

## Proposed laws empower police to designate adult films

Written by The Australian | Andrew Colley  
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Australia's peak sex industry lobby has condemned proposed new laws which will give NSW police powers to classify adult films.

The new laws introduced to NSW parliament on Wednesday lower evidence requirements for police pursuing prosecutions against persons suspected of selling illegal adult films.

Under current laws, police are required submit films to the Commonwealth censors to verify their rating.

However, under the proposed new laws, police would be able to side-step the requirement by offering film vendors facing pornography charges agreements that the films "would be" found to be classed illegal if submitted to the classification board.

Those who demand that films be submitted to the board for formal classification will be forced to foot the bill if they're found guilty of pornography offences.

The NSW Attorney General's office maintains the new laws were designed to address rising costs for enforcing classification laws.

But the sex lobby says it's an attempt to coerce adult video sellers to plead guilty to illegal pornography charges without evidence.

The laws would see large numbers of adult film vendors jailed and encourage police corruption, Australian Sex Party President Fiona Patten said.

"Most police officers do not understand the differences between R18+, X18+ and Refused Classification (RC) material. This is a truly frightening move toward a police state in NSW," Ms Patten said.

"If the shop owners say they are not happy with the police evaluation of their films then under the new laws they will have to pay for the classification fee themselves. But this is what is already happening so the Attorney General is being extremely disingenuous in his reasons for this," she said.

NSW Parliamentary Secretary Barry Collier introduced the bill, the Classification (Films, Publications and Computer Games) Enforcement Amendment Bill 2010, for in-principle agreement on Wednesday.

Mr Collier said that it would address rising costs for police enforcing NSW classification laws.

NSW Police is allowed to submit up to 100 free classification applications to Commonwealth censor each year but Mr Collier said that it consistently exhausted its quota. Additional applications cost around \$1400 comprising a classification certificate and an evidentiary certificate.

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In addition to the agreement provisions, the cost of applications would be halved by doing away with the requirement for an evidentiary certificate which cost around \$700.

"By removing this unnecessary cost and red tape, police will have a greater capacity to enforce classification laws," Mr Collier said.

"Together, the new classification by agreement provisions and the removal of unnecessary evidentiary requirements are intended to increase the capacity of the police to enforce classification laws, reinforcing the integrity of the national classification scheme."

The bill also introduces measures that will allow the Director of the Classification Board to pull material for sale in NSW once it has been flagged by another state and territory.

Source: [The Australian](#)