



Australian Government



# **International Training Program 2014**

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## **Online Content Scheme**

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# The ACMA's role regarding online content

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- The ACMA administers the *Broadcasting Services Act 1992* - Schedule 5 and Schedule 7 relevant to online content
- Subject to complaints from the public, ACMA investigators classify online content against the National Classification Scheme
- The ACMA refers some online content to the Classification Board for decisions
- ACMA staff receive annual training from the Classification Board

# Classification Board

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- The Classification Board is:
  - the principal classification body in Australia
  - an independent statutory body
  - composed to reflect community standards
- Classifies films, games, certain publications
- Administers the National Classification Scheme, including:
  - *Guidelines for the Classification of Films and Computer Games 2005*

# Online Content Scheme

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- Schedules 5 and 7 of the *Broadcasting Services Act 1992* establish a co-regulatory scheme for online content in Australia
- Codes of practice were developed under the Act by the Internet Industry Association of Australia. They are now administered by Communications Alliance.
- The Scheme has been in operation since January 2000, with amendments made in January 2007
- Complaints can be made to the ACMA Hotline for reporting offensive and illegal online content.

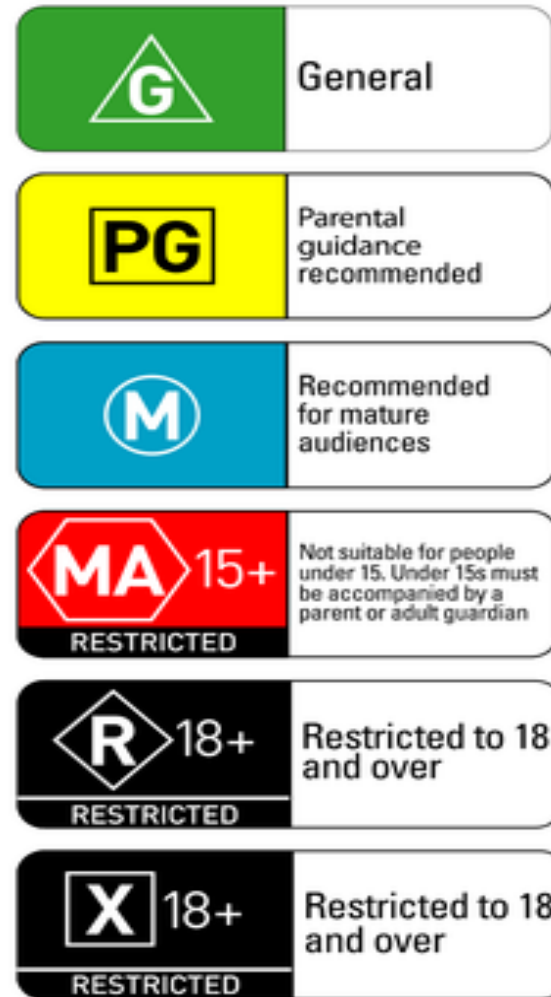
# Online content regulation

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- All content is assessed against criteria set out in the National Classification Scheme
- These are the same criteria that apply to public exhibition films, DVDs and computer games
- The classification criteria determine if online content is either **prohibited** or **not prohibited**
- Refused Classification (RC) is the classification category relating to banned content

# Online content regulation

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# Regulatory principles

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1. Restrict access to offensive material
2. Protect children from inappropriate material

# Valid complaints

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- Resident of Australia or companies carrying out activities in Australia
- In writing
- Provide instructions to access content
- Reason why the content is prohibited



# Online complaint web-form

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## ONLINE CONTENT COMPLAINTS



Answers are required for all questions marked with a red asterisk (\*)

Please fill in details regarding the content

Why do you believe the content may be prohibited?\*

- Child sexual abuse / child abuse / suspected paedophile activity
- Advocates a terrorist act
- Promotion, incitement or instruction in crime
- Violence
- Sexually explicit
- Extreme, offensive or adult content

# Types of content

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- *Hosted content*: web pages, peer-to-peer, mobile content
- *Live content*: streamed audio and video, adult chat
- *Links services*: links on websites linking to prohibited content

# Prohibited content

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- RC or X18+
- R 18+ (if not subject to a Restricted Access System)
- MA 15+ if provided by:
  - a mobile premium service, or
  - a service that provides audio or video content, and
  - requires the payment of a fee, and
  - is not subject to a Restricted Access system

# Prohibited online content and the ACMA

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Actions available to the ACMA under Australia law:

- Australian-hosted content
  - take-down notice
  - link deletion notice
  - live content cessation notice
- Overseas-hosted content
  - notified to optional end-user filters (accredited by industry under the Family Friendly Filters scheme)

# Prohibited online content and the ACMA

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- Child abuse material
  - report to relevant International Association of Internet Hotlines (INHOPE) member for rapid take-down and law enforcement notification in the host country
  - notify Australian Federal Police if Australian-hosted or hosted in a non-INHOPE country

# The ACMA does not

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- Monitor Internet use by individuals
- Prosecute individuals
- Actively search the Internet for prohibited content

# The ACMA cannot take action against

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- Frauds or scams
- Intellectual property matters
- Privacy matters
- Defamation
- Harassment and bullying

# ACMA investigation timeframes

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- Child abuse material: 2 days
- Other complaints: 20 days



# Classification Board referrals

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- All potential prohibited Australian-hosted content
- Classification threshold or unusual overseas-hosted content

# Complaints to the ACMA

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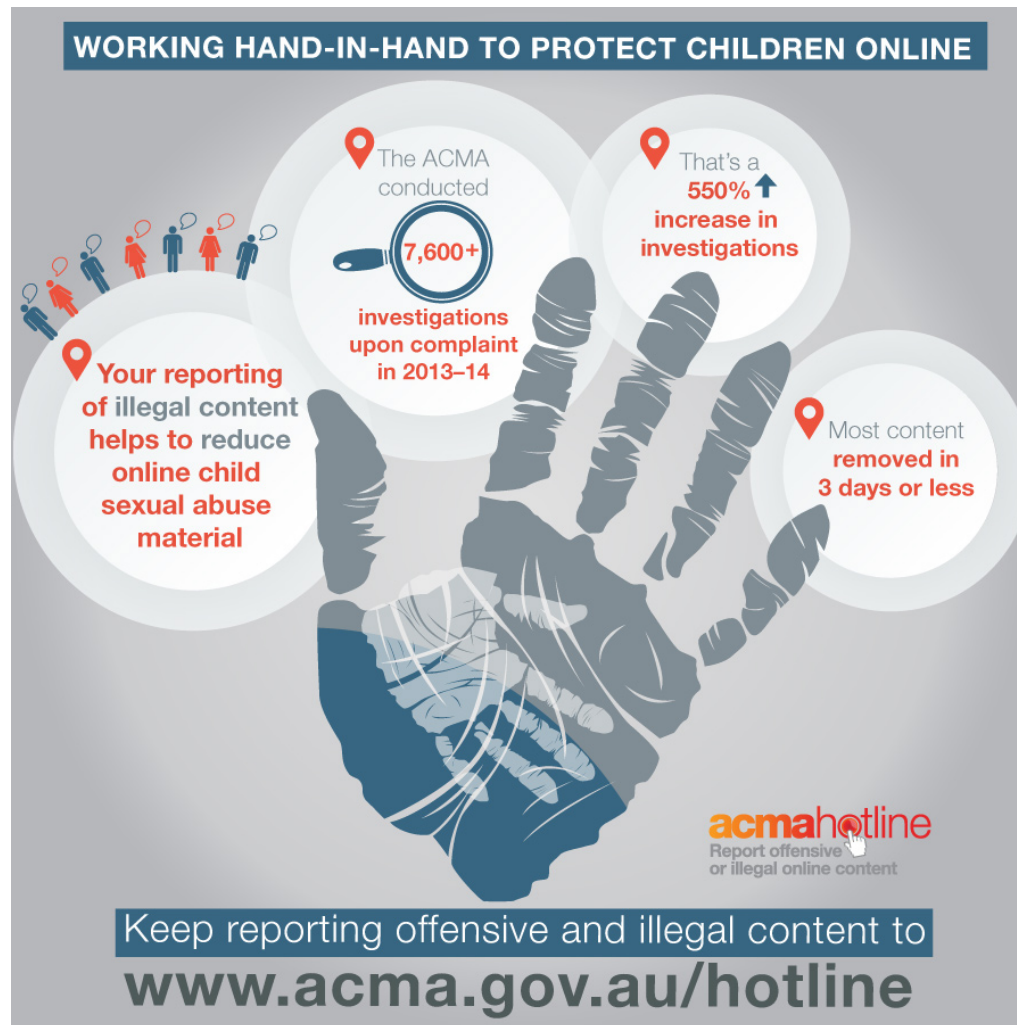
- Over the life of the scheme (i.e. since January 2000), the ACMA has received over 29,700 complaints
- The ACMA has actioned over 23,300 items of prohibited content
- Action has been taken against 16,000 items of child sexual abuse content

# Complaints to the ACMA

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- During the last year (from July 2013 to June 2014), the ACMA received over 4,000 complaints
- In that period the ACMA :
  - actioned over 8,900 items of prohibited content
  - took action against over 7,600 items of child sexual abuse

# Public messaging



# Summary

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- The ACMA investigates complaints about online content under the *Broadcasting Services Act 1992*
- The ACMA has strong take-down powers to remove Australian-hosted prohibited content
- The ACMA achieves take-down of overseas hosted child sexual abuse material through reports to INHOPE
- Other overseas-hosted prohibited content is notified to optional end-user filters (provided either at, or below, cost to Australians through the Family Friendly Filters scheme)