



39TH MEETING OF THE CLASSIFICATION REVIEW BOARD

12 OCTOBER 2001

23-33 MARY STREET SURRY HILLS, NSW

PRESENT: Ms Maureen Shelley (Convenor)
Mr Jonathan O’Dea (Deputy Convenor)
Ms Dawn Grassick
Dr Robyn Harvey
Ms Kathryn Smith
Ms Jan Taylor

APPLICANT Twentieth Century Fox Film Distributors 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 Joy Ride, with the consumer advice “Medium Level Violence”.

DECISION AND REASONS FOR DECISION

1. Decision

The Classification Review Board decided to confirm the decision of the Classification Board to classify the film Joy Ride "MA15+", but to vary the consumer advice to “Violence May Disturb”.

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.

3. Procedure

Six members of the Review Board viewed the film Joy Ride at its meeting of 12 October 2001.

The Review Board heard oral submissions from Mr Sunder Kimatrai and Mr Chris Smith representing the applicant and received written copies of Mr Kimatrai’s oral submission from 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) the film *Joy Ride*
- (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.
- (e) 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

Lewis, a young man drives across Nevada to pick up a female friend, Venna and on the way collects his older brother Fuller. Fuller plays a trick via CB radio on a truck driver Rusty Nail whereby Fuller pressures Lewis into pretending to be a woman attracted to Rusty Nail. As a result of the trick, a middle-aged man is left in a coma. Rusty Nail seeks revenge for being duped and pursues the young people. Rusty Nail is a disembodied voice and his face is not shown on film. The film is suspense-filled which is heightened by the use of atmospheric music and lighting.

6. Reasons for the Decision

The elements to be considered when classifying material according to the Guidelines for a MA 15+ rating are violence, sex, coarse language, adult themes and drug use. Whilst the use of coarse language was noted, the Board considered that violence was the relevant element in this matter.

The Violence

The Guidelines state that material classified MA deals with issues or contains depictions which require a mature perspective. This is because the impact of individual elements or combinations of elements is considered likely to be harmful or disturbing to viewers under 15 years of age. The Guidelines state further that generally, depictions of violence should not have a high impact. Depictions with a high impact should be infrequent, and should not be prolonged or gratuitous. In the glossary of terms within the Guidelines violence is defined as "Includes not only acts of violence, but also the threat or result of violence".

In general, the depictions of violence in *Joy Ride* do not have a high impact. There are scenes of high impact but overall these scenes are infrequent and not gratuitous.

One scene at 28 minutes shows a man in a coma and without a lower jaw. A second at 44 minutes depicts a semi-trailer truck pushing the young people's car against a tree until the windscreens shatters and the car buckles under the pressure. The young people are trapped helplessly in the car. A third at 78 minutes shows a close-up of a double-barrelled shotgun pointed at Venna, who is trussed in plastic wrap (cling film) and has adhesive tape over her mouth, and depicts her distress. The barrel of the gun, which is aimed at Venna's head, is seen from her point of view and she is visibly terrified. The tension in the film at this stage, hinges on watching her friends try to find her, and knowing if they open the door it will trigger the gun to shoot her, that is , it hinges on the threat of violence. Another at 84 minutes shows Fuller's leg impaled

on a spike (a series of scenes focus on the spike for 3 minutes and include a view of Rusty Nail pushing the spike deeper into Fuller's leg using his (Rusty's) booted foot).

The Review Board based its decision on the cumulative impact of the depictions of violence - and the threat of violence emanating from the constant fear of being watched, followed and chased - throughout the film was considered likely to be harmful or disturbing to viewers under 15 years of age. The threats of violence were generally considered to occur in a context that could be determined as appearing real to the viewer, not stylised. The realistic depictions and the menacing tone of the film, further enhanced by the eerie music and lighting, contributed to the impact of the violence, and the view of the Review Board that the film required a mature perspective.

The sense of threat and menace is enhanced by the low and coloured lighting, the intense, loud music, the lack of control the young people have over the events, the disembodied nature of Rusty Nail and that, in the end, there is no resolution and Rusty Nail goes free. It was the consideration of the Board that these depictions were such that they required a mature perspective.

It was the consideration of the Board that the combination of overt violence, combined with threatened or implied violence which was sustained throughout two-thirds of the film with little opportunity for relief, constituted material which would be likely to be harmful or disturbing to viewers under 15 years of age.

7. Summary

The Review Board's decision is to confirm the decision of the Classification Board to classify the film Joy Ride "MA15+", with the consumer advice "Violence May Disturb".

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.

A handwritten signature in black ink, appearing to read 'M. Shelley', written in a cursive style.

Maureen Shelley
Convenor