

COMMISSIONER'S BRIEFING PAPER

SUBJECT Complaint regarding educational resources available at the SHINE SA Resource Centre – ES26/10 – [REDACTED]

BACKGROUND

On 1 December 2025, [REDACTED] wrote separately to SHINE SA and the Attorney-General, alleging that SHINE SA's Library and Resource Centre displayed sexually explicit DVDs, computer games and publications without classification labelling.

On 23 December 2025, the Attorney-General advised her to report the concerns to SAPOL. [REDACTED] subsequently wrote to the Commissioner with the same allegations, identifying herself as an accredited Film and Games Classifier.

The matter was initially allocated through MOS Executive to the Western District, where [REDACTED] undertook preliminary enquiries. SHINE SA responded with written advice outlining their classification governance processes and collection safeguards.

On 19 January 2026, MOS reassigned the matter to Licensing Enforcement Branch (LEB) due to the nuanced application of both State and Commonwealth classification legislation and LEB's subject-matter expertise.

Prior to contacting the complainant, LEB undertook consultation with SHINE SA, Western District management, the Australian Classification Branch, and LEB's own investigators and prosecution team. SHINE SA subsequently provided an extensive governance briefing.

RELEVANT POINTS

- According to open-source information, [REDACTED] [REDACTED] is also an accredited video game and film certifier.
- The Officer in Charge of LEB has established, through consultation across industry, that [REDACTED] is a persistent complainant in matters relating to classification and content governance.
- The South Australian Attorney-General explicitly advised the complainant on 23 December 2025 to report suspected offences involving the sale, exhibition or advertising of unclassified content to SAPOL, confirming SAPOL as the responsible enforcement agency.
- Under the Classification (Publications, Films and Computer Games) Act 1995 (Cth), the Commonwealth classifies content, while states and territories enforce the laws regulating sale, exhibition and advertising.
- South Australia enforces the classification scheme through the Classification (Publications, Films and Computer Games) Act 1995 (SA), which creates offences relating to unclassified and restricted content, placing enforcement within SAPOL's jurisdiction.
- The SA Act defines "sell" to include "let on hire", meaning library lending can constitute regulated conduct; alleged loaning of unclassified films/games may therefore meet offence criteria. The alleged loaning, providing access to, or exhibiting unclassified films/games, directly aligns with offence categories under the SA Act.

- Collectively, the Attorney-General's confirmation, the national scheme's enforcement structure and the SA offence provisions form a clear and defensible basis for SAPOL to investigate the complaint/allegations against SHINE SA.

LEB's Historical Enforcement Role Under SA Classification Legislation

- LEB has historically undertaken investigations into alleged breaches of the Classification (Publications, Films and Computer Games) Act 1995 (SA) in contexts where commercial distribution or sale of sexually explicit material occurs. This has primarily included the sex industry retail sector, such as adult shops and premises engaged in the sale or hire of sexually explicit publications, films and consumer products.
- Investigations in these settings have focused on:
 - Unclassified publications being sold or displayed
 - Sale or display of refused classification (RC) materials
 - Supply of restricted content without appropriate age controls.
- Notably, CBS has not previously played an active role in enforcing classification legislation in South Australia. Their regulatory role typically covers consumer protection, retail licensing, and liquor/gaming compliance, but the classification statutes have traditionally fallen within SAPOL's remit.

LEB's Collegiate and Educational Approach for This Matter

- Given the nature of SHINE SA as a long-standing community health organisation and consistent with LEB's contemporary regulatory principles, LEB have adopted a collegiate, problem-solving compliance posture, rather than a criminal-investigation posture by adopting the following principles
 - Provision of education and guidance, similar to the support LEB routinely provides to other regulated industries.
 - Connecting SHINE SA with national expertise, specifically the Australian Classification Branch, who will act as the authoritative source of classification guidance if materials are identified.
 - Demonstrate the use of the Classification Branch's digital assessment platform, which allows users to determine whether a publication, film or digital resource is likely to require classification before display or loan. This will support SHINE SA in strengthening their already established governance processes.
- LEB have planned to attend the SHINE SA site in plain clothes without operational equipment, out of respect for SHINE SA's client base and the sensitive nature of services provided on-site.

SHINE SA's Demonstrated Willingness to Engage

- SHINE SA has shown a high level of transparency and goodwill throughout the preliminary engagement providing detailed written briefings outlining their classification governance, restricted-access arrangements, and adherence to professional standards.
- Offered full access to their holdings and committed to working collaboratively with SAPOL and the Australian Classification Branch.



RECOMMENDATION

1. The Commissioner notes the content of the briefing paper.
2. The Commissioner supports LEB’s further attendance at SHINE SA for the purpose of investigating alleged offences under the Act.

Contact: [Redacted] OIC LEB
 Telephone: [Redacted]
 Ref: ES26/10
 Date: 11/2/2026

Supported:

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 [Redacted]
 Assistant Commissioner
Operations Support Service
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Approved:

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 Grant Stevens APM LEM
Commissioner
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