

**31ST MEETING**

**11 AUGUST 2000**

**23-33 MARY STREET**

**SURRY HILLS NSW**

**PRESENT:** Ms Barbara Biggins (Convenor)  
Mr Jonathan O'Dea (Deputy Convenor)  
Ms Glenda Banks  
Mr Ross Tzannes  
Ms Robin Harvey

**APPLICANT:** Potential Films

**BUSINESS:** To review the decision of the Classification Board to assign the classification 'M15+' under the Classification (*Publications, Films and Computer Games*) Act 1995 to the film *The Colour of Paradise*.

**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 *The Colour of Paradise* M15+, and to classify the film PG with the consumer advice "Some scenes may upset children".

**2. Legislative provisions**

The *Classification (Publications, Films 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, section 11 of the Act requires that the matters to be taken into account in making a decision on the classification of a film include:

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

The National Classification Code (the Code) requires that Classification decisions are to give effect, as far as possible, to the following principles:

- a) adults should be able to read, hear and see what they want;
- b) minors should be protected from material likely to harm or disturb them;
- c) everyone should be protected from exposure to unsolicited material that they find offensive; and
- d) the need to take account of community concerns about:
  - i) depictions that condone or incite violence, particularly sexual violence; and
  - ii) the portrayal of persons in a demeaning manner.

### **3. Procedure**

Five members of the Review Board viewed the film *The Colour of Paradise* at its meeting on 11 August 2000.

### **4. Matters taken into account**

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

- (a) the applicant's Application for Review, including written submissions in support of that Application.
- (b) the film *The Colour of Paradise*.
- (c) the relevant provisions in the Act.
- (d) the relevant provisions in the National Classification Code as amended in accordance with Section 6 of the Act, and as endorsed by the Censorship Ministers.
- (e) the current Classification Guidelines for the Classification of Films and Videotapes determined under Section 12 of the Act.

### **5. Findings on material questions of fact**

#### **5.1 The plot**

*The Colour of Paradise* is an Iranian film in Persian Language with English subtitles, directed by Majid Majidi. It concerns a young boy, Mohammad, who is blind. It primarily explores his relationship with nature, his family (particularly his father) and others who come in contact with him.

The film tracks Mohammad's life over a summer, including his experiences at his blind school, his family home, at a blind carpenter's residence where he is left to live for a while by his father, and his journey back home with his father, which ends when the boy is swept away after a fall in the river.

- 5.2 The Review Board found three scenes to be especially noteworthy:
- at 6mins to 16mins (boy waiting for his father to come to pick him up from school)
  - at 55mins to 62 mins (boy taken unwillingly to live with carpenter)
  - at 79 mins to 86mins (horse and boy fall in river and are swept away).
- 5.3 The Review Board also found that the film contained adult themes related to a father's turmoil over whether to keep his blind son, and suggestions of child abandonment. At PG classification level, adult themes can be treated in a discreet fashion so long as they are mild in impact. The Review Board found this to be the case.
- 5.4 While some scenes were likely to distress some children under the age of 15 years, they were not such as to cause harm or to disturb such children in the context of the whole film. Accordingly, the Review Board decided that the film should be classified PG.

## **6. Reasons for the Decision**

- 6.1 The Review Board based its decision to classify the film *The Colour of Paradise* PG, on the content and themes as described in 5.2 and 5.3 above.
- 6.2 In relation to adult themes, the Review Board found that the strongest adult theme was the father's inner turmoil over the threat to his future happiness if he kept his blind son. This was seen as a theme that would be somewhat too complex for the concrete reasoning ability of children under 12 years, and thus would decrease the risk of disturbing or harming them. Those children who can respond to the more abstract

themes would also be more likely to have the cognitive skills to deal with the difficult issues presented.

The father-son relationship and suggestions of child abandonment constituted another adult theme. These themes and scenes were in a context of loving relationships and support given to the child by his grandmother and sisters and, while the scenes might cause some children difficulty, it was not considered that they would be traumatising.

- 6.3 The Review Board concluded that the treatment of these adult themes was discreet and mild in impact overall, and was not such as required an M15+ classification.
- 6.4 The Review Board considered it more appropriate to focus on whether the content of the film would “harm or disturb” those under the age of 15 years.

In this regard, the Review Board considered the film would potentially have most impact on children 8 to 10 years who might understand and identify with the young boy’s plight. Potentially, the scenes of abandonment and of falling into the river could cause distress to younger children but, in the opinion of the Review Board, the film offered a relatively immediate and positive resolution. During times of difficulty, the children in the film were depicted as receiving support from other adults and their environment.

- 6.5 There were additional factors which in the Review Board's view diminished the likelihood that the three scenes outlined above might cause harm or disturbance. These included
- The lack of identification with the setting of the film, which would generally not be within an Australian child’s experience.
  - The context of the film’s difficult scenes. For example, stressful scenes of the child being temporarily abandoned were juxtaposed with scenes in which someone clearly loved him or showed him real kindness (such as a teacher, grandmother, sister, blind carpenter and even his father).
  - Whenever the father made a “bad” decision he was shown to be disturbed, and ultimately the father risked his own life to attempt to save that of his drowning son.

- The drowning scene would probably be resolved in a child's mind by believing that the arm and finger movement in the final scene indicated that the boy was reviving.
  - The film offered many positive messages and insights about the difficulties faced by people who are blind.
- 6.6 The Review Board decided that the film should not be classified G as the film was likely to upset or distress some children under the age of 15 years without the guidance of their parents.
- 6.7 The Review Board concluded that the impact of the film was not such as to be "harmful or disturbing" within the meaning of the guidelines in that it was not likely to cause developmental damage or emotional trauma to children under 15 years, and was therefore appropriately classified PG.
- 6.8 The decision to include consumer advice of "Some scenes may upset children" is made having regard to the comments in 6.6 above.

## **7. Summary**

The Review Board's decision is to classify the film *The Colour of Paradise* PG, with the consumer advice "Some scenes may upset children".

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