

INTERNET COMPLAINTS

Established under Schedule 5 to the Broadcasting Services Act, ACMA's internet complaints hotline enables Australian residents to complain to ACMA about prohibited or potentially prohibited internet content. Complaints can be registered on the ACMA website at www.acma.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 18+ (consensual sexually explicit material), and material rated R 18+ (Restricted) that is not protected by adult verification

procedures. For overseas hosted content, the prohibited categories are RC and X 18+.

For Australian-hosted prohibited items, ACMA issues a take-down notice to the internet content host, directing it not to host the content. Failure to comply with such a notice may result in a maximum penalty per day of \$5,500 for an individual and \$27,500 for a corporation.

For overseas-hosted prohibited or potentially prohibited items, ACMA 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 ACMA finds internet content is of a 'sufficiently serious' nature (such as child pornography), it notifies the relevant police force or accredited hotline overseas.

More information about ACMA's role in co-regulation of internet content is on the ACMA website at www.acma.gov.au/hotline.

4,200 complaints about illegal and offensive ('prohibited') internet content through its internet complaints hotline and investigated more than 3,200 complaints since the co-regulatory scheme began on 1 January 2000. Of these investigations, more than 2,200 found that the complaint related to prohibited or potentially prohibited content. Action has been taken on 334 individual items of Australian-hosted content and more than 2,900 items of overseas-hosted content.

COMPLAINTS OVER THE LIFE OF THE SCHEME

ACMA and the former ABA have received more than

SUMMARY OF COMPLAINTS (JANUARY 2000 TO JUNE 2005)

	JAN-JUNE 2000	JULY-DEC 2000	JAN-JUNE 2001	JULY-DEC 2001	JAN-JUNE 2002	JULY-DEC 2002	JAN-JUNE 2003	JULY-DEC 2003	JAN-JUNE 2004	JULY-DEC 2004	JAN-JUNE 2005	TOTAL
COMPLAINTS RECEIVED	201	290	215	231	391	298	385	491	616	598	547	4,263
INVESTIGATIONS COMPLETED	160	221	185	199	300	236	280	406	404	429	385	3,205
INVESTIGATIONS TERMINATED¹	37	56	29	46	84	71	89	80	95	94	108	789
INVALID COMPLAINTS²	2	0	0	0	0	0	0	0	95	72	77	246
INVESTIGATIONS FINDING POTENTIALLY PROHIBITED CONTENT	93	139	98	157	216	175	206	255	293	302	273	2,207
ITEMS ACTIONED³ AUSTRALIAN HOSTED)	62	64	34	67	26	19	7	4	3	1	47	334
ITEMS ACTIONED (OVERSEAS HOSTED)	94	136	153	146	245	292	278	321	380	430	427	2,902

COMPLAINTS - JUNE 2005

Complaints received	79
Invalid complaints	9
Investigations terminated	4
Investigations completed	48
Items actioned	62

ITEMS ACTIONED - JUNE 2005

CLASSIFICATION AND DESCRIPTION OF INTERNET CONTENT ⁴	AUSTRALIAN-HOSTED ITEMS (TAKE-DOWN NOTICE ISSUED)	OVERSEAS-HOSTED ITEMS (REFERRED TO MAKERS OF FILTERS)	TOTAL
X 18+ - Actual sexual activity	0	6	6
RC - Child - depiction	0	46	46
RC - Sexual violence - depiction	0	5	5
RC - Sexual fantasy - depiction	0	5	5
Totals	0	62	62

1. A complaint is terminated under clause 26(4) of Schedule 5 if ACMA has insufficient information to conclude the investigation.

2. A complaint is not investigated by ACMA if:

- the complaint does not meet the statutory requirements under subclause 22(3) and clause 25 of Schedule 5 (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').

3. ACMA 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). Action is taken when items of internet content are found to be prohibited or potentially prohibited.

4. Descriptions of internet content in this table are based on the National Classification Board's *Guidelines for the Classification of Films and Computer Games 2005*, available on the Office of Film and Literature Classification website at www.oflc.gov.au/resource.html?resource=62&filename=62.pdf.