

32ND MEETING

19-20 OCTOBER, 2000

23-33 MARY STREET

SURRY HILLS NSW

PRESENT: Ms Barbara Biggins (Convenor)
Mr Jonathon O’Dea (Deputy Convenor)
Mr Ross Tzannes
Ms Robin Harvey
Ms Glenda Banks
Ms Joan Yardley

APPLICANT Columbia TriStar Films Pty Ltd

BUSINESS: To review the decision of the Classification Board to assign the classification "MA15+" under the *Classification (Publications, Films and Computer Games) Act 1995* to the film *Almost Famous* with the consumer advice "Drug Use".

DECISION AND REASONS FOR DECISION

1. Decision

The Classification Review Board decided to set aside the decision of the Classification Board to classify the film *Almost Famous* "MA 15+", and to assign the classification "M 15+" with the consumer advice "Drug Use"

2. Legislative provisions

The *Classification (Publications, Film and Computer Games) Act 1995* (the Act) governs the classification of films and the review of classification decisions. The Act provides that films be classified in accordance with the National Classification Code and the classification guidelines. Relevantly, the National Classification Code (the Code) in paragraph 4 of the Table under the heading "films" provides that films (except RC films, X films, and R films) that depict, express, or otherwise deal with sex, violence, or coarse language in such a manner as to be unsuitable for viewing by persons who are under 15, are to be classified "MA". Para 5 of the Table provides that films ... that cannot be recommended for viewing by those under 15 are to be classified "M".

3. Procedure

- 3.1.1 Six members of the Review Board viewed the film *Almost Famous* at its meeting on 20th October 2000.
- 3.2 Mr John Dickie attended the meeting to make representations on behalf of the applicant.

4. Matters taken into account

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

- (a) the applicant's Application for Review
- (b) oral submissions made on behalf of the applicant
- (c) the film *Almost Famous*
- (d) the relevant provisions in the Act
- (e) the relevant provisions in the National Classification Code as amended in accordance with Section 6 of the Act.
- (f) the current *Guidelines for the Classification of Films and Videotapes* determined under Section 12 of the Act.

5. Findings on material questions of fact

The plot

- 5.1 Set in the 1970's, *Almost Famous* is the story of a 15 year old youth (William) in his last year of high school who wants to be a serious writer about contemporary music. He has a lucky break and is commissioned by the magazine *Rolling Stone* to write an in-depth article about an emerging rock band, Stillwater. Despite his mother's reluctance he receives her permission to go on tour with the band. The film is the story of the band on tour as seen through his eyes.

The content

- 5.2 The Review Board considered the content cited by the Classification Board as warranting an MA classification. The Classification Board cited two scenes as involving drug use. These were 57 and 89 mins.

In considering these two scenes, the majority of the Review Board found that they respectively portrayed aspects of drug use and drug overdose, but the depictions were not detailed, the drug use and overdose were discreetly shown, and drug use was not promoted or encouraged.

- 5.3 A majority of the Review Board considered that because the film portrayed the 'rock and roll' tour through the eyes of the young boy who was uninvolved in drugs, the impact of the drug taking that was portrayed was reduced. The film was considered to convey an anti-drugs message within the context of a '70's' rock tour which contained some portrayal of drug use.
- 5.4 The Review Board considered that the portrayal at 89mins of the attempted suicide associated with drug overdose may have had the potential to cause some harm to younger viewers. However the Review Board found that the impact of this scene was mitigated by the scene at 90 minutes which showed in some detail the unpleasant consequences of the suicide attempt.
- 5.5 The majority of the Review Board found that the film could be accommodated in the M 15+ category as this classification permits material that could be potentially harmful or disturbing to those under the age of 15 years, providing the impact is not so strong as to require legal restriction to those 15 years and over. The film was therefore considered to be appropriately classified M15+.

- 5.6 A minority of the Review Board found the scene at 57 mins was likely to be harmful or disturbing to those under the age of 15 years, as the crowd of young people at the party enthusiastically and repeatedly cheered Russell's (the lead guitarist) drug use. The minority concluded that the film required a mature perspective and was appropriately classified MA15+.

6. Reasons for the Decision

- 6.1 The Review Board based its decision to set aside the decision of the Classification Board, and to assign the classification "M 15+" to the film *Almost Famous* on the content of the film as set out in 5.2, 5.3 and 5.5 above.
- 6.2 The majority of the Review Board took the view that the drug usage was minimal within the context of the film, and was discreetly portrayed. While acknowledging that there was some positive portrayal of the outcomes of drug usage in the 'party' scene at 57 minutes, it was considered that the scene was viewed through the eyes of the hero, William, who did not take drugs and behaved responsibly at all times. A majority of the Review Board considered it was this character, rather than the band leader (who the film implied consumed the drugs), that younger members of the audience would relate to. The Review Board considered that within the context of the film the use of drugs in both scenes was low in impact and discreetly shown.
- 6.3 A majority of the Review Board also considered that drug use was not promoted in the film as at no time was the hero, William, asked or encouraged to take drugs in order to be accepted by the band or its fans.
- 6.4 The Review Board considered that the scene in which the heroine attempted suicide through a drug overdose after the break-up of her relationship with the bandleader had the potential to be harmful to younger members of the audience. However a majority of the Board took the view that the drug overdose was implied rather than explicitly shown and the negative consequences of the overdose were explicitly portrayed, and could, in fact, act as a deterrent to any copycat suicide attempt. Overall, the Review Board considered that the drug taking portrayed in the scene at 89 minutes was low in direct impact within the meaning of the guidelines and was not likely to encourage drug taking or copycat suicide attempts.

6.5 The Applicant argued in part that:

- a) The general focus of the film was not about drug usage but rather about music within the context of a road tour by a 70's rock and roll band.
- b) The scenes cited by the Classification Board did not constitute an endorsement of taking drugs.
- c) The scenes of drug taking were low in impact and acceptable within the context and storyline of the film.

A majority of the Review Board did not disagree with these views.

6.6 The Review Board concluded that the film did not contain elements that made the film potentially harmful or disturbing to persons under the age of 15 years to the extent that it required restriction. Rather, it contained elements which made the film unsuitable to be recommended for viewing by children under the age of 15 years, and is therefore classified "M 15+", within the meaning of Table 5 under the heading "Films" in the Code.

The Review Board's decision to assign the consumer advice lines "Drug Use" is made having regard to the content of the film as described in 5.3 and 5.4 above.

7. Conclusion

7.1 The Review Board's decision is to classify the film *Almost Famous* "M 15+" with the consumer advice lines "Drug Use".

This decision is taken after full consideration of the applicant's submission, and after assessing the film as a whole against the relevant legislative criteria, including those contained in the Code, and in the current *Classification Guidelines for Films and Videotapes* determined under Section 12 of the Act.

Barbara Biggins
Convenor