



**41st MEETING
1 February 2002**

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

MEMBERS: Ms Maureen Shelley (Convenor),
Mr Jonathan O’Dea
Dr Robin Harvey

APPLICANT Columbia TriStar Films Pty Ltd
Represented by Mr John Dickie and Mr Michael Atkins

BUSINESS:

To review the decision of the Classification Board to assign the classification R18+ (Medium Level Violence”) under the Classification (Publications, Films and Computer Games) Act 1995 to the film *Black Hawk Down*.

DECISION AND REASONS FOR DECISION

1. Decision

The Classification Review Board decided to classify the film MA15+ with the consumer advice “High Level Violence”

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 (the Code) and the classification guidelines (the Guidelines).

3. Procedure

A tribunal of the Review Board was empanelled and viewed the film at its meeting on 1 February 2001.

The Review Board heard oral submissions and received a written summary from Mr Dickie. Mr Atkins also made some oral submissions.

4. Matters taken into account

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

- (i) The applicant's Application for Review (including oral and written submissions)
- (ii) The relevant provisions in the Act
- (iii) The relevant provisions in the National Classification Code as amended in accordance with Section 6 of the Act.
- (iv) The *Guidelines for the Classification of Films and Videotapes* determined under Section 12 of the Act.

5. Findings on material questions of fact

The plot of *Black Hawk Down* is summarised by David Ng at the website imagesjournal.com. He says: "*Black Hawk Down* recounts the 1993 invasion of Mogadishu, Somalia by US special forces. Comprised of Army Rangers and the Marine's Delta Force, these forces strove to extract warlord Muhammed Farah Aidid, who had been accused of depriving the Somali population of UN relief and thereby exacerbating that country's already catastrophic famine, which had killed over 3000. When a tip revealed that Aidid was meeting with his top aides - in a section of Mogadishu so hostile that one officer called it "the Wild West" - a detachment of forces was sent into the heart of enemy territory in what many believed would be a fairly straightforward mission to bring Aidid into US custody.

What ensued of course was anything but straightforward. Based on the best-selling book by journalist Mark Bowden, *Black Hawk Down* recreates the logistical nightmare that followed the downing of a US Black Hawk helicopter by forces loyal to Aidid. Surrounded by mobs of heavily armed militia and civilians, the stranded US forces alternate between caring for their wounded, radioing for help, and dodging the hail of bullets coming from every conceivable rooftop, alleyway, and corner. As portrayed by director Ridley Scott, Mogadishu is an outer circle of Hell. Winds blow, fires rage, and twisted hulks of metal and concrete litter the streets like corpses. The soldiers look convincingly scared as they attempt to deal with the chaos swirling around them. With all sorts of digital dirt and debris flying, not to mention several gruesome amputations and dismemberments, *Black Hawk Down* ratchets up the this-is-war immersion to new levels."

It was Mr Dickie's argument, in representing the applicant, that the plot of the film was an attempt of a genuine recreation of an historical event which depicted scenes of war. Whilst agreeing that some of those scenes were necessarily, given the subject matter, gory he maintained that they were not exploitative, and they were brief.

In its review application, Columbia Tristar states: "The film realistically shows what happens when people are killed or injured in these situations [convenor's note : battles or engagements of war]."

Whilst there is some discussion amongst film reviewers as to the accuracy of the depiction of the events at Mogadishu, the Board believed that a genuine attempt at a

recreation of the historical events at Mogadishu, using the vehicle of a fictional war movie, was made and this went to the general character of the film.

As the film is a piece of fiction, while based on a real event, the Board accepted that the events - as portrayed - were of sufficient realism to have the character of the film taken into account in the decision-making process.

However, the Board spent some time discussing the less-than-flattering depiction of the Somalis in the film. Whilst there were no “heroes” in the US forces, there were some details of family affection and concern (phone calls home, writing of letters to loved ones, clutching of family pictures in death scenes, concern for parents and requests that they be told “He fought bravely, he did well”) which gave them a more ‘human’ aspect which was lacking in the depiction of the Somalis.

Mr Ng in his review states: “. . .the actors, headed by pretty boy Josh Hartnett as Sgt. Eversmann, are shot in military-chic poses with dirt and fake blood arranged for maximum visual impact. The Somalis, needless to say, are portrayed less generously. Reduced to chanting jungle creatures (at one point the Guns ‘N Roses song *Welcome to the Jungle* plays on the soundtrack), they swarm like an army of insects intent on overrunning the opposition by their sheer number. White versus black soon becomes the dominant visual motif.”

The Board did believe that the Somalis were, to some extent, shown as worthy opponents. Depictions were noted of their organisation, opportunistic use of weaponry, bravery in the face of better-equipped and presumably better-trained forces, respect for and sincerity of belief in their religion, and care and concern for children and family members.

However, the Board, whilst somewhat concerned with the depiction of the Somalis, did not feel that this was a factor that should be negatively taken into account in the decision-making process. A more balanced depiction of the Somalis would have added to the documentary feel of the film, but the lack of such depiction was not such that it influenced the Board’s final decision.

Black Hawk Down is a film of almost unrelenting violence, which is perhaps to be expected given the nature of the subject matter.

The first three minutes of the film show dead and dying people in black and white and the details of the events in Mogadishu are superimposed in text over the scenes, giving the impression of almost a documentary or educational film. After three minutes the film is shown in colour.

The plot is established and shooting begins at 41 minutes. With the exception of a 4 minute break and a 2 ½ minute break, the battle scenes continue until the end of the film some one hour and a half hours later.

These general scenes show soldiers, militia and civilians being killed, fingers being shot off, blood spurting, body parts strewn on the ground, women and children being frightened, trapped in the area of battle and on some occasions killed. Weapons used, which are shown in close up, medium length and distance panning shots, include automatic rifles, machine guns, bazookas, grenades, helicopter gunships, stealth

helicopters, fighter jets, armoured personnel carriers, knives, incendiary devices and other weaponry both sophisticated and home-made.

There are scenes of helicopters being shot at, trucks being blown up, helicopters crashing, buildings being blown up and general destruction of the area of battle which includes office, retail and residential buildings.

Injuries to the protagonists include bodies being blown apart, legs and arms being amputated, people being shot in the face at close range, a father being shot and killed in front of his son, a woman being shot to death by automatic rifle, shattered glass entering a soldier's eyes, blood spattering on the window of a jeep and shredded flesh on the ground and in a personnel carrier.

There were two scenes which provoked discussion amongst Board members. At 1.07 a rocket hits a US jeep and a soldier is shown with blood coming out of his mouth. He tells a colleague: "Tell my girls I'll be OK." He dies. The camera pulls back and his body, which is comprised of his head, arms and upper torso, is loaded into a personnel carrier. This scene takes approximately 57 seconds. His lower part of his body and legs are shown in a different carrier later in the film.

The second scene which provoked discussion was at 1.46. In this a soldier has his femoral artery severed and blood spurts; blood hitting the faces of other soldiers is shown. The scene takes some two minutes and shows medical assistance being given to the young man. The medical operative in charge of the procedure asks for assistance from other soldiers. He is unable to give the wounded soldier pain killers because of the loss of blood and the concern his heart rate will drop too low. The MO tells his assistants that the artery has contracted up inside the leg and it must be brought to a position where it can be clamped. The film depicts the MO putting his hand inside the soldier's leg and securing the artery, then losing it and then securing it again and clamping it. At the same time, one assistant is holding down the screaming soldier by the arms and another is holding the wound as far open as possible. Blood, open flesh, bone and the artery are clearly seen. The pain and terror of the wounded soldier and clearly depicted, as is the anxiety, concern and shock to the other soldiers.

Whilst the scene is of comparatively of extended length when viewed against others in the film, the camera does cut away to the faces of the other soldiers, to the intravenous drips and to the general dirty state of the area where the medical procedure is taking place.

6. Reasons for the Decision

In determining that the classification of the film at MA15+ the Board took into consideration the Act, code and guidelines. In particular, Section 11 of the Act which states:

“The matters to be taken into account in making a decision on the classification of a film include

- (b) the literary, artistic or educational merit (if any) of the film; and
- (c) the general character of the film”

The Board considered that whilst *Black Hawk Down* was a violent film this was consistent with its nature as a war movie and that it did not attempt to glorify war.

Nor did the Board consider that the film was exploitative in its treatment of the subject matter. Any scenes of blood and gore were not of a long duration, the music accompanying them was usually quite sad in its tone (not up-beat or exciting), and the lighting appeared almost natural and subdued. The actors were not shown as heroes nor, in the main, did they demonstrate vainglorious behaviour.

The applicant made representations to the fact that the film “contained strong anti-war messages”.

In its written submission the applicant states:

“The scene, for instance, which dwells on the spent armament shells as they cascade down in their hundreds symbolises the futility of the whole process. Later, it shows the bodies of the dead as they are arranged, almost with military precision, in the hangar before being sent back home. Finally, the film concludes, not with heroes being decorated or with proud relations being ushered in the White House, but with coffins laid out in the Hercules [aeroplane].”

The Board did not consider the film contained strong anti-war messages. It concluded that whilst not glorifying war, the scenes quoted as demonstrating this message were more implicit than explicit and would require an adult perspective to reach the conclusion espoused by the applicant.

The Board turned its attention to the Guidelines. In the section relating to MA15+ the Guidelines state:

“Material classified MA deals with issues or contains depictions which require a mature perspective. This is because the impact of individual elements or a combination of elements is considered likely to be harmful or disturbing to viewers under 15 years of age.

Violence 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.

Realistic treatments may contain detailed depictions, but these should not be prolonged.”

The Guidelines also set out conditions relating to sex, coarse language, adult themes and drug use. By the nature of the film, there were no sex scenes, nor explicit details related to drug use. There was some use of coarse language in the film but not such that would require a classification higher than M.

In relation to adult themes, the plot of the film relates to war and depicts the horror and to a lesser extent the futility of war. This treatment could be disturbing to some minors. It was felt that these themes were of impact but overall, in the context of the character of the film, were such which could be accommodated by the MA15+ classification.

It was the belief of the Board that the depictions of violence were such that required a mature perspective. The Board did conclude that the treatment of the subject of war in the film was such that it could be harmful or disturbing (cause developmental damage or emotional trauma) to those under 15. However, the Board did not believe that individual scenes of high-impact violence were frequent, prolonged or gratuitous. Nor did the Board determine that the cumulative impact of the general violence of lower impact was such that required an adult perspective, thus requiring an R classification.

The applicants took some time and trouble to compare *Black Hawk Down* to *Saving Private Ryan* and to providing a list of classifications of BHD in other countries. I would like to make it clear to applicants that the Board does not take a comparative view of film classification and will not do so. Nor does the Board take into account the classification of films by other countries. Neither the legislation in Australia nor the standards and character of the Australian people are such which can be simply substituted for those in other countries or for people of different nationalities.

It would save the Board and the applicant's time if efforts in these directions were not undertaken.

7. Summary

The Board determined that the film *Black Hawk Down* could be accommodated at the classification MA15+ with the consumer advice of High Level Violence.

It was the Board's determination that there were a few incidents of high impact but these were not frequent. It was determined that each on their own could be accommodated at the MA15+ classification. The treatment of the adult themes of the horror of war were not critical to the viewing of the film and were not of such a level to require an adult perspective but do require a mature perspective. The general character of the film as being somewhat factual and taking an historical perspective was considered to have weight when classifying *Black Hawk Down* at the MA15+ level with consumer advice of High Level Violence.



Maureen Shelley
Convenor

26 February 2002