

COMMISSIONER'S BRIEFING PAPER

SUBJECT: ESS 26/10 - ^{(b)(1)} Meeting Request re reporting unclassified Film and Games for Sale.

BACKGROUND:

On 23 December 2025, the South Australia Police Commissioner received an email from ^{(b)(1)} advising, it was her opinion, sexual health organisation Shine SA were committing offences under the National Classification (Publications, Films, and computer Games) Act, 1995. ^{(b)(1)} suggests Shine SA have a collection including DVD's and games in their resource centre which did not display consumer rating advice on their covers and were sexually explicit.

^{(b)(1)} advised she is a qualified Film and Games Classifier and asserts Shine SA are displaying material that would likely cause the film or computer game to be classified M or a high classification. ^{(b)(1)} also asserts the Film, Games and Publication Classification Act has not been enforced in South Australia but believes Shine SA are breaching the Act.

RELEVANT POINTS:

- SHINE SA (Sexual Health Information Networking and Education South Australia) is a leading non-profit organisation in South Australia providing free or low-cost sexual and reproductive health services, STI testing, contraception, pregnancy testing, counselling, and education for all ages, with a focus on accessible care for young people and inclusive support for diverse communities.
- SHINE SA have offices in Adelaide and Woodville, with a resource centre attached to the Woodville office.
- SHINE SA Provides specialist sexual and reproductive health information to staff, educators, community members, and professionals and includes: Library books, journals, and digital materials, including non-fiction, children's, and young adult content, teaching resources, anatomical models, kits, DVDs/CD-ROMs, and other learning materials for schools and organisations.
- The resource centre is open to members of the public, educators, health professionals, and community organisations.
- In relation to the classification of the resource material in the resource centre: R18+ materials are stored in a restricted access cabinet; available only to those 18+ and where proof of age has been requested. Materials that may be classified as M (recommended for mature audiences 15+) are assessed for age-appropriateness and may be flagged with content alerts or relocated to restricted access areas as needed. Unclassified sexuality-focused materials are evaluated for appropriate audience and placed in restricted access if content may be sensitive for children or younger adolescents.
- SHINE SA Collection Development Policy refers to compliance and adherence to, Classification (Publications, Films and Computer Games) Act 1995 (SA & Federal), ALIA professional standards (Guidelines for Australian Special Libraries, 2019)
- The selection of materials chosen for display in the resource centre is based on the relevance to SHINE SA work, currency, accuracy, author credibility, intended audience and legal compliance.

- SHINE SA has been contacted by ^{s(1)} and have responded to her in writing.
- The undersigned made contact with the Online Safety and Classification Division of the Department of Infrastructure, Transport, Regional Development, Communications, Sport and the Arts.
- The Classification Scheme (the Scheme) is based on the principle that adults should be able to read, hear and see what they want, while recognising that minors should be protected from material likely to harm them, and that all Australians should be protected from offensive unsolicited material.
- Under the Scheme, most books do not require classification, only 'submittable publications' need to be classified.
- In May 2025, the Classification Branch (Branch) received a complaint regarding the display of sexual health publications in the SHINE SA Resource Centre from ^{s(1)}. The Branch provided ^{s(1)} with information regarding the classification of publications under the Scheme and the application process.
- As only 'submittable publications' need to be classified under the Classification (Publications, Films and Computer Games) Act 1995, it is the responsibility of the publication's distributor to determine whether or not the publication should be submitted for classification.
- A 'submittable publication' is defined as:
 - *'An unclassified publication that, having regard to section 9A of the Act or to the Code and the Guidelines to the extent that they relate to publications, contains depictions or descriptions that: are likely to cause the publication to be classified RC (Refused Classification); or are likely to cause offence to a reasonable adult to the extent that the publication should not be sold or displayed as an unrestricted publication; or are unsuitable for a minor to see or read.'*
- A member of the public, such as ^{s(1)}, may also apply for the classification of any publication. To do this, they must pay a fee and provide the material to be classified to the Board.
- To date, the branch has not received an application for classification of the specified sexual health publications in Shine SA resource library from ^{s(1)}.
- The SHINE SA resource centre has outlined measures that are appropriate for the material they hold in their collection. So long as the library does not stock refused or restricted publications, which they do not, they are compliant with all relevant legislation.

RECOMMENDATION:

- The contents of this briefing paper are noted and utilised to prepare the ministerial response.

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 Ref: MLOESS26/10
 Date: 15 January 2026

Endorsed by: A/Super ^{s(1)} [REDACTED]
 Officer in Charge, Western District
 Telephone: ^{s(1)} [REDACTED]
 Date: 15 January 2026

Recommended / Not Recommended ^{s(1)} [REDACTED] CHIEF SUPERINTENDENT METROPOLITAN OPERATIONS SERVICE / / 2026	Recommended / Not Recommended ^{s(1)} [REDACTED] ASSISTANT COMMISSIONER METROPOLITAN OPERATIONS SERVICE / / 2026
Recommended / Not Recommended Linda Williams APM DEPUTY COMMISSIONER OF POLICE / / 2026	Approved / Not Approved Grant Stevens APM LEM COMMISSIONER OF POLICE / / 2026