



Speech by


Hon. Jarrod Bleijie

MEMBER FOR KAWANA

Hansard Wednesday, 31 October 2012

CLASSIFICATION OF COMPUTER GAMES AND IMAGES AND OTHER LEGISLATION AMENDMENT BILL

Introduction

 **Hon. JP BLEIJIE** (Kawana—LNP) (Attorney-General and Minister for Justice) (7.30 pm): I present a bill for an act to amend the Classification of Computer Games and Images Act 1995, the Classification of Films Act 1991, the Classification of Publications Act 1991, the Criminal Code, the Land Act 1994, the Neighbourhood Disputes Resolution Act 2011 and the Recording of Evidence Act 1962 for particular purposes, and to make consequential or minor amendments of other acts as stated in schedules 1 and 2 for purposes related to those particular purposes. I table the bill and the explanatory notes. I nominate the Legal Affairs and Community Safety Committee to consider the bill.

Tabled paper: Classification of Computer Games and Images and Other Legislation Amendment Bill 2012 [[1458](#)].

Tabled paper: Classification of Computer Games and Images and Other Legislation Amendment Bill 2012, explanatory notes [[1459](#)].

I am pleased to introduce the Classification of Computer Games and Images and Other Legislation Amendment Bill 2012. The main purpose of this bill is to amend the Classification of Computer Games and Images Act 1995 to provide for the demonstration, sale, supply and advertisement of R18+ computer games in Queensland. Under the National Classification Scheme, the classification of computer games, films and publications is jointly regulated by the Commonwealth and the states and territories. The Commonwealth legislation outlines how material is to be classified and establishes the classification board which makes the classification decisions. The states and territories enforce the classification decisions and regulate the sale, supply and advertisement of material in their respective jurisdictions.

Last year the censorship ministers agreed to introduce an R18+ category for computer games, bringing the classification of computer games into line with the regime for films. This followed extensive public consultation, which indicated an extremely high level of community support for an R18+ classification. For example, in 2010, almost 60,000 individuals and organisations made written submissions in response to a discussion paper on the issue. Of these, 98 per cent of the respondents supported the introduction of an R18+ category for computer games. In a subsequent telephone poll, 80 per cent of the 2,000 people polled across Australia expressed support.

The Commonwealth legislation allowing computer games to be classified as R18+ has been passed and will come into force on 1 January 2013. The introduction of the R18+ classification will give parents clear and unambiguous guidance about what material is unsuitable for their children, hence protecting them from being exposed to material that may harm them. It will also give adult gamers the right to make informed choices about what they want to see and hear in a computer game.

The bill creates a range of new offences that generally reflect the enforcement regime for films. The bill prohibits the public demonstration of an R18+ computer game in the presence of a minor; prohibits the private demonstration of an R18+ computer game in the presence of a minor unless the person

demonstrating the game is a parent or guardian or has their consent; and prohibits the sale or delivery of an R18+ computer game to a minor. R18+ computer games cannot be demonstrated in a public place unless the games are clearly marked and the markings displayed before they are demonstrated.

On 26 September this year, the Commonwealth gazetted the new Guidelines for the Classification of Computer Games. These guidelines incorporate the new R18+ computer game rating, which is legally restricted to adults. R18+ content can contain high-impact violence, but violence that is, in context, frequently gratuitous, exploitative and offensive to a reasonable adult will not be permitted. Actual sexual violence and implied sexual violence that is visually depicted, interactive, not justified by context is also not permitted, nor are depictions of simulated sexual activity that are explicit and realistic. Material which exceeds the R18+ category will be refused classification and will not be able to be legally sold anywhere in Australia. In accordance with the Intergovernmental Agreement on Censorship, I now table these guidelines.

Tabled paper: Guidelines for the Classification of Computer Games [\[1460\]](#).

In addition to establishing the new regime for R18+ computer games, the bill will also amend the Neighbourhood Disputes Resolution Act 2011 to add the additional words 'dividing fences and trees'. This will remove any ambiguity which currently exists about the act and will make it clear that the legislation only applies to fence and tree disputes and not general neighbourhood disputes.

The bill also amends the Recording of Evidence Act 1962 to enable implementation of the government's decision to outsource the recording and transcribing of legal proceedings in Queensland. Proceedings in the Supreme Court, the District Court, the Magistrates Court, the Queensland Civil and Administrative Tribunal, the Queensland Industrial Court, the Queensland Industrial Relations Commission, the Childrens Court, the Coroners Court, the Planning and Environment Court, the Land Court, the Land Appeal Court and the Mental Health Court will be able to be recorded and transcribed under the outsourced model. Preparations are already well underway in the Department of Justice and Attorney-General to put the outsourced work to tender. The government is confident that outsourcing will result in a more timely service for judges, magistrates, tribunal members and parties to proceedings. Outsourcing is also anticipated to save the government up to \$6 million per annum. This move will bring Queensland into line with other states like New South Wales, Victoria and Western Australia, which already outsource some or all of their court recording and transcription. These amendments are about enhancing the delivery of justice in Queensland and simultaneously achieving savings and assisting in returning the state to a sound fiscal position. I commend the bill to the House.

First Reading



Hon. JP BLEIJIE (Kawana—LNP) (Attorney-General and Minister for Justice) (7.36 pm): I move—

That the bill be now read a first time.

Question put—That the bill be now read a first time.

Motion agreed to.

Bill read a first time.

Referral to the Legal Affairs and Community Safety Committee

Mr DEPUTY SPEAKER (Mr Ruthenberg): Order! In accordance with standing order 131, the bill is now referred to the Legal Affairs and Community Safety Committee.