence on children's requests to see a film or buy a computer game. See page 100 for a summary of key results.

### *Market research study 2: Consumer advice (part 1)*

A second qualitative research project, involving ten focus group discussions, was conducted in December 2002 about consumer understanding of classification information, including consumer advice. This represented the first stage in a review of consumer advice aimed at maximising the effectiveness of this component of classification information.

Jointly funded by the Australian Broadcasting Authority, the project looked at:

- consumer awareness, knowledge and use of the classifications for films, television and computer games
- consumer attitudes towards the film and computer games classification system
- consumer awareness of and use of consumer advice for films, television and computer games
- reactions to the proposed revised advertising exemption message.

Research indicated that:

- parents want consumer advice on the principal elements contributing to the classification of a film or video and indicating their intensity and/or frequency to be more readily available and included with film reviews
- there is scope for improvement in both television and OFLC consumer advice descriptions
- film/video/DVD, television and computer game classification symbols and consumer advice descriptions should be the same so they are easier to understand

- few consumers were aware consumer advice is available for films at the cinema
- greater awareness of consumer advice on video/DVD boxes
- even greater familiarity with consumer advice used by television stations
- the combination of visual and audio classification information used by television is very powerful in achieving awareness.
- parents in the focus group discussions accept that choosing a film for their child was their choice and took factors such as the maturity of their child into account
- little familiarity with consumer advice for computer games, especially among parents.



▲ Adults from Bundaberg, Queensland, participating in a focus group discussion about the classification symbols and consumer advice

The results of this study will assist in developing revisions to consumer advice. See page 102 for further information.

#### *Market research study 3: Consumer advice (part II)*

Some findings from the second project were used to direct the third qualitative project that measured consumer understanding of the M15+ and MA15+ classification categories, collected feedback on alternative symbols and descriptions for these two classification categories, and solicited responses to the new advertising exemption message. The research measured:

- awareness and use of classification information
- understanding of the M15+ and MA15+ film classification categories
- response to alternative symbols and descriptors for M15+ and MA15+.

Focus groups were held with 13 and 14 year old boys and girls, and parents of children aged 7 to 14 years. Interviews were also held with cinema operators who had expressed concern about consumer confusion arising from the M15+ and MA15+ classification categories. The industry representatives' views were echoed by those in the focus groups.

The results of these studies will assist in developing priorities and options for reviews of advertising and consumer advice, developing new determined markings, education and marketing, and performance reporting. See page 102 for further information on the research.

#### **Development of community education resources**

In 2002-2003, work commenced on developing fact sheets for schools and brochures in languages other than English. An advertisement that the OFLC designed and provided content for, 'Watch Safely, Play Safely', was placed in a handbook to educate parents on issues relating to the safety and wellbeing of children. The handbook was produced by the New South Wales Police Legacy and the Protective Behaviours Consultancy Group.

## Output 1.1

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Operation of the national classification scheme.

## Output 1.2

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Provision of services ancillary to the operation of the national classification scheme including research, the Community Liaison Scheme, policy development and ministerial support.

## Objective Four

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To provide access to information that clearly sets out:

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

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

### **Key achievements**

- Launched Business Online to allow business clients to track their applications for classification of films, computer games or publications
- Improved and expanded the website search engine with enhanced search functions and security
- Continued developing systems for providing information internally
- Maintained effective information sharing and consulting within the organisation
- Installed a new firewall to ensure the security and integrity of data.

### **Business Online**

Business Online was introduced as a new way for clients to do business with the OFLC. The success of Business Online has been extremely positive with 20 per cent of applications submitted online in the first six months of operation.

Business Online is part of the Australian Government's initiative to use new technology to improve the efficiency of business interaction.

Business Online enables companies to lodge applications electronically, track their applications as they progress through the classification process, and automatically download classification certificates after material is classified. The launch of the initiative was accompanied by three training sessions for staff and clients in March and June 2003.

Business Online has proved an efficient way to conduct business, with savings in application lodgement time and resources for both the OFLC and clients.

### **Website**

Concurrent with the introduction of Business Online, an improved and expanded website was completed and launched in December 2002. The improved website provides users with additional information for consumers and industry, as well as answering frequently asked questions.

The website also contains a more advanced search engine. Users of the classification database do not automatically have access to the titles of items classified R18+, X18+ or refused classification. Users must now click a check box requesting these titles, and confirming they are aged 18 years and over, before they can search for information about these titles.

### **Information management**

Work continued on development of a comprehensive information strategy for the management of information in OFLC databases, including the National Classification Database which contains records of over 187,000 decisions dating back to 1970.



### **Improvements to internal information provision**

A continuous improvement program of the electronic information system, BOSS, is followed to maximise efficiency in processing material for classification by the Board, and in handling and processing correspondence.

In September 2002, the OFLC installed a new defence signals directorate compliant firewall to preserve the integrity and security of its data.

### **Communications model**

A communications model is maintained for sharing information and internal consultation. The model comprises:

- regular section meetings to brief staff and gather comments and suggestions on organisation wide office matters, as well as those relevant to their work area
- fortnightly briefings of all staff and Board members by the Director and Managers on significant corporate issues
- a Consultative Committee acting as the peak workplace relations forum with minutes circulated to the office and presented at corporate management team meetings
- meetings of the corporate management team with summary minutes circulated.



▲ *IT Manager Sue Edwards checks the OFLC server as part of the ongoing maintenance of the office's information technology infrastructure*

**Roles and responsibilities**

Duty statements for all Australian Public Service (APS) staff and Board members are maintained and available on the OFLC's internal server together with broad work level standards for APS staff classification levels.

**Corporate plan and annual plan**

All OFLC staff and Board members were involved in producing the 2002-2003 Annual Plan which sets strategies to support the objectives in the 2001-2006 Corporate Plan.

**Provision of accurate and timely advice**

The OFLC continued to provide consistent and timely information and advice to members of the public enquiring or complaining about classification matters. The OFLC endeavours to respond to written correspondence within 30 days as set out in the OFLC customer service charter. For more information on the charter, see page 50.

In 2002-2003, revised protocols and procedures were implemented for the consistent and efficient recording and allocation of written correspondence and telephone enquiries.

## Output 1.1

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Operation of the national classification scheme.

## Output 1.2

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Provision of services ancillary to the operation of the national classification scheme including research, the Community Liaison Scheme, policy development and ministerial support.

## Objective Five

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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, the Review Board and APS staff are appropriately resourced, diversity is recognised and valued, and that OFLC personnel have the information and support required to perform their role and optimise their contribution to the broader objectives of the national classification scheme.

### **Key achievements**

- Completed recruitment for new Board members with the appointment of seven Board members and the Deputy Director on 28 May 2003
- Commenced recruitment procedures for the appointment of two Senior Classifiers with national press advertising in March 2003
- Certified the *OFLC Agency Agreement 2003-2006*
- Completed the second full annual cycle of the OFLC's performance development and review scheme and agreed to review the scheme in the next cycle
- Maintained formal, structured induction and training programs for both Australian Public Service staff and Board members
- Recruited nine ongoing APS staff members.

These outcomes have contributed significantly to ensuring the Boards are adequately resourced, and Board members and the OFLC staff have the skills and support to maximise their contribution to the organisation.

Staffing statistics for 2002-2003 are in Appendix Seven.

### **Training and development strategies**

The OFLC's performance and development review scheme which commenced in September 2000 seeks to improve overall performance of the OFLC by developing and improving individual staff performance against key result areas. The scheme is designed to determine salary advancement within employment classification levels and 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.

During 2002-2003, agreement was also reached with staff for a review of the scheme to improve its alignment with the OFLC's operations and corporate goals, ensure its ongoing effectiveness as a tool for managing the performance and development of staff, and to further integrate it into the OFLC's corporate management.

The OFLC also assisted staff in work-related study with both financial and leave assistance through the staff development assistance program.

There was ongoing training, both formal and informal, across a wide range of areas. Expenditure by the OFLC on training and development activities in 2002-2003 was \$28,917. The total number of person days spent in participation by staff in training and development programs during the year was 82. There were 52 attendances at training and development activities during 2002-2003.

The OFLC also prepared a framework for the systematic approach to training for all staff and Board members in the operation of the OFLC's information technology systems, including the business operating system, BOSS.

### **Features of Certified Agreements and Australian Workplace Agreements**

The *OFLC Agency Agreement 2003-2006* was certified on 10 June 2003 by the Industrial Relations Commission. The certified agreement was made with the Community and Public Sector Union under section 170LJ of the *Workplace Relations Act 1996*. It covers all APS employees in the OFLC (41 as at 30 June 2003) below the SES level. Main features of the certified agreement include:

- a flexible, cooperative and fair approach to staffing work organisation, procedures and practices to meet changing operational needs and priorities
- ongoing streamlining of processes and transactions across the organisation to reduce costs and ensure the efficiency of operations
- review of the performance and development review scheme to improve its effectiveness.

Salary ranges for staff covered by the OFLC's certified agreement are on page 109. Non-salary benefits provided by the OFLC to employees covered by the agreement include:

- superannuation 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
- reimbursement of dependant care related expenditure in certain circumstances.



▲ *Human Resources Manager Manus McFadyen and Enquiries and Reception Officer Ratna Govindasamy during her induction as a new OFLC staff member*

### **Occupational health and safety**

In recognition of the importance and value of taking all reasonable steps to ensure the safety and well-being of staff, the OFLC has established an occupational health and safety policy which recognises the nature of work undertaken in the office. In accordance with the *Occupational Health and Safety (Commonwealth Employment) Act 1991* (the OH&S Act), the OFLC has established 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 occupational health and safety committee. The Human Resources Manager has been designated by the Director as the person responsible for occupational health and safety.

During 2002-2003, the OFLC's Employee Assistance Program provider continued to provide self care training on stress management to Board members and Australian Public Service (APS) staff in frequent contact with the more confronting material handled by the 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 or seeking assistance. This training has been incorporated into induction programs for staff in relevant areas.

For Board members and APS staff who come into contact with confronting material, there is also a program of regular group debriefing sessions facilitated by a professional psychologist.

The Employee Assistance Program continued to be available to the Board and APS staff for individual confidential counselling on a wide range of personal and work related matters.

Board members and staff were also provided with ergonomic assessments and operations of their workstations.

In 2002-2003, there were no accidents or dangerous occurrences arising out of the conduct of the OFLC's undertakings that require the giving of notice under section 68 of the OH&S Act. Similarly, no occupational health and safety investigations on undertakings 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 committed and professional staff.

The *OFLC Agency Agreement 2001-2003*, and its replacement, the *OFLC Agency Agreement 2003-2006*, maintain provisions to help employees balance their work and family lives. These include:

- flextime
- carer's leave
- miscellaneous leave including paid parental leave

- provision for part-time work
- reimbursement of dependant care related expenditure in certain circumstances.

In consultation with staff, the OFLC has developed a harassment policy and procedures that support diversity by helping to establish and maintain a working environment free from discrimination and harassment.

The Human Resources Manager, who has been designated as the officer responsible for workplace diversity, provides advice to the Director on workplace diversity issues and oversees implementation and operation of workplace diversity programs.

### **Participative work practices**

The peak consultative mechanism, the Consultative Committee, continued to provide a forum for formal discussion and consultation on the operation of business and employment arrangements within the OFLC.

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 used to brief and consult with staff on organisational and employment related developments such as the corporate plan (page 35) and certified agreement.



▲ *During 2002-2003 the OFLC held an after-hours screening for staff and their families*