

PRESENTATION OF PAPER

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Before looking at some sections of my own paper, I would just like to clarify some issues that were raised in some of the other papers. I think it is important to be clear what we are talking about when we are discussing pornography in Australia: what kind of material is legally available in Australia and what material is refused classification. I have no doubt that some material which is refused classification finds its way into some surreptitious distribution chains. That happens with drugs, it happens with stolen goods, and no doubt it happens with videos as well but by far the greatest proportion of supposedly pornographic material which is available in Australia can be legally obtained. Practically all of that material falls within the 'X' classification which is available in the A.C.T. and in the Northern Territory. It can be obtained legally from there and in the Northern Territory by mail order.

Time and again people who should know better talk about sexual violence in the 'X' category. There is an overwhelming perception by the public in Australia that the 'X' category contains the very worst material in sex and also in violence. Paul mentioned the very damaging public information quest that was conducted by *The Age* and *The Sydney Morning Herald* which muddied the waters considerably. But in fact the 'X' category is a very specific category. It contains sexually explicit material between consenting adults with no coercion and with no violence. Explicit material which contains the torturing of women or any violent acts at all is automatically refused classification.

The second matter I would like to allay fears on is the classification given to genuine sex education, public health, historical and art films which may be submitted to the Board. The Board takes the view that in sex education and public health matters such as A.I.D.S., venereal disease, even if the film features explicit sexual material, does not come within the 'X' category. Material which has been submitted to us has invariably received an 'R' or lower classification depending on whom the production is aimed at. With historic and artistic films the board takes into account the special nature of such films and classifies accordingly. However just because the film claims to be artistic does not necessarily ensure for it a blanket exemption from the classification laws. I suppose the example which comes to mind was the tapes which accompanied the Hermann Nietzsche Exhibition at the Biennale last year. Another, in the public health context, was a pamphlet which was submitted to us in the last couple of days by the A.I.D.S. Education Council in New South Wales. It contained very explicit material such as condoms and 'Six Easy Steps to Prevent the Spread of A.I.D.S.', to be distributed in high risk areas around Sydney where it was likely that people would need to be educated in a pretty explicit way. The Board gave that a general classification because it seemed to us at the time that to put any restrictions at all on that type of material, even for people 18 years and younger, could be defeating the very purpose for which it had been prepared. Anyway, that view didn't commend itself terribly much to Mr Michael Cobb who let fly with a press release in Canberra last Friday talking about the depraved Board and so forth. There

have been some vigorous exchanges in the papers since then and some vigorous phone calls whistling into the board at lunchtime commenting on the general level of perversion in the Board which would allow this sort of material loose.

The timing of this Seminar is appropriate in many ways. In two weeks time there will be a very significant change in the marketing of films and videos across Australia. It will apply to all films and videos classified after 1 May. The package has three major elements. Firstly, the classification category, with a written explanation of that category, will appear prominently on all film posters and newspaper advertising and on the covers of videos. Secondly, an additional symbol of 15+ or 18+ will be placed with the category to provide additional guidance and finally, consumer advice will appear on all films and videos above the 'G' classification to allow prospective viewers to make a more informed choice. The provision of this information is the culmination of several different strands of parliamentary and ministerial action. The new requirements result from recommendations put forward by the Joint Select Committee which enquired into video material and reported to Parliament in April last year, as well as the considered view of the Standing Committee of Federal and State Ministers concerned with censorship. I have referred to these matters in some detail in the paper. Since that paper was submitted there have been further refinements to the requirements, and these may be obtained from the Board.

Now these new measures will not provide all the answers. However, they are a substantial improvement on what there is at the moment. There is some concern in the industry that the consumer advice will have an adverse effect on people by turning them away from going to cinemas and hiring videos. We have tried to make the consumer advice as objective and as consistent as we can. We have settled on descriptions such as 'coarse language' and to differentiate between the categories we would have qualifiers such as 'low level coarse language', 'assaultive coarse language', and so forth.

Industry representatives have expressed concern that the descriptions all seem to be negative. It is not the Board's intention to make any judgement on a film but to give an indication of the strongest elements and leave the public to make up its own mind. There have been suggestions that we should also include some endorsements such as 'good for children' or 'wholesome entertainment' but I don't think that is our role - whatever the Board puts in the space for consumer advice does not in any way preclude the distributors from including their own description of positive elements. It will be an interesting period and it will be monitored by all segments of the industry, governments and censorship Boards included.

Could I just make it clear again what the Board's role is. We do not censor material any longer. We classify material in accordance with the legislation of the States and Territories. It is for the parliaments to decide what the law is and for the Board to carry out the wishes of those parliaments. In addition to the legislation we have published new guidelines. These have a pre-ambule putting them into context and they remove, as far as possible, any element of mystery about the way we arrive at our decisions.

As I pointed out in the paper we would hope that these measures, especially the provision of consumer advice, will help parents who wish to make an educated choice on what they want their children to see. However there is a limit to what we can do about sex and violence in films and videos. We can provide advice about the level and frequency of sex and violence in films and videos but after that it has to be up to the parents to decide what they will tolerate in their own home. No one from the Board is going to knock on people's front door and ask whether kids under fifteen are watching 'M' rated material - that is the parents' obligation not ours. Later in the year we hope to get an education campaign off the ground in conjunction with the industry and the States to make people more aware of the categories and who should be watching what. At that stage we will be seeking input as to how best to go about it and we shall be grateful for any suggestions.

The people who are on the Censorship Board are no different from other members of society. Many of the decisions are difficult and there have been heated debates at Board meetings not only about the 'M'/'R' border but also the lower end of the scale.

We do not get it right the whole time. In my view we get it right most of the time. So here we are breast bared, as we would say at the Board, and anxious to have our ears bashed, if you can call that an appropriate mix of sex and violence, on such an occasion as this.