

37th MEETING

4 MAY 2001

23-33 MARY STREET

SURRY HILLS NSW

PRESENT; Ms Barbara Biggins (Convenor)
Mr Jonathan O’Dea (Deputy Convenor)
Ms Glenda Banks

APPLICANT: Dendy Films

BUSINESS: To review the decision of the Classification Board to assign the classification R 18+ with the consumer advice “Adult themes, medium level violence” under the *Classification (Publications, Films and Computer Games) Act 1995* to the film *Series 7: The Contenders*.

DECISION AND REASONS FOR DECISION

1. Decision

The Classification Review Board decided to confirm the decision of the Classification Board to classify the film *Series 7: The Contenders* R18+ with the consumer advice “Adult themes”, Frequent 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 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 years, are to be classified MA15+. Para 3 of the table provides films (except RC and X films) that are unsuitable for a minor to see, are to be classified R18+.

3. Procedure

- 3.1 Three members of the Review Board viewed the film *Series 7: The Contenders* at its meeting on 4 May 2001.
- 3.2 The Review Board received oral submissions from Mr Troy Lum and Ms Jonene Collier, representing Dendy Films at the meeting on 4 May.

4. Matters taken into account

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

- (a) The applicant's Application for Review
- (b) The distributor's oral and written submissions to the Review Board
- (c) The film *Series 7: The Contenders*
- (d) The relevant provisions in the Act
- (e) The relevant provisions in the National Classification Code as amended by section 6 of the Act, and as endorsed by State and Territory Ministers responsible for censorship matters.
- (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 A group of six participants in a TV game show "The Contenders" are given guns and are required to stalk and kill each other, until a lone champion survives.

The content

5.2 The Review Board considered the content cited by the Classification Board as requiring the film to be classified R18+. This included adult themes and scenes and themes of violence.

5.3 The Review Board found a number of adult themes, including a scene of attempted assisted suicide at 61 minutes. Contender Jeff who has testicular cancer firstly asks a fellow contender to help him commit suicide. Later Jeff's wife mixes him a cocktail of "secobarbitols" with the comment that 40 represents a lethal dose, "But I'm putting 60 in". She then puts a plastic bag over his head with the comment, "That way they suffocate".

- 5.4 The Review Board also found that other aspects of the film required an adult perspective. These included themes of violence as entertainment; violence as a legitimate outlet for anger and confusion; violence as a legitimate way of making a name for, or to invigorate oneself.

Although it was evident in some sections of the film that these themes were being satirised, the Review Board found that the film as a whole incorporates and indirectly reinforces those concepts.

- 5.5 The Review Board also found some depictions of realistic violence, in combination, to have a high impact and in combination with the film's themes to warrant restriction to an adult audience. These scenes included:

At 32-34 mins, Connie injects Tony to kill him. The insertion of the needle is shown in close-up. This is replayed at 36mins in real time.

At 50 mins, the contenders stalk each other in a shopping centre. Franklin savagely beats Lindsay to death with his walking stick. This scene is also replayed in real time.

At 57mins, Dawn's baby has a very bloody birth, with Connie threatening to kill Dawn with a gun.

At 69mins, Jeff shoots Connie. The scene includes shots of blood stains

At 80mins, Doria shoots Dawn and Jeff shoots himself, with shots of blood trails and bloodied hands.

- 5.6 The Review Board concluded that the film contained adult themes, and scenes of, and themes relating to the use of, violence that required an adult perspective. The film is therefore appropriately classified R18+.

6. Reasons for the Decision

- 6.1 The Review Board based its decision to confirm the decision of the Classification Board to assign the classification R 18+ to the film *Series 7: The Contenders* on the content and themes set out in 5.3–5.5 above.

- 6.2 In relation to the depiction of attempted assisted suicide, the Review Board found that the treatment of this theme which had a high degree of intensity was not discreet. Jeff's intention to commit suicide or to have someone kill him is a theme with a high degree of intensity, which runs through the film. The treatment of the attempt by his wife to kill him at his request is not discreet. The Review Board took the reference to "secobarbitols" to mean the drug secobarbitone. The amount of drugs needed to kill someone, and

the use of the plastic bag to cause suffocation, were clearly shown. The Glossary to the Guidelines defines discreet as “with little or no detail and generally brief”. This depiction and theme cannot therefore be accommodated in the MA category.

- 6.3 The Review Board found a number of instances of dialogue which reinforced the theme of the use of violence as a way to make a name for oneself, or as a legitimate expression of anger and frustration. These included the scenes at:

4mins: Dawn “I felt proud of myself... I made something of myself”

20mins: Lindsay “I’m going to go in there and blow his head off... Go in there and do some damage”

25mins: Dawn “So angry. all you can do is go out there and kill somebody”

34mins: Lindsay “If I don’t win, I want my parents to know ... I want to be remembered..as I haven’t done anything with my life”

69mins: Jeff (after shooting Connie) “My heart was beating fast and I felt alive for the first time”

The Review Board found that although the tone of the film was at times plainly satirical, this tone was not successfully maintained throughout the film. In the view of the Review Board, the relentless focus on the violence and on attitudes justifying the use of violence, diminished any mitigating effects of the film’s low satirical tone. The Review Board therefore concluded that the film required an adult perspective.

- 6.4 The Review Board found that the combination of the scenes of violence as listed in 5.5 (and which were replayed in real time), and the pervasive themes of the justified use of violence as a way of achieving notoriety, or of relieving frustration, created a high impact. As such, they constituted a combination of elements likely to be harmful or disturbing to those under the age of 18 years, and so cannot be accommodated in the MA15+ category.

- 6.5 The Applicant argued in part that:

- a) The film was a send-up of “reality TV shows” and was satirical in its treatment of the violence. This lessened the impact of the violence in the film to a degree that was acceptable within the MA 15+ category.
- b) Anyone with a mature perspective would appreciate the satire
- c) The violence was realistic, not stylised, but was not of a type that was included in other violent MA15+ films

6.6 In response, the Review Board found that:

- a) Was not accepted. See 6.3.
- b) Was not accepted. See 6.3 and 6.4.
- c) The violence was realistic, and in combination with its themes had a high impact, and required an adult perspective.

6.7 The Review Board concluded that the film contained adult themes of high intensity, which were not discreet, and that the combination of the many depictions of violence created a high impact and context that required an adult perspective. The film is therefore appropriately classified R18+.

The Review Board's decision to assign the consumer advice line "Adult Themes, Frequent Violence" is taken having regard to the content described in 5.3 to 5.5.

7. Conclusion

7.1 The Review Board's decision is to confirm the decision of the Classification Board to classify the film *Series 7: The Contenders* R18+, but to vary the consumer advice line to "Adult Themes, Frequent Violence".

This decision is taken after full consideration of the applicant's and distributor's submissions, 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