



**Australian Government**  
**Classification Review Board**

**9 & 23 November 2005**

**23-33 MARY STREET  
SURRY HILLS, NSW**

- MEMBERS:** Ms Maureen Shelley (Convenor)  
Mr Rob Shilkin  
Mr Anthony Hetrih
- APPLICANT:** Vivendi Universal Games, the original applicant for classification, represented by: Ms Sarah Frare, Product Marketing Manager, Mr Bennett Ring, Media Relations Manager, Mr Colin Brown, Marketing Director, and Ms Raena Lea-Shannon, Partner, Michael Frankel Lawyers.
- BUSINESS:** To review the Classification Board's decision to classify the computer game *50 Cent: Bulletproof* (the game) RC (Refused Classification).

**DECISION AND REASONS FOR DECISION**

**1. Decision**

The Classification Review Board (the Review Board) in a unanimous decision classified the game RC (Refused Classification).

**2. Legislative provisions**

The *Classification (Publications, Film and Computer Games) Act 1995* (the Act) governs the classification of computer games and the review of classification decisions. Section 9 of the Act provides that computer games are to be classified in accordance with the National Classification Code (the Code) and the classification guidelines.

Relevantly, the Code in paragraph 1(d) of the Table under the heading 'Computer Games' provides that computer games that are unsuitable for a minor to see or play, are to be RC (refused classification).

Clause 1 of the Code also states various principles for classifications, including that ‘adults should be able to read, hear and see what they want’ and that ‘minors should be protected from material likely to harm or disturb them’.

Three essential principles underlie the use of the *2005 Guidelines for the Classification of Films and Computer Games* (the Guidelines), determined under s.12 of the Act:

- The importance of context
- Assessing impact (which includes making an assessment regarding whether the material encourages interactivity)
- Six classifiable elements – themes, violence, sex, language, drug use and nudity.

Section 11 of the Act requires that the matters to be taken into account in making a decision on the classification of a computer game include the:

- (a) standards of morality, decency and propriety generally accepted by reasonable adults; and
- (b) literary, artistic or educational merit (if any) of the computer game; and
- (c) general character of the computer game, including whether it is of a medical, legal or scientific character; and
- (d) persons or class of persons to or amongst whom it is published or is intended or likely to be published.

### **3. Procedure**

A three member panel of the Review Board convened on 9 November 2005 to determine the validity of an application for review of a classification decision from Vivendi Universal Games, received on 27 October 2005. The application related to the game *50 Cent: Bulletproof*.

At their meeting on 9 November 2005 the Review Board watched four videos of what the original applicant stated was the contentious material contained in the game *50 Cent: Bulletproof*. The Review Board then observed a demonstration of the game through the interactive game play of the applicant’s Media Relations Manager Mr Bennett Ring. The original applicant’s representatives made oral and written submission to the Review Board. The Review Board then met in camera to begin considering the application.

Finding that it had viewed insufficient game play to reach a decision, the Review Board obtained copies of the game in Play Station 2 and X-Box console format. Individual members then played the game over some several days, totalling over 42 hours of game play, with Mr Anthony Hetrih playing the game through to completion.

The Review Board then reconvened on 23 November 2005 and heard evidence from Mr Jeremy Parker, an expert in child psychology, on the likely impact of such a game on minors. Mr Jeremy Parker is a registered psychologist in Queensland and is a member of the Australian Psychological Society. Jeremy Parker is also a member of

the Australian and New Zealand Association of Psychiatry, Psychology and Law, and a member of the Critical Incident Stress Management Foundation Australia.

Mr Jeremy Parker holds the following qualifications:

- (i) Bachelor of Behavioural Science (Griffith University, 1993)
- (ii) Graduate Diploma of Psychology (Griffith University, 1994)
- (iii) Master of Psychology (Edith Cowan University, 1997)
- (iv) Graduate Diploma of Law (Southern Cross University, 1999)
- (v) Bachelor of Laws (University of New England, 2005)

Jeremy regularly attends, as an expert witness, in the Family Court of Australia, Federal Magistrates Court, Children's Services Tribunal and the Children's Magistrates Court.

At their meeting on 23 November 2005 the Review Board heard further oral submissions from the applicant and, after consideration of the issues, determined in a unanimous decision that the game should be refused classification as it contained material that was unsuitable for minors to play.

#### **4. Evidence and other material taken into account**

In reaching its decision the Review Board had regard to the following:

- (i) Vivendi's application for review;
- (ii) Vivendi's written and oral submissions;
- (iii) The game;
- (iv) The relevant provisions in the Act;
- (v) The relevant provisions in the Code, as amended in accordance with s.6 of the Act;
- (vi) The Classification Board's report; and
- (vii) The *Guidelines for the Classification of Films and Computer Games 2005*.

#### **5 Synopsis**

*50 Cent: Bulletproof* is a 3rd person player game set in an environment based on a fictional New York City gangland. In *50 Cent: Bulletproof*, the player's character is based on the rapper known as 50 Cent. In the game 50 Cent and his "gang", being animated representations of the real life rap group known as "G-Unit", are concerned with avenging the death of their friend K-dog.

To track down K-dog's killer 50 Cent has to find and kill rival drug dealers, crime king-pins and corrupt DEA agents to get to the supplier behind an Afghani Opium deal which K-dog was involved in before he died.

The Review Board noted that the game is divided into:

- "Main Mode" - the normal gameplay mode involving several gameplay levels, featuring an ongoing, continuous narrative of 50 Cent working through different challenges, attempting to avenge his friend's death. Main Mode contains "Cut Scenes", which are short cinematic-style scenes between different gameplay levels over which the player has no control, which advance the narrative and put the gameplay into context. Main Mode also gives players the ability to watch "Music Videos", containing video clips of 50 Cent's songs.
- "Arcade Mode" - a separate mode, featuring no narrative, in which 50 Cent is confined to a particular area and has to kill all his attackers.

## **6 Findings on material questions of fact**

The Review Board found that the game contains aspects or scenes of importance, under various classifiable elements:

### **(a) Themes –**

The game contains strong themes. Some of the themes in *50 Cent: Bulletproof* are crime, drugs, revenge, police corruption and survival on the streets for young black men from low socio-economic backgrounds.

### **(b) Violence –**

There is a significant amount of violence in the game. *50 Cent: Bulletproof*.

The more relevant aspects of the gameplay and Cut Scenes are as follows:

Main Mode:

- **COUNTER KILLS –**  
These special moves can be used in Main Mode game. However a player can only undertake them if he or she has enough stamina (which is depicted in a special bar). After performing a counter kill it takes a minute or so to replenish the player's stamina. The counter kills are short cinematic clips of 50 Cent killing an opponent. Once the relevant button is pressed to perform a Counter Kill, the player has no actual control over the action. Counter Kills are shown in close up, slow motion and contain strong depictions of violence. The "Counter Kill" depicted is randomly generated and is dependent on the weapons that the player and the opponent is using. Players can control the camera during a "Counter Kill" to view it from different angles.

### **LIST OF COUNTER KILLS -**

Players can purchase "Counter Kills" from a character called Popcorn (located in the cinema) during the course of the game. There are 25 "Counter Kills" in all and they depict the use of unarmed combat, knives and guns. Once unlocked these "Counter Kills" can also be used in Arcade Mode.

The Counter Kills are: DEAD CAN'T TALK, STAY DOWN, GUNS COME OUT, SKI MASK WAY, UNDERCUT, HEAT, STUNTING, WANKSTA, LIKE MY STYLE, GUILLOTINE, BAD NEWS, STOMP, BEG FOR MERCY, GETTING' MINE, GANGSTA SHIT, G'D UP, BLOOD HOUND, CLOSED CASKET, BACK DOWN, THE HIT, REPERCUSSIONS, GRAND SLAM, EMPTY 'N CLIPS, GETTING LOW, OPEN WIDE.

Some examples of what is depicted in "Counter Kills" are slashing and stabbing attacks with a hunting knife, close range gunshot, and stomping on a victim's head. The aftermath usually involves liberal blood spray and splatter. In some instances that have more impact a victim's head may vaporise and/or the blood-spray gushes onto the screen and runs down it for a couple of seconds. The Review Board noted that the graphics and blood spray in the Counter Kills are generally unrealistic looking and somewhat grainy.

- **PERFECT SHOT** –  
This is when the player aims at an enemy's head and pulls off an exact shot. The camera follows the bullet in slow motion until it hits the target's head and the head vaporises. This is difficult to perform, however later in the game it becomes easier when the player has more precise weapons such as various rifles. The Review Board considered that the graphics of the Perfect Shot are somewhat grainy and unrealistic.
- **STEALTH KILL** –  
This occurs when the player silently kills an enemy without being noticed. The Review Board considered that these were not as impactful as "Counter Kills" or "Perfect Shots".
- **GENERAL NOTES** –  
During the main game mode, the main focus of the missions is to kill all the enemies on each level. When a player kills an enemy he or she can steal money, credit cards etc. from the body. This cash can be used to purchase weapons, painkillers, "Counter Kills", music and video clips from the main hub.

Additionally, players can also grab an enemy and use them as a human shield, interrogate them and when finished with them blow their head off at point blank range. It should also be noted that dead bodies disappear (preventing the player from continuously shooting or otherwise interacting with the body), however the length of time that this takes seems to be random.

- **CUT SCENES** -  
The most impactful cut scene in the game is where 50 Cent and a friend awake hanging from a ceiling by a rope. They have been captured by an underworld figure and there is a large, blood splattered henchman wielding a chainsaw in the background. There is also a box of body parts in the foreground, adding to the menace. After threatening words between the underworld figure and 50 Cent, the henchman (Sam the Butcher) starts up the chainsaw cuts up 50 Cent's friend. While the chainsaw cutting flesh is not visible, blood spray is visible and screams and blood and viscera hitting the floor are audible. There

is also a shot of 50 Cent's agonised face. There is a significant sense of menace and impact in this scene.

Immediately after the chainsaw scene, the player can explore this room. The player can see what happened to 50 Cent's friend who has a large gash over the chest/abdomen area. The player can also kick around the box of body parts that was seen in the foreground in the previous scene. Additionally, the player can fire at 50 Cent's dead friend or the box of body parts and blood splatter will occur.

There is a scene of violence against women, which is depicted in one of the later cut scenes. This scene was not made available to the Review Board by the applicant and was only found after playing the whole game through. The scene depicts the kidnap of Alexa (Booker's daughter) by Spinoza. During the scene a gun is held to Alexa's head in a threatening manner and ends with her being hit across the face by Spinoza and her falling down.

#### Arcade Mode:

In Arcade mode, the Review Board felt that the impact of the violence was higher than in Main Mode. While the violence in Main Mode is somewhat justified by context by virtue of the narrative and plot, and contains stamina limits on the use of "Counter Kills", this is not the case in Arcade Mode.

Arcade Mode allows players to perform "Counter Kills" unremittingly. The stamina meter is not a consideration in this mode, so the player can continually press the "Counter Kill" button and perform multiple strings of "Counter Kills".

The fact that the "Counter Kills" can be performed in rapid succession on a large number opponents, led the Review Board to unanimously agree that the impact of the violence in Arcade Mode was high.

#### (c) **Sex -**

There are no explicit depictions of sex in *50 Cent: Bulletproof*, however there are numerous references to it at various points in the storyline and in the lyrics of the game's Music Videos and soundtrack. Most of these references are verbal.

There is a Cut Scene in which 50 Cent awakes in bed with two sex workers and it is implied that he has had sex with them. The voice-over says "Okay, so I didn't sleep, but I did stay in bed." There is no nudity or sexual contact in this scene. The Review Board considered that the sexual reference can be accommodated by a MA15+ rating.

#### (d) **Drug use -**

There are numerous verbal references to drugs within *50 Cent: Bulletproof*, and a couple of Cut Scenes which depict the use / testing of what is a narcotic substance. For example:

- **Cut Scenes:**  
After 50 Cent is shot early in the game, he awakes at an illegal medical centre. We see the character of Doc Friday holding his hand to his nose and snorting what is implied to be narcotics and says “we all need our medicine sometimes”. Additionally, Doc gives 50 Cent pain killers (which become part of the health system in the game) and when asked if they’re addictive he replies no, but in future 50 Cent "will have to pay for them", with the implication being that 50 Cent will want them in future.

After recovering a balloon of narcotics from the stomach of a cadaver, 50 Cent visits Popcorn who views and tastes the substance. Popcorn replies “Houston we have a problem. That ain’t heroin, that’s pure Afghani opium”.

- **Game Play:**  
When visiting 50’s Cent's apartment, there is a bong (a device used for smoking marijuana) located on one of the tables. Players cannot interact with this item.

It should be noted that throughout the game the character 50 Cent must replenish his health whenever he is injured during the missions. This can be done by purchasing First Aid packs, Vitaminwater and Painkiller Pills. The latter is implied to be prescription drugs. The taking of the painkillers boosts the health of players.

Some of the gameplay levels contain objectives that involve Doc Friday and imply that he is a drug dealer. Side missions included locating “special ingredients” and a “cookbook” that Doc needs for his business. The player is rewarded for successfully completing such objectives.

Within the context of the storyline the Review Board considered that these drug references and scenes were justified by the context of the underground urban narrative and could be accommodated by an MA15+ rating.

**(e) Language –**

There are approximately 762 instances of coarse language in the story/script and 606 instances in the song lyrics from the soundtrack (as per the applicant’s original submission).

Much of the coarse language involves the word "fuck", "muthafucker" and their variants. This language generally occurs in the context of gangland, hip hop and rap culture. There is also some aggressive coarse language that is randomly generated during the 10 to 15 hours of actual gameplay. The Review Board concluded that the coarse language was aggressive when it was used as punctuation to the on-screen violence.

While noting the context of the hip hop/rap culture, which provided the context of the game and the character 50 Cent, the majority of the Review Board expressed concerns about the extensive use of coarse language.

(f) **Nudity** –

There are no explicit depictions of nudity, however in the Music Videos some of the outfits are suggestive and there is some fleeting blurred female nudity in the background.

**7 Reasons for the decision**

Relevantly, the Code in paragraph 1(d) of the Table under the heading ‘Computer Games’ provides that computer games that are unsuitable for a minor to see or play, are to be RC (refused classification).

Paragraph 2 of the Table states further that computer games (except RC computer games) that depict, express or otherwise deal with sex, violence or coarse language in such a manner as to be unsuitable for viewing or playing by persons under 15, are to be classified MA15+.

Clause 1(b) of the Code also states relevantly that classification decisions should give effect, as far as possible, to the principle that minors should be protected from material likely to harm or disturb them. Clause 1(a) states that, as far as possible "adults should be able to read, hear and see what they want".

To assist it in determining which classification was appropriate, the Review Board had regard to the Guidelines (as required under section 9 of the Act), and gave consideration to, and balanced, the various principles in Clause 1 of the Code (including clauses 1(a) 1(b)) and the factors under section 11 of the Act. Of particular relevance under section 11 were the standards of morality, decency and propriety accepted by reasonable adults, and the persons or class of persons, being teenagers and other young fans of 50 Cent, amongst whom the computer game is likely to be published.

While there were strong themes, drug use, nudity, sexual references and coarse language (including some aggressive coarse language) in the game, the Review Board's decision was based on the classifiable element of violence.

While the Review Board appreciated the comments of Dr Parker in relation to the potential short term and long term impact of the game on minors, and whether the game was likely to harm or disturb minors, it regarded his comments as equivocal on the potential impact of the game on minors aged 15, 16 or 17. Accordingly, the Review Board did not have regard to Dr Parker's evidence in determining the classification of the game.

After independently playing the game *50 Cent: Bulletproof* for a cumulative 42 hours – with Mr Hetrih playing through all levels to completion – the Review Board concluded that the violence in the Main Mode was justified by context. It was an integral part of the narrative and challenge for the gameplayer. Further, the Review Board considered that the impact of material in Main Mode, cumulatively or in relation to any individual scene, was no higher than strong.

In forming its conclusion on impact, the Review Board had regard to the following:

- The strongest element of Main Mode was the Counter Kills. Although the player could still undertake the Counter Kills in Main Mode, there was a limit to the number of Counter Kills that could be performed due to the stamina meter. This significantly reduced the frequency of the Counter Kills. Together with the grainy and unrealistic graphics and the fact that the player could not control the actual Counter Kill undertaken, the cumulative impact of Counter Kills in Main Mode did not exceed strong.
- The Perfect Shot was extremely difficult to perform and therefore very rare. It featured grainy graphics.
- The impact of other aspects of the gameplay, including the stealth kills and use of human shields, did not exceed strong.
- Dead bodies disappear, preventing gameplayers from continuously shooting or interacting with them.
- There is no opportunity for the gameplayer to engage in cruel or prolonged violence, or to shoot civilians or bystanders unrelated to the narrative of the game.
- The Cut Scenes, in particular the scene involving the chainsaw and the scene of Alexa being hit, were of strong impact, but featured infrequent actual macabre detail or depictions of actual violence. Similar or greater levels of violence and gore as contained in these Cut Scenes are regularly seen in MA15+ movies and other computer games. The Review Board concluded that the community would, as a whole, anticipate scenes of violence of the strength depicted in the Cut Scenes in a computer game or film at an MA15+ classification.

However, the Review Board formed a different view in relation to Arcade Mode. The Review Board formed the view that the violence in this mode was not justified by context as there was no narrative or plot in this mode.

Further, players are able to perform “Counter Kills” unremittingly in this mode. As a result, it was possible, depending on how the gameplayer played the game, for this mode to feature near-continuous depictions of 50 Cent performing “Counter Kills”, in detailed close up and in slow motion, involving a variety of weapons and methods of execution. As there was liberal blood splatter and on screen blood drips, it was possible to engage in a new Counter Kill against a new assailant, while blood was still dripping down the screen from the previous victim.

In light of the potential frequency of the Counter Kills and the lack of mitigating context, the Review Board determined that the impact of the potentially continuous, gory executions depicted in Arcade Mode exceeded strong and was therefore unsuitable for a minor to see or play.

As a result, the Review Board unanimously determined that *50 Cent: Bulletproof* could not be accommodated within the MA15+ classification.

### **8 Summary**

The Review Board in a unanimous decision determined that the high level impact of the violence depicted in the Arcade Mode of *50 Cent: Bulletproof* exceeded that which could be accommodated within the MA15+ classification and the computer game is Refused Classification.