



News Update

Internet content complaints – February 2005

Summary

Complaints received	75
Invalid complaints ¹	18
Investigations terminated ²	29
Investigations completed	47
Items actioned ³	63

- The ABA does not investigate a complaint if:
 - the complaint does not meet the statutory requirements under clauses 22(3) and 25 of Schedule 5 to the Broadcasting Services Act (e.g. no Internet address provided; complainant not an Australian resident) or
 - the complaint falls within the meaning of clause 26(2) of Schedule 5 (frivolous, vexatious, not

made in good faith, or made for the purpose of frustrating or undermining the effective administration of the scheme) or

- the complaint concerns matters not within the scope of Schedule 5 (e.g. the complaint relates to an electronic 'virus').
- The ABA will terminate a complaint under clause 26(4) of Schedule 5 if it has insufficient information to conclude the investigation.
 - The ABA assesses each piece of Internet content, such as a single web page or newsgroup posting, separately (these are referred to as 'items' of Internet content). The ABA takes action in relation to items of Internet content found to be prohibited or potentially prohibited.

For more information about the ABA's Internet role, go to www.aba.gov.au/internet/complaints/internet.htm

Items actioned

Classification and

description of

Internet content¹

Australian-hosted items

(take-down notice issued)

Overseas-hosted items

(referred to makers of filters)

Total

R	0	N/A	0
(Violence, Sex, Themes, Drug Use, Nudity, Language)			
X – Actual sexual activity	0	15	15
RC – Crime – promotion/instruction	0	0	0
RC – Violence – depiction	0	0	0
RC – Paedophilia – promotion/instruction	0	0	0
RC – Child – depiction	0	45	45
RC – Bestiality – depiction	0	0	0
RC – Sexual violence – depiction	0	0	0
RC – Sexual fetish – depiction	0	1	1
RC – Sexual fantasy – depiction	0	2	2
RC – Drug use – promotion/instruction	0	0	0
Totals	0	63	63

- Descriptions of Internet content in this table are based on the Classification Board's Guidelines for the Classification of Films and Computer Games 2003, available at www.oflc.gov.au/resource.html?resource=62&filename=62.pdf

The complaints scheme: the ABA's hotline

Established under Schedule 5 to the Broadcasting Services Act, the ABA's Internet complaints hotline enables Australian residents to complain to the ABA about prohibited or potentially prohibited Internet content. Complaints can be registered at www.aba.gov.au/hotline. Internet content is assessed in accordance with the National Classification Code and Guidelines. The prohibited categories for Australian-hosted content are RC (Refused Classification), X (consensual sexually explicit material), and material rated R (Restricted) that is not protected by adult verification procedures. For overseas-hosted content the prohibited categories are RC and X. For Australian-hosted prohibited items, the ABA issues a take-down notice to the Internet content host i.e. directing the Internet content host not to host the

content. Failure to comply with such a notice may result in a maximum penalty per day of \$5500 for an individual and \$27,500 for a corporation. For overseas-hosted prohibited or potentially prohibited items, the ABA notifies the suppliers of filter software of the content, in accordance with procedures outlined in the Internet industry codes of practice. Under the codes, Internet service providers are required to provide one or more of the filter products listed in the schedule to the codes, for the use of their subscribers.

If the ABA finds Internet content is of a 'sufficiently serious' nature (such as child pornography), it will notify the relevant police force and/or the relevant accredited hotline overseas. ☒