

Censorship addicted Oz LABOR government - have WE had enough yet?

by dasha *Wednesday, Mar 9 2011, 9:36pm*

international / imperialism / commentary

The latest PATERNALISTIC, unnecessary, social intervention by Gillard's -- the most unpopular Labor Government in Australian history -- emanates from yet another anal Labor minister who wishes to apply the RC 'refused classification' category, a Stephen Conroy invented euphemism for overt CENSORSHIP, to smartphone apps - what next? Give the Oz public a break and just piss off, or cop a hiding at the elections that would go down in history.

The incompetence, unrepresentative and useless policies of the Labor government know no limit, they just keep flowing like the effluent that once polluted our beautiful beaches. It may be time to teach LABOR and LIBERAL a LESSON that neither party would soon forget. VOTE REPRESENTATIVE INDEPENDENTS - community minded people you KNOW, who will represent YOU -- IN ALL Oz ELECTIONS and RESTORE Australian DEMOCRACY. We can then haul all previous traitorous politicians into court for their overt crimes against the nation and its people - I hope the RAPACIOUS TRANSNATIONALS are reading this, your days of plunder and water theft, are numbered.

A few verifiable recent historical facts about Gillard follow: first she attempted to give CORPORATE EXECUTIVES/bosses the LEGAL RIGHT to snoop on the private emails and other PERSONAL communications of their employees - OUTRAGEOUS! However, Gillard did do Oz a favour by REVEALING her TRUE (Stalinist) nature and whose INTERESTS she really represents - on her current crawl in Washington she just "enthusiastically" handed the nation over to the yanks as a military colonial outpost, making us a PRIME NUCLEAR TARGET in the process - but analysis, deliberations and repercussions are ignored when you serve Washington's interests at the EXPENSE of your OWN nation and its PEOPLE! This unrepresentative act alone for those who are unaware is DEFINED as treason in AUSTRALIAN LAW. The matter was not debated in parliament and not mandated by the people - just give it to the population right up the 'kyber' is Labor's policy; well, we'll see about that, missy!

But let's not forget Gillard's latest grossly subservient act for her CORPORATE MASTERS, attempting the introduction of the GOLDMAN SACHS CARBON CON in Oz - look it all up on this site and the internet, it's a travesty.

Notwithstanding the appalling performance of our bought, servile, visionless, uninspired, ANAL politicians, WE should NEVER FORGET that restoring Australian representative DEMOCRACY and regulating the Transnationals is only AN ELECTION AWAY - THE PEOPLE WILL EXERCISE THEIR PREROGATIVES - ENOUGH incompetence and unrepresentative government IS ENOUGH!

Reports from *The Register* and *SMH* follow:

Oz government finds new use for Censorship

by Richard Chirgwin

Australia's government has once again exhibited its enthusiasm for censorship, with the Minister for Home Affairs Brendan O'Connor reportedly considering setting the country's content classifiers onto Apple's App Store and Google's Android Marketplace.

Apparently unaware that Apple works hard to sanitize its walled garden, O'Connor has told the Sydney Morning Herald that the government will require Apple and Google to remove apps from their stores if they would be "Refused Classification" in Australia.

Most recently, the "RC" tag has been applied to Warner's revival of gaming splatter-fest Mortal Kombat (Warners will ask for the classification to be reviewed).

The problem the government has invented identified is that apps distributed through channels like the App Store don't have to go through Classification Board processes before Apple will distribute them - unlike, for example, movies and computer games, which have to be submitted and classified before they're offered for sale.

O'Connor foreshadowed requiring ratings to appear next to apps. While [Google](#) already does so, its ratings don't align with the ratings used in Australia.

However, rather than appoint most of Australia's adult population to the Classification Board to retrospectively review the apps that already exist, O'Connor told the Herald he will seek a change to legislation so that classifications would be undertaken only in response to complaints (this is analogous to how the Australian Communications and Media Authority's list of 'blacklisted' Websites now operates).

http://www.theregister.co.uk/2011/03/09/oz_gov_to_censor_app_stores/

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[Oz] Government to CENSOR iTunes app store

by Ben Grubb

Australians will soon be able to complain about mobile game apps they take offence to and get them removed from app stores such as Apple's iTunes if they're deemed "refused classification".

And if mobile game apps are classified anything above MA15+ and the government doesn't introduce an R18+ games classification (which it plans to vote on in July), then any game app rated over MA15+ will also be refused classification.

The government says it will require game app distributors including Apple and Google to show ratings (e.g. MA15+) next to some game apps and will prosecute those who distribute ones that have been banned due to extreme content or being above the MA15+ rating.

Home Affairs Minister Brendan O'Connor said he had already received some complaints about game apps.

"Refused classification" (RC) content that could get a game app banned includes extreme material such as sexual violence, bestiality and child pornography but the RC category is much broader than that and also includes content such as sex, drugs, violence, crime,

cruelty and other material that "offend against the standards of morality, decency and propriety generally accepted by reasonable adults".

But further to this, a spokesperson for O'Connor confirmed this afternoon that game apps rated anything above MA15+ would also be refused classification.

"At the moment there is no R18 [rating] for games, so no such classification can be applied to games/apps," the spokesperson said.

They also said that anyone had been able to report mobile game apps to the Classification Board for some time now.

The Classification Board, however, has been unsure of how to deal with such content since it raised the matter in Parliament in October 2009. This new proposal will now give it the clarity it needs to take action.

Game or utility app?

What is unclear, however, is how the Classification Board will classify apps that aren't necessarily games like Grindr, an app for gay users which uses the GPS of an iPhone, BlackBerry or mobile running Google's Android operating system to find nearby males.

The app also allows for private images to be sent between users but recently began self-censoring profile images shown publicly to all users.

According to the law, a computer game is "a computer program and any associated data capable of generating a display on a computer monitor, television screen, liquid crystal display or similar medium that allows the playing of an interactive game".

The law goes on to say that a computer program, data associated with a computer program or a computer program and any associated data that "is capable of generating new elements or additional levels into a game ... and ... is contained in a device separate from that containing the original game ... is also a computer game".

Finer details of the proposal are yet to be decided on between state, territory and Commonwealth attorneys-general but it's understood that part of it is expected to include a definition of what exactly the difference is between a game app and an ordinary app.

The app loophole

Classification Board director Donald McDonald flagged a loophole in the classification system - which meant apps escaped classification guidelines - in October 2009 during a Senate estimates hearing in Canberra. At the time, he said that he had sent a letter about the matter to Mr O'Connor, who acts as the Commonwealth Censorship Minister.

The loophole allows for mobile developers to bypass the Classification Board when listing their apps for download in Apple's iTunes store, Google's Android marketplace, BlackBerry maker Research In Motion's App World and Nokia's Ovi store, among others.

Such apps can be playable games - not just a calculator or other utility programs such as

recording or alarm clock apps - which has caused the federal government to rethink how it approaches game apps on mobile platforms.

Colin Jacobs, spokesman for the online users' lobby group Electronic Frontiers Australia, said it was "hard to see a big public benefit in censoring mobile games hosted overseas".

"It places extra burden on the censors and will achieve nothing," he said. "Stores like iTunes already censor their games heavily, and in a less controlled marketplace government ratings would be simply ignored."

He said the government should "first focus on reforming the classification system before trying to extend it into new markets where it has little reason to be".

"We'd certainly oppose extending the system to cover a whole new market until, at the very least, there's an R18+ category for computer games as the public demands," Jacobs said.

He added that the government's proposal was "another example of how the classification scheme, designed decades ago for movies and books, is struggling to find a place in the modern digital world".

"A few more incidents like this and there won't be many Australians left who take it very seriously."

The Australian Christian Lobby (ACL) welcomed the proposal.

An ACL spokesman said it was important the Classification Board was "able to respond to people's concerns" and said that the proposal was "a positive step to address public complaints about apps".

But the spokesman said that complaints would need to be "addressed in a timely manner for the complaints-based approach system to be effective".

Game and app developer Marc Edwards, from Bjango, said the solution found was "sensible".

"Forced review for every single app would mean that most developers wouldn't bother releasing in Australia, which accounts for a small percentage of global sales," he said. "Post-classification for apps and games that push the boundaries is a great idea, and one that should work well. I'd support this approach."

Government meetings

At the weekend in Wellington, New Zealand, Australian state and territory attorneys-general discussed the matter at the Standing Committee of Attorneys-General (SCAG) meeting. A proposal was put forward by the Commonwealth on a way forward for the first time, which was revealed in the meeting's communiqué.

The Commonwealth's fix

In a nutshell, the Commonwealth proposed that it would legislate that, instead of having

developers worldwide submit each app they make to the Classification Board mandatorily, which would tie it down with reviewing thousands of apps, users would instead report questionable ones to it for reviewing.

Speaking to this website, Mr O'Connor discussed the proposal he put to state and territory attorneys-general at the meeting, which couldn't go to a vote because the NSW government is in caretaker mode due to the upcoming state election. A vote is required for legislative change.

App 'explosion'

Mr O'Connor said that an "absolute explosion of tens of thousands of games on mobile platforms" was theoretically placing "unsustainable strain on the Classification Board", which under current laws must assess every game, or in this case game app, available to Australians (but currently does not, which is why concerns were raised in 2009 to him).

He said he was confident he could get agreement from state and territory attorneys-general on the proposal at the next SCAG meeting, to be held in July, "because it is important we fix it for consumers and for regulatory bodies".

The proposed arrangement

The arrangement would be "similar to the current classification arrangements for online content", Mr O'Connor said.

"Under the change ... the public will still be able to [have] protections such as submitting games to the Classification Board for consideration and lodging a complaint with the Australian Communications and Media Authority."

Apple, Google asked to do more

If an app was considered "refused classification" by the Classification Board, then "it would be unlawful" for those distributing it, for example Apple or Google, to continue to do so, Mr O'Connor said.

"We would prosecute people who actually broke the law," he said. "People cannot [be allowed to] break the law. People cannot at the moment sell, distribute or watch ... games that have been refused classification.

"So, yes, we would seek those people that distribute, disseminate that information to desist from doing so," he added.

He said he was confident in asserting that there would be "very, very few games" that would be captured by the refused classification rating. "But if they are, if people are concerned, are so offended and the Classification Board considered the matter, then of course it can be refused like any other form of material," he said.

Distributors must show rating

Google's Android and Apple's iTunes store would also be required to list beside an app's listing its classification were it to be classified by the Classification Board as something

lower than "refused classification" after being referred to it for review.

For example, if an app were referred for review and classified MA 15+, then Apple or Google, for example, would need to display that rating on an app's listing, Mr O'Connor said. "I think people would expect for example to know that an application is MA for 15 years and older so they don't download it for their seven-year-old child," he said.

Apple said the matter was not for it to comment on, while Google would not comment other than to refer to a blog post in which it pointed out that it already showed content ratings for applications. Google's ratings are "all", "preteen", "teen" and "mature".

Legislative change

To change the law will require Mr O'Connor to get unanimous agreement from his state and territory counterparts at July's SCAG meeting on his proposal. Once he has done that, he can take new legislation to Parliament.

The law would be changed to exempt mobile apps and online games from mandatory classification, Mr O'Connor said, which would pave the way for the Classification Board to be sent complaints by the public.

"Theoretically [at present] the board must classify every application," he said. "But you would need an army, literally an army of classifiers to get through the applications because the growth has been exponential and for that reason we're going ... to a complaint-based approach."

This would mean that government websites that allow for complaints of internet content, such as the Australian Communications and Media Authority, would be altered to now allow for the public to complain about apps, he said.

"Certainly we will raise this publicly or find ways to send this out to communities," Mr O'Connor said.

"It will [also] be on appropriate government websites when people raise complaints."

The new approach would last as law for at least two years, Mr O'Connor said, as a current review of the classification system was under way by the Australian Law Reform Commission and could come up with another solution.

Previously, app developers were concerned that the government would interpret the law to mean that all of their apps would need to be classified (which costs money and adds red tape), even if they were available for download free.

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