

**Joint Children's Commissioners and Guardians submission to the Australian Government Attorney-General's Department Discussion Paper: *Should the Australian National Classification Scheme include an R18+ classification category for computer games?***

The Children's Commissioners and Guardians<sup>1</sup> (the Commissioners and Guardians) each have a legislative mandate to promote and protect the rights, best interests and wellbeing of children and young people, particularly those who are most vulnerable, within our respective jurisdictions.

In fulfilling our duty to protect children from harm the Commissioners and Guardians do not support the introduction of an R18+ classification category for computer games, or any expansion of the existing classification system in Australia, because the resulting increase in the availability of inappropriate computer games has significant potential to adversely impact on the safety and wellbeing of children and young people.

**Summary of Children's Commissioners and Guardians position**

The Commissioners and Guardians do not support the introduction of an R18+ classification category for computer games because of the:

1. increased availability of, and risk of exposure to, high impact content including violence, domestic and sexual violence and illicit drug use
2. potential negative impacts of exposure to R18+ computer games, particularly for vulnerable or at risk children, and
3. difficulties parents and regulators experience in monitoring and controlling children's access to computer games.

**1. Increased availability of, and risk of exposure to, high impact content, including violence, domestic and sexual violence and illicit drug use**

The introduction of an R18+ classification category would allow computer games with high impact violence, including domestic and sexual violence as well as illicit drug use to become widely available in Australia.

This in turn, is likely to increase children's and young people's exposure to computer games with inappropriate content. For example, children and young people may have incidental exposure to R18+ material by observing older household members playing R18+ computer games, including parents, older siblings, as well as exposure at other people's homes where there may be older gamers.

Research commissioned by the computer game industry shows that 88% of all Australian households have a device to play computer games on, 61% have two or

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<sup>1</sup> Contributing members of the Commissioners and Guardians are: Commissioner for Children and Young People and Child Guardian, Queensland, Ms Elizabeth Fraser; Children and Young People Commissioner, Australian Capital Territory, Mr Alasdair Roy; Guardian for Children and Young People, South Australia, Ms Pam Simmons; Commissioner for Children and Young People, Western Australia, Ms Michelle Scott; Commissioner for Children, Tasmania, Mr Paul Mason; Acting Commissioner for Children and Young People, New South Wales, Ms Jan McClelland; Child Safety Commissioner, Victoria, Mr Bernie Geary; and Acting Children's Commissioner, Northern Territory, Ms Hilary Barry

more such devices. In addition, the majority of adult gamers have children living with them and play with others in the same room<sup>2</sup>.

The same research shows that 77% of children up to the age of 15 are themselves gamers. Notwithstanding games having an R18+ classification, children and young people are still likely to be able to deliberately access them by, for example:

- copying them from their friends
- borrowing them from friends, and
- downloading/pirating/accessing them on-line.

It is also likely that children's incidental exposure to inappropriate content would further increase with the advertisement of R18+ computer games, as has occurred in United States<sup>3</sup>.

The Children's Commissioners and Guardians are particularly concerned that the introduction of an R18+ classification category could result in intensified levels of domestic and family violence in computer games. Increased exposure to domestic and family violence in computer games has the potential to normalise such behaviours when viewed by children and young people. There are already well established impacts on children who experience and witness family violence<sup>4</sup>, therefore the potential for exacerbated effects of viewing simulated material on these children and young people can not be ignored.

Unlike sexual violence, the *National Classification Code, Guidelines for the Classification of Films and Computer Games and Classification (Publications, Films and Computer Games) Act 1995* do not include domestic violence as a classifiable element of violence attracting legal restriction or banning. This means that computer games under existing classifications are able to include domestic violence. It is possible that R18+ computer games could therefore contain more high impact domestic violence content.

The National Council to Reduce Violence against Women and their Children argued for a commitment to *reduce violence against children and young people by investing in primary prevention to create respectful relationships, fair outcomes and safer communities*<sup>5</sup>. One of the key messages from the Council's *Time for Action* is the need to act now to stop the intergenerational cycle of violence through a focus on children and young people that both protects their safety as well as develops their skills to build and sustain respectful, ethical, non-violent relationships for the future.

In the Children's Commissioners and Guardians' view, children and young people's access, or the risk of such access, to simulated games that may include domestic and family violence and particularly R18+ games, undermines these goals, especially given the potential for such exposure to normalise the use of domestic and family violence as a way to solve problems or conflict.

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<sup>2</sup>Brand, JE., Borchard, J. & Holmes, K (2008) *Interactive Australia 2009 National research prepared by Bond University for the Interactive Entertainment Association of Australia*.

<sup>3</sup>Marketing violent entertainment to children: A Sixth Follow-up Review of Industry Practices in the Motion Picture, Music Recording & Electronic Game Industries - A Report to Congress. US Federal Trade Commission, December 2009.

<sup>4</sup> Australian Bureau of Statistics 2006, Personal Safety Survey 2005, Cat. 49

<sup>5</sup> *A Snapshot to Time For Action: The National Council's Plan for Australia to Reduce Violence Against Women and their Children, 2009-2021*, Department of Families, Housing, Community Services and Indigenous Affairs, 2009

## **2. Potential negative impacts of children's exposure to R18+ computer games, particularly for vulnerable or at risk children**

Although research on the impact of violent computer games on children is polarized, the Byron review<sup>6</sup> reports that for some children, particularly those who are most vulnerable, the broader biological, psychological and social context in which computer games are played may contribute to a negative impact on children.

The Children's Commissioners and Guardians are especially concerned about how access to R18+ computer games may impact on vulnerable children, including those who have experienced domestic violence and those children who do not always have a safe, stable and supportive family life.

We believe that the realistic images, interactive nature and tendency for computer games to require players to participate in sustained, violent activity for incentive or reward, may normalise and promote violent behaviour<sup>7</sup>, particularly among vulnerable children.

Exposure to violent video games provides a "complete learning environment for aggression, with simultaneous exposure to modeling, reinforcement, and rehearsal of behaviours"<sup>8</sup>.

In a 2008 Australian study commissioned by the computer game industry, violence enhancement was identified as the number one effect of interactivity for non-gamers and ranked fifth for gamers, from a list of 11 possible effects<sup>9</sup>.

The Commissioners and Guardians believe that it is in the best interests of children to reduce the potential for harm by maintaining the current classification system and not introducing an R18+ classification category. It is the ability to participate actively in violent and aggressive computer games, which differentiates them from films, and warrants their separate and distinct treatment.

## **3. Difficulties parents and regulators experience in monitoring and controlling children's access to computer games**

It is extremely difficult for either the Commonwealth Government or the Australian Classification Board to control effectively the circumstances within homes where children may have deliberate or accidental access to R18+ computer games.

Difficulties for parents/carers and the government to regulate children's access to inappropriate computer games include:

- not all parents effectively monitor their children's access to computer games. According to industry data, only 54% of parents are present when computer games are hired or purchased for their children, and more than a fifth of parents are either never, rarely or sometimes present<sup>10</sup>

<sup>6</sup> Byron, T. (2008) *Safer children in a digital world – the report of the Byron review*, <http://www.dcsf.gov.uk/byronreview/pdfs/Final%20Report%20Bookmarked.pdf>

<sup>7</sup> Gentile et al. (2004) *The effects of violent video game habits on adolescent hostility, aggressive behaviours, and school performance*. *Journal of Adolescence*, 27:5-22.

<sup>8</sup> Anderson & Dill (2000) *Video games and aggressive thoughts, feelings, and behaviour in the laboratory and in life*. *Journal of Personality and Social Psychology*, 78:772-790.

<sup>9</sup> Brand, JE., Borchard, J. & Holmes, K (2008) *Interactive Australia 2009 National research prepared by Bond University for the Interactive Entertainment Association of Australia*.

<sup>10</sup> Brand, JE., Borchard, J. & Holmes, K (2008) *Interactive Australia 2009 National research prepared by Bond University for the Interactive Entertainment Association of Australia*.

- despite the availability of technological or parental controls on games consoles designed to prevent children's access to inappropriate computer games, research shows that they do not provide sufficient means of preventing children's access as parents are often either not aware of parental locks, do not use them or children override the lock system<sup>11</sup>
- even if parents do monitor the purchase or hire of computer games, many experience difficulties controlling access to computer games as their children often borrow games from friends<sup>12</sup> or copy them from each other
- information about computer game classification is not readily available for parents from culturally and linguistically diverse backgrounds, and
- there has been an observed lack of compliance with the accurate display of classifications for computer games available for hire in Australia<sup>13</sup>.

In addition, the Australian Classification Board often relies on industry-based, authorised assessors for informing the classification of computer games and relies on applicants to declare if any part of their computer game contains material that is likely to be regarded as contentious. This creates a conflict of interest which may result in classification recommendations being made in the best interests of the gaming industry, as opposed to the safety of children and young people.

Should you wish to discuss any aspect of this joint submission, please contact my office on (07) 3211 6700 or email at [info@ccypcg.qld.gov.au](mailto:info@ccypcg.qld.gov.au).

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<sup>11</sup> *Parents all thumbs when it comes to gaming controls*. 7 December 2009

<sup>12</sup> Office of Film And Literature Classification (2004) *Community Attitudes Towards Media Classification and Consumer Advice*.

<sup>13</sup> Office of Film And Literature Classification (2005) *Compliance Snapshot DVDS and Computer Games for Hire, Brisbane*.