



Book Industry response to *Modernising Australia's National Classification Scheme - Stage 2 Reforms*

This Submission:

Books Create Australia welcomes the Minister's consultation on the needs of the classification scheme for modern Australia.

High levels of reading participation are integral to our success as a modern democracy; accordingly the relatively free flow of books and information is of paramount importance to Australia's civic health and to our social and economic capacity.

In that light, Books Create Australia in making this joint submission on behalf of Australia's authors, publishers, booksellers, libraries and readers seeks to reflect the industry and (to a significant extent) the community consensus about the need for book classification arrangements which, in summary:

- *Ensure the free and wide passage of books. Accordingly, we endorse the primary stated purpose of the classification scheme to provide 'information to Australians to make informed choices on the content they and those in their care consume.'*
- *Accordingly, only classify books when necessary.*
- *Respect traditional book industry practices and the expertise of book publishers, book sellers, and librarians.*
- *Opt for industry self-regulation as the first and best option of any regulatory arrangements.*
- *Ensure processes for book classification and classification decisions are more clearly communicated to stakeholders and the community.*
- *Take advantage of the increasing sophistication of the digital supply technology being developed and adopted within and across the publishing industry, bookshops, school and public libraries to ensure information about a book (including metadata about content and proposed readership) travel with the book.*

Books Create Australia: Who we are:

Books Create Australia (BCA) is the representative coalition of the key industry organisations: the BookPeople (Australian Booksellers Association); Australian Library and Information Association (ALIA); Australian Publishers Association (APA) and the Australian Society of Authors (ASA). This group of peak bodies also collaborates to manage Australia Reads, Australia's national reading advocacy organisation.

BCA champions reading, books, library use, bookshops, Australian stories and research, authors, and literary culture. Our component associations represent more than 200 publishers, 500 bookstores, more than 1600 public library service points and over 4000 authors. Overall more than 30,000 people work in the book industry as writers, editors, publishers, booksellers, and librarians.

BCA seeks to maintain the already substantial presence of books and reading in the lives of Australians:

- The books industry, which turns over approximately \$2 billion a year, maintains the availability of more than 1.5 million titles for sale and borrowing through multiple channels
- 72% of Australians read a book each year
- 9.5 million Australians are public library members

This submission should be read alongside the submission from the Australian Library and Information Association.

Detail of Book industry position in relation to selected questions in the discussion paper

A1. Are the guiding principles set out in the Code still relevant in today's media environment?

The Australian book sector heartily supports the primary stated purpose of the classification scheme, that is, not censorship, but 'providing information to Australians to make informed choices on the content they and those in their care consume.' Books Create Australia agrees that adults should be able to read, hear, see and play what they want, and that minors should be protected from material likely to harm or disturb them.

A2. Do you support the proposed criteria that defines what material should be classified under the Scheme?

The proposed criteria correspond with the general industry understanding and appear workable. BCA notes that audiobooks may not currently be covered under the current definitions, and considers that they are most analogous to publications for the purposes of classification.

A3. Are there any other issues with the current purpose and scope of the Scheme that should be Considered?

If the focus for publications is on very specific forms of manga content we believe that the government should workshop and trial industry level arrangements that might manage young people's access to inappropriate material via professional practices in bookshops and libraries – such as industry-issued cover stickers/labels and advice to booksellers on the shelving of books. Such arrangements may be more practical and less onerous for all than formal processes of classification.

A4. Do you support changes to the definition of a 'submittable publication' to provide clarity on publications requiring classification under the Scheme?

BCA believes that proactive industry engagement by the government to communicate to the wider book industry about their obligations to submit publications and the definition of submittable publications is an area that could be improved and would have a significant beneficial impact. In particular, we note the room for clarification for imported publications where the publishers do not have an Australian office or agent.

The current settings for submittable publications have served the public well in ensuring that Australians have a range of reading materials to suit ages and interests. They have resulted in a system that allows adults to choose what they want to read and purchase that from bookshops or borrow from libraries while protecting minors from material likely to harm or disturb them.

Reading is a taxing form of cultural consumption – often involving effort, engagement and commitment. Accordingly, younger people will usually self-select in relation to their interest and readiness to engage with literary works (or informational works) targeted at older readers. Long-standing practices, including publisher information and shelving and display practices in libraries and bookshops, support informed choice by readers and parental supervision and guidance for younger readers. BCA, whose members span the book industry, is not aware of any significant or sustained harms from current practices.

BCA, however, is aware of certain groups, predominantly overseas but also in Australia, who have recently sought to censor reading materials in bookshops and libraries. To date, these protests have concentrated on LGBTQIA+ materials in Australia: for example, the recent vote by some councilors at Cumberland City Council to remove all 'same sex parent' (sic) books from the libraries (subsequently overturned). The Australian Library and Information Association (ALIA) has been collating information about book challenges in Australia and can provide further information if useful.

In this climate it is important that the classification scheme does not increase the risk of discrimination or confine the diversity of the book industry. The BCA wishes to stress that the definition of a submittable publication should never rest on elements in books that relate to identity categories, including specifically those relating to sexuality or gender identity, and should not encourage the use of the classification system for discriminatory purposes.

In this context, BCA makes the following additional comments about the definition of submittable publication:

- BCA thinks that the definition of a submittable publication could be clarified to include publications that do not meet the criteria for legal restriction to adults but contain depictions or descriptions that are unsuitable for children ‘**under 15 years of age**’ – rather than use of the term ‘minor’. This would better align with the category ‘Unrestricted - recommended 15+’. BCA would also be happy to discuss other wording that might achieve the same result.
- Guidelines for publishers or distributors that support the interpretation of the legal definition would be of practical use to the book industry. These may be particularly useful for certain categories of books such as graphic novels, which international experience would suggest are more likely to be challenged than other novels.
- The guidelines should also make clear who is responsible for submitting a publication. Government should work with industry bodies to communicate these responsibilities and processes to booksellers, libraries, distributors, and publishers.

B1. Do you support the establishment of an independent Classification Advisory Panel or similar body?

We support a single independent national classification panel, as long as the panel is broad-minded, experienced and in general committed to the value of information and culture rather than inclined towards its control or inclined towards condescension about others’ choices.

Amongst the experts on the panel should be experts from the book industry, authors, publishers, booksellers and librarians, who bring expertise both about the industry and about the book reading public.

We do think both the formation of guidelines for industry and for decision making should keep pace with evolving community standards and expectations – and that accordingly any independent panel should be guided by evidence in its work.

B2. What issues or expertise relevant to the classification environment would you like to see represented in a Classification Advisory Panel or similar body?

We believe that experts from the book industry should be included in the panel, to add industry expertise to other forms such as academic expertise. We additionally believe that a background in the study, or the facilitation, of children's literature, contemporary literature or reading are appropriate, including experience in school libraries, public libraries, bookshops, and the publishing industry. If there are some genres which are causing particular concern, we suggest that a deep knowledge of the genre is fundamental to the work of classification. Finally, we would support the inclusion of people from minority groups, especially from those groups that have a history of having their voices censored such as the LGBTQIA+ and First Nations communities.

B3. Are there any aspects of the current guidelines that you would like the Classification Advisory Panel or similar body to consider?

We note that the guidelines have not been updated for a considerable period of time, and consider that a well-balanced expert group including book industry representatives would be well placed to identify updates.

C1. Do you support the consolidation of classification functions under a single national regulator at the Commonwealth level?

We are cautiously supportive of this development, but would await further consultation about proposed arrangements and workability. And over time we encourage the state government to adopt a single national standard in relation to availability of classified material. Differences in state and territory enforcement seem anachronistic and add levels of complexity to business, including that novels such as Bret Easton Ellis's *American Psycho* are not available to Australians in Queensland.

C2. What key considerations should inform the design of fit-for-purpose regulatory arrangements under a single national regulator model?

The books industry believes the apparatus of classification should enable and deepen Australians' encounters with culture and should reflect the ambitions of the national cultural policy to facilitate the telling of the many Australian stories. Classification processes may, in time, have a role in ensuring Australian content is more visible and more easily discoverable by Australian readers of all ages.

Accordingly, the system should work with existing industry players, reflect industry realities: for example, there are 1.55 million books available for sale in Australia but only a handful should be of concern to the classification scheme.

The ongoing development of a digital supply chain – which ensures metadata about the content of all titles can travel with the title from publisher to booksellers or library to reader -- may provide the basis for industry based self classification of materials, particularly when paired with existing industry and library expertise in the display of materials to readers.

In terms of specific recommendations to the classification authority, the book industry suggests addressing communication, labelling, and searchability issues in the development of proportionate arrangements:

Communication: Currently there is no proactive notification to industry when books are called in for classification, or a classification decision is made. As a result books may be classified, and libraries, bookshops and suppliers may not be aware that they need to take retrospective action such as re-labelling. Enhanced communication from the classification board would reduce the risk of publications not being swiftly updated with classification information.

When books are classified, it would be useful to have more detail about the publications, such as the ISBNs of the classified publication in different formats. This would greatly assist with locating all versions of the publication as this is the common identifier used in the industry. When collections are classified, for example as an omnibus, it would be useful for the industry if a classification could also be given at volume level.

Labelling: Currently if a book is classified then it is required to display that classification marking, even if the classification is 'Unrestricted'. The labelling of unrestricted publications is an unnecessary expense as it gives the consumer no additional information as to the content of the publication or the age recommendations. We believe that the metadata and content information of the book's cataloguing page and on the book itself is almost always adequate to inform potential readers (or the parents of readers) as to the nature of the content within the book.

Searchability: The industry would appreciate it if there was a consultable list of all classified publications that is easily searchable. The utility of such a list would be enhanced if you could exclude pornography.

A sense of perspective about the book in relation to classification: Books have a paradoxical role in Australian culture. Simultaneously, they constitute the backbone of cultural life: novels, histories,

information based books, memoirs, biographies, science, and food. There have been more than 140 million books published in the past 500 years and there are an additional 4 million or so new titles published each year – including 20,000+ Australian titles. But for the most part, the reach of most individual titles is limited, with fewer than 10% of books selling more than 1000 copies. These realities mean that single social media posts often reach many more people than an entire book. The classification scheme should reflect this reality in the demands it places upon the book industry – and in the concern classifiers should have with individual titles.

Book sector's wish to work with government for a better and more efficient classification system

Finally, the book industry flags its ongoing interest in working with the Government to develop and then roll-out arrangements that work well for government, industry and the community.

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- Australian Library and Information Association
- Australian Publishers Association
- Australian Society of Authors
- Book People (Australian Booksellers Association)

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***We are happy for our submission to be made public.**



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