



Australian Government
Classification Review Board

23 November 2005

23-33 MARY STREET
SURRY HILLS, NSW

- MEMBERS:** Ms Maureen Shelley (Convenor)
The Hon Trevor Griffin (Deputy Convenor)
Mrs Kathryn Smith
Mr Rob Shilkin
Mrs Gillian Groom
Mr Anthony Hetrih
- APPLICANT:** Roadshow Films, the original applicant for classification,
represented by Mr Brett Rosengarten (National Sales Manager)
- BUSINESS:** To review the Classification Board's decision to classify the
film *Harry Potter and the Goblet of Fire* (the film) M (Mature)
with the consumer advice 'Moderate fantasy violence'.

DECISION AND REASONS FOR DECISION

1. Decision

The Classification Review Board (the Review Board) in a unanimous decision, classified the film M, with the consumer advice 'Moderate dark themes, Moderate fantasy 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. Section 9 of the Act provides that films are to be classified in accordance with the National Classification Code (the Code) and the classification guidelines.

Relevantly, the Code in paragraph 5 of the Table under the heading 'Films' provides that:

Films (except RC films, X18+ films, R18+ films and MA15+ films) that cannot be recommended for viewing by persons who are under 15

are to be classified 'M'. The Code also sets out various principles to which classification decisions should give effect, as far as possible. 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; and
- (b) the literary, artistic or educational merit (if any) of the film; and
- (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.

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;
- The assessment of impact;
- And the six classifiable elements – themes, violence, sex, language, drug use and nudity.

3. Procedure

The Review Board convened on 23 November 2005 to determine the validity of the application for review from, Roadshow Films, received on 10 November 2005, view the film and consider the substance of the application. Six members of the Review Board viewed the film *Harry Potter and the Goblet of Fire* at the Board's meeting on 23 November 2005.

The Review Board received an oral submission from Mr Brett Rosengarten on behalf of Roadshow Films, in addition to the written submission provided. The Review Board then considered the matter.

4. Evidence and other material taken into account

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

- (i) Roadshow's application for review;
- (ii) Roadshow's written and oral submissions;
- (iii) The film;
- (iv) The relevant provisions in the Act;
- (v) The relevant provisions in the Code;
- (vi) The Classification Board's report; and
- (vii) The *Guidelines for the Classification of Films and Computer Games 2005*.

5 Synopsis

Harry's fourth summer and the following year at Hogwarts are marked by the Quidditch World Cup and the Triwizard Tournament, in which student representatives from three different wizarding schools compete in a series of increasingly challenging contests. However, Voldemort's Death Eaters are gaining strength and even creating the Dark Mark giving evidence that the Dark Lord is ready to rise again. In the unsuspecting lives of the young wizard and witches at Hogwarts the competitors are selected by the goblet of fire, which this year makes a very surprising announcement: Hogwarts will have two representatives in the tournament, including Harry Potter.

6 Findings on material questions of fact

The Review Board found that *Harry Potter and the Goblet of Fire* contains the classifiable elements of themes and violence, which generally present with a moderate sense of threat or menace and a corresponding moderate impact. These elements are justified by the context of the setting. The violence within the film is fantasy violence and is resolved through the use of magic or wizardry. The themes - of witchcraft and wizardry and that of the death of one of the Hogwarts' students - are treated in a way that requires a mature perspective.

(a) **Themes and (b) violence** – fantasy violence and dark themes are depicted. Specifically the following scenes were noted by the Review Board as having moderate impact:

At approximately 3 minutes Harry awakens from a dream where he sees Lord Voldemort, Wormtail and a snake meeting in a darkened house. An old caretaker is implicitly killed and his screams are heard.

At approximately 10 minutes there are scary scenes at the Quidditch World Cup when Lord Voldemort's Death Eaters appear at the camp attacking a Muggles family, setting fire to tents and an image of Voldemort is seen hanging in the sky. Harry, Hermione and Ron are depicted looking very scared. Harry and Hermione are shown being kicked by trampling feet as witches and wizards flee in panic.

In the first challenge of the Triwizard Tournament, Harry has to avoid a dragon to retrieve a golden sphere. The scene, which is extensive and commences at approximately 60 minutes, shows Harry being thrown against rocks, being chased by the fire-breathing dragon, falling from great heights, and being burned on his arm.

At approximately 90 minutes Harry is undertaking another challenge in the lake, where he is attacked by sea creatures, he experiences pain from high-pitched screaming and is confronted by what appears to be his friends floating, seemingly-drowned, in the lake. At 97 minutes Harry almost drowns.

The final challenge is to find and bring back the Cup, which is in the centre of a maze. The maze moves threateningly, grows over the contestants and seizes them dragging them to the ground. At approximately 118 minutes, Cedric is shown screaming as the maze attacks him.

At approximately 120 minutes, Lord Voldemort attacks Harry and Cedric. Cedric is killed. Lord Voldemort tells Harry that he is going to kill him and that he (Harry) will beg for death. Harry escapes and takes Cedric's body back to the tournament where Cedric's father is depicted grieving over his son. The scene is tense and requires a mature perspective.

(c) **Sex** – the film contained no explicit sexual references. However, the emerging issue of sexual difference and modesty between the teenage Hogwarts students was depicted in a mild way in the scene at 87 minutes where the ghost Moaning Myrtle and Harry share a bath. Moaning Myrtle wriggles and giggles as she “sits” in the bath and says: “Oh Harry” as he removes his towel and enters the bath water. The water is liberally coated in bubbles.

At approximately 82 minutes, an older wizard squeezes the buttocks of one of the female teachers.

(d) **Drug use** – There is implied use of “potions” to assist Barty Crouch Jr to appear to be the character of Mad-Eye Moody. However, the impact of this is mild.

(e) **Language** – There is infrequent use of mild expletives in the film.

(f) **Nudity** – there is chest nudity of Harry as he sits in the bath at approximately 87 minutes and implied nudity as he enters the bath and his towel is removed from his lower torso. The impact of this is mild.

7 Reasons for the decision

The Review Board considered that the context of the film was important. This film is based on a very popular children's fantasy book and film series, with which a large part of the audience would be familiar. However, the Review Board determined that the film represents a move to darker themes than seen in previous Harry Potter films. The scenes of the central character of Harry experiencing pain and anxiety are more likely to disturb younger children than those depicted in other films in the franchise. Further, the death of one of Harry's school mates is treated in such a way that requires a more mature perspective than themes in the previous film offerings.

It is the determination of the Classification Review Board, that the film *Harry Potter and the Goblet of Fire* warrants an M classification because the cumulative sense of threat and menace is moderate rather than mild.

8 Summary

The Review Board concluded that the impact of the classifiable elements in the film could be accommodated in the M classification. The impact of the elements was moderate.

The themes and violence were justified by the overall context of the film. The Review Board was unanimously of the view that an M classification was warranted.