



Australian Government
Classification Board
Classification Review Board

CLASSIFICATION BOARD
AND CLASSIFICATION REVIEW BOARD

ANNUAL REPORTS 2014–15





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Locked Bag 3, HAYMARKET NSW 1240

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INTRODUCTION

This report includes the reports of the Classification Board and the Classification Review Board.

Information about the Classification Board and the Classification Review Board is also available on the Australian Classification website at www.classification.gov.au. Guidelines on the classification of films, computer games and publications, as well as the classification database, are on the website. A copy of this report, as well as annual reports from previous years, are also available on the website.

The Classification Branch of the Attorney-General's Department provided administrative support to both the Classification Board and the Classification Review Board. Further information about the Classification Branch is available in the Attorney-General's Department annual report 2014–15 or at www.ag.gov.au.

The background of the slide is a dark, repeating pattern of ESRB (Entertainment Software Rating Board) rating icons. These icons, which include symbols like 'G', 'PG', 'M', 'R', and 'X' with age ranges, are arranged in a grid-like fashion across the entire page. The text 'OVERVIEW OF THE NATIONAL CLASSIFICATION SCHEME' is centered in the upper half of the image in a large, white, sans-serif font.

OVERVIEW OF THE NATIONAL CLASSIFICATION SCHEME

The National Classification Scheme is a cooperative arrangement between the Commonwealth, states and territories. The Intergovernmental Agreement on Censorship underpins the Scheme.

The Commonwealth's contribution to the Scheme includes the *Classification (Publications, Films and Computer Games) Act 1995* (Cth) (the Classification Act).

The Classification Act provides that the Classification Board classifies films, computer games and certain publications. The Classification Act also establishes the review mechanism, the Classification Review Board which, on application, reviews certain decisions made by the Classification Board.

The states and territories enforce classification decisions under their respective classification enforcement legislation. There are also some Commonwealth offence provisions in the Classification Act which are part of the Stronger Futures in the Northern Territory legislation package (formerly known as the Northern Territory Emergency Response) and offences regarding the unlawful use of markings in relation to goods other than films, computer games or publications.

COMMONWEALTH

The Classification (Publications, Films and Computer Games) Act 1995 (Cth)

The Classification Act establishes the Classification Board and the Classification Review Board. The Boards are independent from government and from each other. The Classification Act requires that, in appointing members of the Classification Board and the Classification Review Board, regard is to be had to the desirability of ensuring that membership of the Boards is broadly representative of the Australian community.

The Classification Act also sets out:

- classification types
- statutory requirements for applications for classification
- powers and functions of the Classification Board and Classification Review Board
- processes for industry assessment of certain material
- provisions for the approval of advertisements for certain products
- statutory criteria for review of classification decisions
- provisions pertaining to reclassification
- provisions pertaining to prohibited material in prohibited material areas.

The Classification Act is available online at www.comlaw.gov.au.

National Classification Code

The Classification Board and the Classification Review Board must make classification decisions in accordance with the Classification Act, the National Classification Code (the Code) and classification guidelines.

The Code lists and broadly describes the classification types. Commonwealth, state and territory ministers with responsibility for classification agree to the Code.

The Code is registered on the Federal Register of Legislative Instruments at www.comlaw.gov.au. The Code is available in the Appendix on page 74.

Classification guidelines

The *Guidelines for the Classification of Films*, *Guidelines for the Classification of Computer Games* and *Guidelines for the Classification of Publications* (the classification guidelines) are used by the Classification Board and the Classification Review Board to assist them in applying the criteria in the Code by describing

the classification types, and setting out the scope and limits of material suitable for each classification type. The classification guidelines are approved by all ministers with responsibility for classification. The classification guidelines are registered on the Federal Register of Legislative Instruments at www.comlaw.gov.au.

There are a range of other determinations, instruments and principles applying to classification and they can be found online on the classification website at www.classification.gov.au or at www.comlaw.gov.au.

STATES AND TERRITORIES

As partners in the National Classification Scheme, each state and territory has classification legislation that complements the Commonwealth Classification Act. The legislation sets out how films, publications and computer games can be sold, hired, exhibited, advertised and demonstrated in that jurisdiction. It prescribes penalties for classification offences and provides for enforcement of classification decisions. Film festivals are also regulated under state and territory legislation. Some jurisdictions have reserved censorship powers.

OTHER FUNCTIONS

In addition to making classification decisions about films, computer games and certain publications, the Classification Board and the Director of the Classification Board perform a number of other functions under the National Classification Scheme.

Exemptions to show unclassified films

Under state and territory enforcement legislation, an organisation or an individual may make an application to show an unclassified film at a film festival or a special event. Exemptions are granted in accordance with Film Festival Guidelines and the relevant classification enforcement legislation in each jurisdiction.

The Director of the Classification Board is responsible for approving film festival exemption applications (although some jurisdictions' legislation provides that either the Director or the relevant state or territory minister may consider exemption applications).

Industry assessors

Applications for classification can be lodged under assessor schemes.

None of the assessor schemes are mandatory. Applications may still be made to the Classification Board without using the schemes.

Authorised Assessor Scheme for Computer Games

Under the Classification Act, the Director may authorise a person who has completed the required training to recommend the classification for a computer game. If a computer game is likely to be classified G (General), PG (Parental Guidance) or M (Mature), classification applications can be submitted accompanied by an authorised assessor's report recommending the classification and consumer advice for the computer game.

Additional Content Assessor Scheme

The Director may authorise trained persons to assess additional content which accompanies a previously classified or exempt film released for sale or hire. These assessors can make a recommendation regarding the classification and consumer advice for the additional content. Additional content includes 'making of' documentaries, out-takes and commentaries or interviews with the director or actors. Under the scheme, additional content does not include television programs, series or computer games.

When an application for these types of products is accompanied by a report recommending the classification and consumer advice, the Classification Board considers the recommendation before making a classification decision.

Authorised Television Series Assessor Scheme

The Director may authorise trained and authorised assessors to consider films that are one or more episodes of a television series, and any series-related material, and recommend an appropriate classification and consumer advice to the Classification Board.

At least one episode of the television series must have been broadcast in Australia. The scheme does not apply to films that would be classified X 18+ (Restricted) or RC (Refused Classification).

The Advertising of Unclassified Films and Computer Games Scheme

The Advertising of Unclassified Films and Computer Games Scheme (the Advertising Scheme) allows for the advertising of unclassified films and computer games under certain conditions. The conditions are prescribed in the *Classification (Advertising of Unclassified Films and Computer Games Scheme) Determination 2009*.

Generally, advertising for unclassified films and computer games must display the message 'Check the Classification' (or 'CTC' in its shortened form).



Check the Classification

For certain forms of advertising, once a film or computer game is classified, the advertising message must be removed and be replaced with the classification marking.

Another condition is a 'commensurate audience' rule. This means that unclassified films and games, when advertised with already classified material, may only be advertised with material of the same or higher classification. Under the scheme, appropriately trained and authorised industry assessors assess the likely classification of unclassified films or computer games for this purpose.

The Advertising Scheme includes a number of safeguards and sanctions. These include the Director of the Classification Board having powers to revoke or suspend an assessor's authorisation and prohibit a distributor from advertising their unclassified products for up to three years in certain circumstances.

Department of Immigration and Border Protection

The Department of Immigration and Border Protection is responsible for decisions on the status of material imported into, or exported from, Australia. The *Customs (Prohibited Imports) Regulations 1956* (the Prohibited Imports Regulations) prescribe classes of goods that must not be imported into Australia. The *Customs (Prohibited Exports) Regulations 1958* (the Prohibited Exports Regulations) prescribe classes of goods that must not be exported from Australia.

The department can detain or seize any material it believes may contravene Regulation 4A of the Prohibited Imports Regulations or Regulation 3 of the Prohibited Exports Regulations. The criteria in Regulation 4A and Regulation 3 accord with the RC criteria in the Code and the Classification Act.

The department may also apply for classification of items intercepted at the border.

The Director and Deputy Director of the Classification Board are authorised under subregulation 4A(2A) of the Prohibited Imports Regulations and subregulation 3(3) of the Prohibited Exports Regulations to grant requests for permission to import goods to which the Prohibited Imports Regulations apply, or to export goods to which the Prohibited Exports Regulations apply.

Australian Communications and Media Authority

The Classification Board does not classify material that is broadcast on radio or television networks.

The *Broadcasting Services Act 1992* (the BSA) establishes a co-regulatory scheme for broadcast services including radio and television relying on codes of practice developed by industry and registered with the Australian Communications and Media Authority (the ACMA). For the purpose of classifying films screened on television, the BSA requires that codes of practice apply the film classification system under the National Classification Scheme which includes the classification guidelines and classification symbols. This is in the interests of consistency of classification information across cinema films, DVDs and television.

Online content is regulated via the BSA which is administered by the ACMA. If the ACMA receives a valid complaint about Australian-hosted online content, or discovers potential prohibited content on its own initiative, the ACMA may, and in some cases must, submit the material to the Classification Board for classification. The ACMA then takes appropriate action in respect of the online content.

CORPORATE OVERVIEW

LEGISLATIVE GOVERNANCE STRUCTURES

The Classification Board

The Classification Board is an independent statutory body consisting of the Director, Deputy Director and other members.

The Classification Board classifies films, computer games and certain publications. The Classification Board also classifies online content on application.

The Director

The Director of the Classification Board has a range of statutory functions under the Classification Act which include:

- managing the administrative affairs of the Classification Board
- convening and presiding at Classification Board meetings
- determining the constitution of the Classification Board for classifying particular products
- determining how decisions are recorded
- arranging the business of the Classification Board
- calling in publications, films and computer games for classification
- determining procedures for the Classification Board, and
- providing the Minister with the Classification Board's annual report.

In addition to the Director's powers in relation to the Classification Board, the Classification Act confers a number of additional functions and powers on the Director which include:

- approving forms for the purpose of the Classification Act
- providing certificates and notice of decisions, including evidentiary certificates, and
- authorising industry assessors.

The Director and Deputy Director of the Classification Board are authorised to grant permission to import or export prohibited or potentially prohibited goods in accordance with the Customs Prohibited Imports Regulations and Prohibited Exports Regulations.

The Classification Review Board

The Classification Review Board is an independent statutory body established to review decisions of the Classification Board.

See page 65 for more information on the Classification Review Board.

The Convenor

The Convenor of the Classification Review Board has a range of statutory functions under the Classification Act which include:

- managing the administrative affairs of the Classification Review Board
- determining the constitution of panels of the Classification Review Board to review decisions
- determining how decisions are recorded
- arranging the business of the Classification Review Board, and
- providing the Minister with the Classification Review Board's annual report.

In addition to the Convenor's powers in relation to the Classification Review Board, the Classification Act confers a number of additional functions and powers which include:

- approving forms for the purpose of the Classification Act, and
- providing certificates and notice of decisions, including evidentiary certificates.

ADMINISTRATIVE ARRANGEMENTS

The Attorney-General's Department (the department) was responsible for the financial management of the operations of the Classification Board and the Classification Review Board.

The Classification Branch of the department is co-located with the Classification Board and Classification Review Board in Sydney. The Classification Branch undertakes the following functions:

- providing policy and operational advice on classification issues to the ministers with classification responsibilities
- providing secretariat services to the Classification Board and the Classification Review Board
- providing classification education and training for industry and government bodies.

Meetings

The Classification Board has meetings, generally weekly, to discuss classification decisions and other procedural issues.

Regular meetings also take place between the Director and the Deputy Director to ensure the day-to-day running of the Classification Board is efficient and its decisions comply with all relevant legislation.

The Classification Review Board is a part-time board and convenes only to deal with applications for review.

Effective liaison with the Attorney-General's Department

The Classification Board and Classification Review Board maintained effective liaison with the department, through both formal and informal meetings and contacts.

Effective liaison with Commonwealth, state and territory ministers with responsibility for classification and officials, industry and the community

The Classification Board maintains effective liaison arrangements with ministers and officials with responsibility for classification, as well as peak industry body representatives and other classification stakeholders. The Classification Board provides information about decisions to interested parties as well as advice to industry assessors to promote professional development on classification issues.

The Classification Review Board provides information to interested parties.

Financial management, accountability and reporting

Classification is carried out largely on a cost recovery basis with fees for classification set in the *Classification (Publications, Films and Computer Games) Regulations 2005*. Fees for the review of a decision are based on partial cost recovery in order to enable access to reviews of a classification decision while discouraging vexatious or frivolous claims. Revenue from classification fees for 2014–15 is \$4,478,690.

Costs and revenue for classification are included in the department's annual report 2014–15. The report is available at www.ag.gov.au.

The Director of the Classification Board and the Convenor of the Classification Review Board are required to report to the Minister on management of the administrative affairs of the Classification Board and the Classification Review Board in accordance with section 67 and section 85 of the Classification Act respectively.

Risk management

Management of risk is undertaken in accordance with the department's risk management framework and fraud control plan and procedures.

Website

The Australian Classification website address is www.classification.gov.au. Information is tailored to user groups such as the public, industry and law enforcement. Information on the National Classification Database (NCD) incorporates classification and consumer advice in the search results, a classification matrix which shows the strength of all the classifiable elements, and a synopsis of public exhibition films and movies on DVD. Information in a range of languages is also available. In June 2015, the website became the home of the Classification Portal, a secure method for industry to lodge applications to the Boards.

In the reporting year, there have been 785,103 visits to the website. The number of visits to the website indicates that it is a well-accepted resource that continues to provide important information on classification to industry and the general public.

ESTABLISHMENT AND MAINTENANCE OF APPROPRIATE ETHICAL STANDARDS

Ethical standards

The Classification Act provides that full-time members of the Classification Board must not engage in outside employment without the consent of the Minister. The Minister has delegated the authority to approve secondary employment to the Director of the Classification Board. This requirement does not apply to service in the Australian Defence Force.

The Classification Board has a code of conduct for members.

The Classification Act makes provision for the disclosure of potential conflicts of interest by members of both Boards.

External accountability

The Classification Board and Classification Review Board work within an accountability framework which includes parliamentary scrutiny, the *Crimes Act 1914*, the *Freedom of Information Act 1982*, the *Privacy Act 1988* and the *Ombudsman Act 1976*.

An application may be made to the Classification Review Board to review a decision of the Classification Board (see Review Board section on page 65).

MEMBERSHIP

Appointments to the Classification Board and Classification Review Board are made by the Governor-General. It is the responsibility of the Minister to make recommendations to the Governor-General regarding appointments. Before making such recommendations, the Classification Act requires that the Minister consult with state and territory ministers with responsibility for classification about the proposed recommendations. Appointments are made for fixed terms of up to five years and members are eligible for reappointment to a statutory maximum of seven years.

Under section 50 of the Classification Act, the Minister may appoint temporary members of the Classification Board if it is necessary to do so for the efficient dispatch of the Classification Board's business. This function has been delegated to the Director of the Classification Board. During the reporting period, six individuals were added to the temporary Board member register.

Sections 66 and 84 provide that the Minister may appoint a person to act as a member during a vacancy in the Classification Board and Classification Review Board respectively.

Movements

On 31 July 2014, Ms Tennille Burdon and Mr Lance Butler completed their terms of appointment to the Classification Board. These members served a three-year term on the Classification Board.

One Board member, Mr Zahid Gamiieldien, resigned from the Board on 18 August 2014.

Three new Classification Board members, Ms Alison Bickerstaff, Mr Ron Delezio and Mr Jarrah Rushton, were appointed with effect from 21 August 2014.

The term of appointment of the Convenor of the Classification Review Board, Ms Victoria Rubensohn AM, expired on 5 February 2015.

The term of appointment for Ms Jane Smith as a member of the Classification Review Board expired on 6 December 2014.

Mr Peter Price OAM commenced his appointment to the Classification Review Board on 7 December 2014.

Conditions

The Remuneration Tribunal determines the entitlements of Classification Board and Classification Review Board members in relation to remuneration, annual leave and official travel. These determinations are available on the Remuneration Tribunal website at www.remtribunal.gov.au.

FREEDOM OF INFORMATION

In accordance with section 8 of the *Freedom of Information Act 1982* (FOI Act), this section of the report contains information about FOI procedures and access to documents.

Two requests were received for access to Classification Board or Classification Review Board documents under the FOI Act during the reporting period.

Applicants seeking access to documents under the FOI Act should contact:

The FOI Officer
Department of Communications and the Arts
GPO Box 2154
CANBERRA ACT 2601
foi@communications.gov.au

CATEGORIES OF DOCUMENTS

The following categories of documents are maintained by the department on behalf of the Classification Board and Classification Review Board:

- applications under the Classification Act, and
- documents relating to decisions of the Classification Board and Classification Review Board.

Reasons for decisions of the Classification Review Board are available on the Classification website at www.classification.gov.au.

The following categories of documents are publicly available on the Classification website:

- the Classification Act
- the National Classification Code
- the *Guidelines for the Classification of Publications, Guidelines for the Classification of Films, and Guidelines for the Classification of Computer Games*
- the *Classification (Publications, Films and Computer Games) Regulations 2005*
- the Determinations, Principles and other instruments made under the Classification Act
- annual reports, and
- application forms for classification and review.

PRIVACY

The Australian Privacy Principles (APPs) in the *Privacy Act 1988* set out the requirements for agencies in handling personal information. The relevant privacy policy is at www.classification.gov.au. It outlines how responsibilities in relation to records containing personal information held by the department in administratively supporting the work of the Classification Board and Classification Review Board are met. For more information please contact the Classification Branch:

The Classification Branch
Locked Bag 3
HAYMARKET NSW 1240

Telephone: 02 9289 7100

REPORTS BY THE AUDITOR-GENERAL

There were no reports on the operation of the Classification Board or the Classification Review Board by the Auditor-General in the reporting period.

REFORM OF THE NATIONAL CLASSIFICATION SCHEME

The *Classification (Publications, Films and Computer Games) Amendment (Classification Tools and Other Measures) Bill 2014* received Royal Assent on 11 September 2014.

The Amendment Act introduced the first tranche of reforms to the National Classification Scheme agreed to by the then Standing Council on Law and Justice in April 2013, following the Australian Law Reform Commission's 2012 Report on the scheme.

Reforms included enabling the Minister for Justice to approve classification tools, deregulating classification requirements for modified films and computer games and introducing a new streamlined classification process for festivals and events (which will come into effect on 11 September 2015).

On 29 October 2014, the Minister for Justice approved the International Age Rating Coalition (IARC) tool for classifying mobile and online games. A pilot of the tool will be conducted by the department in 2015–16.

COMMONWEALTH OMBUDSMAN

No matters involving the Classification Board or the Classification Review Board were dealt with by the Commonwealth Ombudsman during 2014–15.



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ANNUAL REPORT 2014–15





Australian Government
Classification Review Board

Senator the Hon Mitch Fifield MP,
Minister for Communications, Minister for the Arts,
Minister Assisting the Prime Minister for Digital Government
Manager of Government Business in the Senate
Parliament House
CANBERRA ACT 2600

Dear Minister

In accordance with subsection 67(1) of the *Classification (Publications, Films and Computer Games) Act 1995*, I am pleased to submit a report on the management of the administrative affairs of the Classification Board for the period 1 July 2014 to 30 June 2015.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Lesley O'Brien'.

Lesley O'Brien
Director

14 October 2015

DIRECTOR'S OVERVIEW

DIRECTOR'S OVERVIEW



As the media entertainment industry continues to shift and shape with clever digital innovation, we as consumers are presented with an ever-growing array of screen-time choices.

The imagination and creative flair of film and computer game developers, together with the emergence of new viewing platforms and devices, are changing the entertainment landscape into a vastly individualised experience for consumers of films and games.

This evolution of the entertainment industry brings with it challenges to all classification systems worldwide. As the Director of the Classification Board, I have made it a priority to ensure that the Board is equipped to deal effectively with this evolution by looking to culture, professional development, and work systems and processes that embrace quality and timely decision making attuned to community standards.

The outcome for consumers is a positive one as the Board is able to provide information about classified content in a way that will continue to assist the community in making informed entertainment choices in an increasingly evolving, digital environment.

One constant, however, is the Board's fundamental role – to make classification decisions for films, computer games and some publications, in accordance with the *Classification (Publications, Films and Computer Games) Act 1995*, the *National Classification Code*, and the Classification Guidelines.

In this reporting year, the Board made 3,694 decisions. This included 3,667 commercial classification decisions, 22 classification decisions on internet content referred by the Australian Communications and Media Authority and five classification decisions for enforcement agencies. Every decision was made within the statutory timeframe of 20 days (or five days for priority applications) and I commend the Board on this achievement.

One of the major developments in this reporting period was the approval by the Minister for Justice, the Honourable Michael Keenan, for a one-year pilot of a new tool for the classification of mobile and online games. The tool was developed by the International Age Rating Coalition (IARC), a partnership of government and industry content classification authorities from around the world including those responsible for the United States and Canada, Europe, Germany and Brazil. Australia joined IARC as a member during the reporting period.

The Minister's decision to commence this pilot follows amendments to the *Classification (Publications, Films and*

Computer Games) Act 1995, which received royal assent on 11 September 2014. The amendments represent the first tranche of reforms agreed to by Commonwealth, state and territory classification ministers in response to the Australian Law Reform Commission's 2012 report on the National Classification Scheme. Other reforms also commenced during the reporting period, including for example that the Board must determine consumer advice for all films and computer games classified G.

The IARC tool will be used for online and mobile computer games only. Online and mobile computer games are computer games that are distributed electronically, such as computer games that can be downloaded onto mobile devices and computer games that can be played directly through a website.

Participating online storefronts that use the IARC tool require game developers to complete a questionnaire about the content of their computer game. The IARC tool then assigns the computer game with local classifications for each member country or region based on standards set by the relevant authorities. The IARC tool means Australians will see Australian classifications and consumer advice on computer games sold through participating online storefronts. Classifications made using the IARC tool will be published on the Australian National Classification Database at www.classification.gov.au.

An Australian pilot of the IARC tool will be undertaken in the 2015–16 financial year. Audits of classification decisions made by the IARC tool will be undertaken during the pilot. The Board has the power to revoke classifications made by the IARC tool if it decides it would have given the game a

different classification and/or consumer advice. I have introduced new Board systems and procedures to accommodate the commencement of the IARC pilot.

Under the Classification Act, one of the primary roles of the Director is to ensure the business of the Board is conducted in an orderly and efficient manner. As Director, I have determined and applied the procedures to be followed by the Board in its day-to-day operations to maximise quality, transparency, accountability and efficiency and to reflect community standards. Following participation in a review of core processes undertaken in late 2014, the Board has begun implementing recommendations resulting from the application of the Lean Six Sigma framework to the classification cycle.

The Board seeks to reflect current community standards when making decisions, however owing to the widely different views held in the community it is not always possible to make decisions which satisfy everyone. The Board welcomes feedback about its decisions. The Correspondence section in this report provides information on those films, computer games and publications which attracted attention during the reporting period. In addition, the Board has benefited from the early outcomes of the classification research program, undertaken by the Classification Branch during the reporting period. The Board looks forward to the continuation of this research in 2015–16.

To assist the Board in staying abreast of community standards, and to foster community engagement and ongoing professional development, Board members also attend a variety of conferences

and seminars and participate in a range of formal and informal learning and training opportunities.

In October 2014, I attended the International Film Classifiers Conference which brings together heads of classification bodies from around the world in a forum which provides valuable information exchange on emerging issues, international classification systems and the range of community standards that form the basis of each of these schemes. The conference was in two parts, the first titled *"UN Convention on the Rights of the Child related to Freedom of Expression and Film Classification"*, where discussion centred around changes in childhood over time, the changing relationship between children and media, and the balance between freedom of speech and protection against impactful audiovisual content. Various studies have been undertaken by countries around the world that touched on these matters, and these were presented and discussed. The second part, titled *"Film Classification in a Globalised World"*, focused on current and future distribution methods for film and audiovisual content and the flow-on effects to film classification systems and regulatory authorities around the world.

At the Australian International Movie Convention in October 2014, Deputy Director Ms Margaret Anderson had the opportunity to interact with local and international representatives from cinema exhibition, distribution, production, intellectual property rights and industry member organisations. Industry panel discussions included "The Future Looks Bright", about the ever-changing, fast-moving and dynamic nature of the film entertainment business and what the future holds.

Board members Mr Ron Delezio and Ms Alison Bickerstaff attended an Interactive Games and Entertainment Association (IGEA) industry briefing - *"IGEA Games Industry Trends: Understanding Changing Consumer*

Profiles", on 5 March 2015. The briefing discussed the latest consumer trends and purchasing habits across online shopping, entertainment and media sectors, including interactive games.

On 19 March 2015, Board member Mr Ron Delezio attended a seminar called *"Guidelines for Good Gaming: the psychological and physiological effects of video and computer gaming"*, with presentations from a number of Australian academics. This seminar was organised by the Australian Council on Children and the Media (ACCM), and provided interesting discussion points for the Board.

During the reporting period, the Board continued to liaise with stakeholders both at home and abroad, including the Media Classifiers Association of Australia, the Australian Screen Association and the Media Development Authority of Singapore, discussing operations in their country as well as common issues and challenges.

I would like to acknowledge the contribution of all Board members, including temporary Board members, during the reporting period. Six people were recruited for the temporary Board member register during the reporting period. (Temporary Board members can be used in times of peak workload.) I would also like to thank those who acted in senior roles throughout the year - Ms Amanda Apel and Ms Moya Glasson.

Finally, I would like to acknowledge the support and cooperation provided by the Classification Branch staff who provide a high quality secretariat service to the Board. I would like to thank all of them for their dedication and professionalism throughout this financial year.

Lesley O'Brien
Director
Classification Board



The Classification Board

Back: Left to Right – Mr Jarrah Rushton, Ms Alison Bickerstaff, Ms Amanda Apel, Mr Ron Delezio.

Front: Left to Right – Ms Margaret Anderson (Deputy Director), Ms Lesley O'Brien (Director), Ms Moya Glasson.

CLASSIFICATION BOARD PROFILES



LESLEY O'BRIEN

Director

APPOINTED 1 January 2013
APPOINTMENT EXPIRES 31 December 2015

Deputy Director

APPOINTED 31 January 2011

Ms Lesley O'Brien, 48, was appointed Director of the Classification Board in January 2013. Prior to this, Ms O'Brien was Deputy Director of the Classification Board for two years. She has over 25 years' experience as a print and radio journalist and publishing executive, most recently as a Senior Executive at the Australian Broadcasting Corporation, as General Manager of ABC Publishing (Books, Magazines and Audio), and previously, as editor of a leading Australian food magazine. Ms O'Brien, who holds a Bachelor of Economics, has also worked in communications roles in the NSW public service.

Ms O'Brien is a keen participant at her local tennis club, is a member of a local resident committee, has a daughter at university and a 17-year-old step-son.



MARGARET ANDERSON

Deputy Director

APPOINTED 25 July 2013
APPOINTMENT EXPIRES 24 July 2016

Ms Margaret Anderson, 49, is Deputy Director of the Classification Board.

Before her appointment, she completed a two-year engagement with the Department of Correctional Services in the Northern Territory. Ms Anderson worked with Indigenous people, government agencies and non-government organisations to enhance services and personal development opportunities for disenfranchised youth and adult prisoners.

From 1995 to 2011, Ms Anderson held several positions with the NSW Department of Corrective Services—including Director, Corporate Legislation and Parliamentary Support; and Executive Officer and Registrar of the Serious Offenders' Review Council. As Director, she led the development and implementation of numerous legislative reforms and as the Executive Officer and Registrar, she oversaw the case management plans of the state's most serious adult criminals.



AMANDA APEL

Board member

APPOINTED 3 April 2009

REAPPOINTED 3 April 2012

APPOINTMENT EXPIRES 2 April 2016

Ms Anderson has held various positions with the Legal Aid Commission of NSW, the Cabinet Office and the NSW Legislature. Ms Anderson is also a member of the Executive Board of the Prisoners' Aid Association of NSW—a community organisation which offers support to prisoners and their families during and after imprisonment.

Ms Anderson has degrees in Arts and Law and holds a number of graduate certificates and diplomas in legal and management studies. Her interests include Indigenous performing arts, craft and painting, live theatre, films (especially Italian), photography, bush walking, travelling and aquarobics.

Ms Amanda Apel, 52, was raised in Sydney and has since lived and worked in a number of Australian states and territories as well as abroad. Her working life has encompassed the fields of advertising, photography, business and sports administration, tourism and primary industry. Ms Apel's diverse professional experience, study and extensive travel have allowed her insight into a variety of cultures and social issues.

Prior to taking up her appointment to the Classification Board in 2009, Ms Apel held the position of executive officer for Swimming Northern Territory in Darwin, a position that relied on close ties to youth sports and the community at large.

Ms Apel now lives in Sydney where her time away from the office is dedicated to the activities of her teenage children. She maintains an interest in art, photography, writing and film.



MOYA GLASSON

Board member

APPOINTED 6 April 2009
REAPPOINTED 6 April 2012
APPOINTMENT EXPIRES 5 April 2016

Ms Moya Glasson, 61, holds a Bachelor of Education degree and relocated from Western Australia to take up her position with the Board. Ms Glasson taught in a number of public schools across Western Australia including more than three years on the Cocos Islands before taking up a scholarship from the Department of Education and Training in Western Australia to complete a semester of language and cultural studies at the Gajah Mada University, Yogyakarta, as part of a Graduate Diploma in Asian Studies.

Ms Glasson has taught migrant and refugee students in Intensive English Centres in Perth as well as in schools, colleges and universities in Indonesia, Vietnam and South Korea, and has worked in programs to improve educational outcomes for Aboriginal and migrant students and on inter-department initiatives to support refugees and ethnic communities.

Ms Glasson, whose main interests are travel and languages, comes from a large extended family and has connections to a range of educational institutions, sporting clubs and other interest groups across Western Australia in areas as diverse as gymnastics, dance, Aus-Kick and volunteer radio.



ALISON BICKERSTAFF

Board member

APPOINTED 21 August 2014
APPOINTMENT EXPIRES 20 August 2017

Ms Alison Bickerstaff, 35, grew up in Sydney and prior to her appointment to the Classification Board in 2014 was the proprietor of several hairdressing salons.

Ms Bickerstaff is a hairdresser by trade, and has experience as both an employee and proprietor.

Ms Bickerstaff has a young family and has been involved in her local community through her children's school and sporting commitments. She has also managed her son's junior rugby league team.

Ms Bickerstaff is passionate about the environment and wildlife conservation. Her interests include rugby league, horse riding, film and spending time with her family. She also enjoys listening to a variety of music genres.



RON DELEZIO

Board member

APPOINTED 21 August 2014

APPOINTMENT EXPIRES 20 August 2017

Mr Ron Delezio, 62, previously self-employed, has worked as a public speaker, was the founder of the charity, Day of Difference Foundation, and the regional chair for the charity ROMAC. Prior to this, Mr Delezio worked in the manufacturing industry for a number of years both as an employee and as a proprietor of a small business providing capital equipment and service to the plastics industry in Australia and New Zealand.

The Day of Difference Foundation delivers funding to children's hospitals for medical equipment, research and training, while ROMAC brings children from the South Pacific region to Australia or New Zealand for lifesaving operations. Mr Delezio was awarded the 2006 Australian Father of the Year, NSW Citizen of the Year, Swans Ambassador, World Youth Day Ambassador and Australia Day Ambassador.

Prior to his appointment as a full-time member of the Classification Board, Mr Delezio worked 36 days as a temporary Board member during 2014–15.



JARRAH RUSHTON

Board member

APPOINTED 21 August 2014

APPOINTMENT EXPIRES 20 August 2017

Mr Jarrah Rushton, 39, holds a Bachelor of Psychology and relocated from Western Australia to take up his position with the Board.

Mr Rushton has been involved in skateboarding for over 27 years as a participant, and as a volunteer for state and then federal skate associations for almost 20 years. He has concurrently worked in the skate industry, first in retail, then as a coach, event organiser and portfolio manager at a youth facility, co-founding a skate brand and managing various aspects of a wholesale and representative agency business.

His other interests include music, art, computer games, snowboarding, reading and supporting the perennial underdogs - the Fremantle Dockers AFL team.

TEMPORARY BOARD MEMBERS

Under the Classification Act, the Minister has delegated a power to the Director to appoint a person to be a temporary member of the Classification Board. A register of people suitable for temporary appointments is maintained and drawn on from time to time to provide short-term assistance in handling the workload of the Classification Board. Terms of appointment may be as short as one day and may extend to three months.



MARIT BREIVIK ANDERSEN

Ms Marit Breivik Andersen, 46, is married with three children. She has a Graduate Certificate in Multicultural Journalism. Before joining the Board, Ms Breivik Andersen worked as a journalist, executive producer, translator and subtitler in radio and television. Ms Breivik Andersen maintains a close ongoing relationship with the Norwegian-speaking community in Australia. She continues to have close ties with her local community through her children's school activities and their sporting and musical interests.

Ms Breivik Andersen has particularly strong involvement in the administration of basketball, including managing several teams and serving as a tribunal member with a local association. She also volunteers at the local primary school assisting with school reading programs. Her interests include cycling, media, art, music and basketball.

Ms Breivik Andersen was a full-time member of the Classification Board from 31 January 2011 to 31 July 2014.

Ms Breivik Andersen worked 14 days as a temporary Board member during 2014–15.



SAMANTHA ARNULL

Ms Samantha Arnall, 41, has a background in visual art and works with found objects, photography and installation. Ms Arnall completed a Master of Fine Art. Ms Arnall has worked as a collaborator in production design for theatre, dance and performance. She has worked in museums and galleries as an artist's assistant and installer for Australian and international artists both in Australia and overseas. Ms Arnall has experience in teaching and writing creative programs for both primary and secondary schools in visual arts. Since 2010, Ms Arnall has been teaching visual arts education at university.

Ms Arnall worked 5 days as a temporary Board member during 2014–15.



EMMA ASHTON

Ms Emma Ashton is a 45-year-old mother of two young children who currently lives in Sydney. She grew up in the country and she studied nursing at university. After working as a nurse, both in Australia and overseas, she started working in politics and later in policy in the public service. She is currently a blogger.

Ms Ashton is involved in her local community through her children's school and childcare centre, as well as being involved in other community groups. She is also involved in online communities and is in continual contact with a variety of people discussing a wide range of issues from all over Australia.

Ms Ashton worked 59 days as a temporary Board member during 2014–15.



EMMA BROMLEY

Ms Emma Bromley, 41, is married with two children. A former high-school teacher, she has held numerous positions within the Australian Public Service including film policy and telecommunications funding. She also held a number of positions within the then Office of Film and Literature Classification. Ms Bromley has been the President of her local school's P&C Association. Her interests include photography, craft and writing.

Ms Bromley worked 12 days as a temporary Board member during 2014–15.



DIANNE DORATIS

Ms Dianne Doratis, 66, joined the Board as a temporary member in September 2007. A first generation Greek-Australian, Ms Doratis worked as a clinical psychologist, specialising in children and families, in both government and private practice. Her interests include music, singing, film, theatre and reading.

Ms Doratis worked 19 days as a temporary Board member during 2014–15.



RICHARD FELA

Mr Richard Fela, 63, is a Principal Guardian with a state-based organisation where he has worked since 2008. Prior to this, Mr Fela worked in child protection and aged and disability care. He holds a Bachelor of Arts. Mr Fela, married with two children, has been a member of a number of community-based progress associations, including within a regional community, over the last 35 years.

Mr Fela worked 10 days as a temporary Board member during 2014–15.



WAYNE GARRETT

Dr Wayne Garrett, 61, holds a Ph.D. in Radiation Chemistry. He was a principal research scientist at the Australian Nuclear Science and Technology Organisation, represented the Australian Government as Counsellor (Nuclear) based at the Australian High Commission in London and was Australia's representative on the OECD's Nuclear Energy Agency steering committee in Paris (1999–2003). He was also involved in international programs with the International Atomic Energy Agency and the US Department of Energy to secure radioactive material from illicit uses, as well as to transfer peaceful uses of nuclear technology to developing countries in South East Asia.

Dr Garrett lives with his wife and daughter in Sydney, but grew up in Queensland. He is actively involved in his daughter's school community and sporting programs. Dr Garrett has also lived and worked in Sweden, Japan and the United Kingdom as well as working in Paris and a variety of South East Asian countries and has wide experience with people from a diverse range of cultural backgrounds.

Dr Garrett worked 67 days as a temporary Board member during 2014–15.



GEOFF GERAGHTY

Mr Geoff Geraghty, 61, has had an extensive and wide ranging career with the Australian military. He has been active within the community through various school associations and local community initiatives. He recently served as a community member with the NSW Bar Association. He is currently involved with the Young Endeavour Youth Sail Training Scheme and the Australian Navy Cadets. Mr Geraghty is married with three adult children and one grandchild.

Mr Geraghty worked 22 days as a temporary Board member during 2014–15.



ANDREW HUMPHREYS

Mr Andrew Humphreys is 45 and lives in Sydney with his family. He is a writer and novelist with a background in consumer magazines, having written for, edited and published a range of consumer magazines.

Mr Humphreys has degrees in arts and law and has also taught undergraduate and postgraduate media courses at Sydney universities.

Mr Humphreys worked 28 days as a temporary Board member during 2014–15.



SERENA JAKOB

Ms Serena Jakob is 44 and, prior to joining the Classification Board, lived in Adelaide in South Australia. She grew up in small community on the Eyre Peninsula and has a background in Cultural Anthropology and Education. Ms Jakob has worked in metropolitan, rural and remote communities throughout Australia. Ms Jakob has specialised in program development and ethnographic research for education projects based throughout remote indigenous communities.

From 2000, she has worked for the Department of Education and Children's Services as part of Wiltja, a program that offers Aboriginal adolescents from the remote communities within the Pitjantjatjara Lands the opportunity to access mainstream secondary education in an urban setting. Ms Jakob has been a volunteer and committee member with a junior soccer association since 2002, where she was involved in organising soccer carnivals and coaching clinics for primary aged children. She has participated in numerous community arts events particularly indigenous art and cultural festivals.

Ms Jakob enjoys learning about other cultures and has travelled extensively throughout Australia, North and Central America, Indonesia and Eastern Europe. Her interests include tennis, electronic music, technology, cycling, culture, travel and adventure.

Ms Jakob was a full-time member of the Classification Board from 31 January 2011 to 31 July 2014.

Ms Jakob worked 180 days as a temporary Board member during 2014–15.



PHILLIP NOBLE

Mr Phillip Noble, 53, lives in the Blue Mountains with his wife and two teenage children. Born in Sydney, he spent over 10 years working in the NSW public service. He has also worked in the small business sector and is currently self-employed. Qualified in horticulture, he runs a Blue Mountains based business. Mr Noble is involved in a number of sporting and school committees and his interests include travel, sport, the environment, politics and world affairs.

Mr Noble worked 8 days as a temporary Board member during 2014–15.



GREG RANDALL

Mr Greg Randall, 54, has thirty-five years' experience in policing and criminal investigation within the NSW Police Force and other law enforcement agencies. He gained expertise in targeting, leading and commanding covert, complex and sensitive investigations into organised crime, as well as corruption in state, national and international jurisdictions. He attained the commissioned rank of detective inspector and received numerous awards and commendations, including the selection of participating in an international exchange program with the London Metropolitan Police.

Mr Randall is married with two teenage children. His interests include overseas travel, water and snow sports, politics and world affairs.

Mr Randall worked 48 days as a temporary Board member during 2014–15.



GABRIELLE TENISON

Ms Gabrielle Tenison, 25, has several years' experience in the retail and hospitality industries, and is undertaking a business degree in Human Resources at university. Ms Tenison is an active member of the community, and is engaged in numerous not-for-profit organisations. She travelled to India in order to participate in aid work for a remote disadvantaged school, and assists an organisation that provides care and assistance to wheelchair-restricted adults. Ms Tenison is an avid traveller, and has traversed many parts of the globe, including South-East Asia, Europe, and South America.

Ms Tenison worked 23 days as a temporary Board member during 2014–15.



NATHAN WHITTA

Mr Nathan Whitta, 38, worked as a combat systems operator in the Royal Australian Navy for eight years, serving in two sea postings before leaving the navy. Mr Whitta then completed a Bachelor of Science (Geology) prior to working as a coal exploration geologist in Queensland.

Mr Whitta has volunteered as a primary ethics teacher at his children's school. He is currently completing a Bachelor of Arts, Diploma of Education with a view to becoming a high-school teacher.

Mr Whitta worked 17 days as a temporary Board member during 2014–15.



LEANNE WILSON-O'CONNOR

Ms Leanne Wilson-O'Connor, 41, works in the television industry, and has previously worked for over eleven years as an Aboriginal education officer at a charitable institution providing respite care for children in need. Ms Wilson-O'Connor has travelled extensively around Australia and has spent time living and working in remote Aboriginal communities. She has been a member of the Aboriginal Education Consultative Group and is a member of her local Aboriginal Land Council.

Ms Wilson-O'Connor worked 46 days as a temporary Board member during 2014–15.



SUE ZELINKA

Ms Sue Zelinka, 65, began her career in ABC Television where she researched, directed and produced documentary films on a range of topics in both the arts and social sciences. After running her own research company, she joined the Human Rights Commission as a senior policy officer. Ms Zelinka was appointed as a member of the Refugee Review Tribunal in 1997 and served there for ten years. She maintains an active involvement in the International Association of Refugee Law Judges and edits its international newsletter.

Ms Zelinka worked 23 days as a temporary Board member during 2014–15.

BOARD MEMBERS WHO LEFT THE CLASSIFICATION BOARD IN 2014–2015



TENNILLE BURDON

Board member

APPOINTED 31 January 2011

REAPPOINTED 1 May 2014

APPOINTMENT EXPIRED 31 July 2014

Ms Tennille Burdon is 35 and comes from Tasmania. Ms Burdon holds a Bachelor of Arts (Hons) and is completing a Masters degree in Clinical Psychology. She has worked as a professional psychologist in various settings since 2002 including as a School Psychologist with the Department of Education in Tasmania. This employment has brought her into contact with a particularly broad range of families in different regions and from a very wide range of socio-economic backgrounds.

Raised in New Norfolk in southern Tasmania, Ms Burdon has also taught ballet and contemporary dance since 1999, instructing both children and adults. She is interested in live theatre, dance and is also a lover of art.



LANCE BUTLER

Board member

APPOINTED 31 January 2011
 REAPPOINTED 1 May 2014
 APPOINTMENT EXPIRED 31 July 2014

Mr Lance Butler, 42, comes from Springvale in Victoria. With diplomas in Business Management and Human Resources, Mr Butler has worked as a team leader and trainer for a retail distribution centre for ten years. Prior to this, he worked in a variety of roles in the warehousing industry and as a stable foreman for a racehorse trainer.

Mr Butler grew up in Melbourne's inner city suburb of Collingwood and has been closely involved with a not-for-profit community organisation, the Collingwood Children's Farm, for over 25 years. The farm encourages city children to participate in an outdoor lifestyle by learning about plants, animals and the cycles of nature. His involvement began as a child visiting the farm and extended to employment as a staff member and more recently contributing to its development as an elected member of the management committee with particular involvement in its fundraising efforts.

Mr Butler has travelled extensively internationally and enjoys learning about different cultures. He has a passion for hiking, exploring our national parks and enjoying the outdoors. He also has a keen interest in environmental issues and a sustainable future.



ZAHID GAMIELDIEN

Board member

APPOINTED 18 May 2009
 REAPPOINTED 18 May 2012
 RESIGNED 18 August 2014

Mr Zahid Gamieldien, 30, was born in Cape Town, South Africa, and migrated to Australia with his parents at the age of three. He grew up in Bankstown and resides with his spouse in Sydney's inner west.

Mr Gamieldien holds a Bachelor of Arts in Communication (Writing and Cultural Studies), a Bachelor of Laws and a Graduate Certificate in Legal Practice. His previous employment in a migration law firm deepened his understanding of the legal issues and personal hardships of migrants and their families. He has also worked as a writer, with his work appearing in various publications. Prior to his appointment to the Classification Board in 2009, he practised as a solicitor for a subscription television company.

Mr Gamieldien had been on extended leave from the Classification Board since August 2013 and was a Senior Legal Officer in the Classification Branch of the Attorney-General's Department until his resignation.

STATISTICS

There are statutory time limits for the making of classification decisions – 20 days for standard applications and five days for priority applications.

KEY ACHIEVEMENTS

- The Classification Board made 3,694 classification decisions in 2014–15, including 3,667 commercial classification decisions, 22 classification decisions on Internet content referred by the Australian Communications and Media Authority (ACMA) and five classification decisions for enforcement agencies.
- No decisions exceeded the statutory time limit of 20 days for standard applications and five days for a priority application.

TIMELINESS OF DECISIONS

In 2014–15, all decisions on commercial classification applications were made within the statutory time limits. A breakdown of these figures follows:

Table 01: Timeliness of classification decisions by application type

Application type	No. of decisions made within statutory time limits
Film (public exhibition)	557
Film (sale/hire)	1,675
Film (sale/hire) - ACA	199
Film (sale/hire) - ATSA	535
Computer games	514
Publications (including serial declarations)	187
Total	3,667
% of total	100

CLASSIFICATION BOARD WORKLOAD

In 2014–15, the Classification Board made 3,694 classification decisions. The Classification Board and the Director also make other decisions which are not classification decisions. A breakdown of these decisions is in the table below:

Table 02: Decisions

Classification Decisions	Decisions
Film (public exhibition)	557
Film (sale/hire)	1,675
Film (sale/hire) - ACA	199
Film (sale/hire) - ATSA	535
Computer games	514
Publications	173
Serial publication declarations	14
Internet content	22
Enforcement	5
Other decisions (not classification decisions)	
Assessment of likely classification - film	27
Assessment of likely classification - computer games	0
S87 Certificates	14
Film festival exemptions	1,058
Call ins	246
Revocation of classification	4
Decline to deal	0
Total	5,043

COMPARISON WITH LAST YEAR'S WORKLOAD

Compared with the 2014–15 reporting period, the number of classification decisions:

- decreased from 4,156 to 3,694 (a decrease of eleven percent)
- decreased in all application categories except for Computer Games, which increased from 458 to 514 (an increase of twelve percent), ATSA scheme applications, which increased from 522 to 535 (an increase of two percent), Public Exhibition which remained static, and ACA scheme applications, which increased from 178 to 199 (an increase of twelve percent).

The continued decrease in standard classification decisions made for films for sale/hire was larger, 2,121 to 1,675 (a decrease of twenty one percent). Despite the increase in ATSA and ACA applications, overall decisions made for films for sale/hire decreased by fifteen percent.

QUALITY DECISION-MAKING

The Classification Board employs a number of practices and procedures to ensure quality of decision-making:

- regular internal meetings are held to ensure issues on current standards are communicated and a forum is provided to debate and discuss classification standards and maintain a consistent approach to decision-making;
- interchange between the Classification Board and the Classification Branch ensures the Classification Board's standards are reflected in training programs provided by the Classification Branch for industry assessors; and
- standardised internal procedures for managing applications.

PUBLICATIONS

The Classification Board made 187 decisions on commercial applications for classification of publications. This included 173 single issue publication classifications and 14 serial declarations.

Table 03: Commercial (single issue) publications decisions by classification

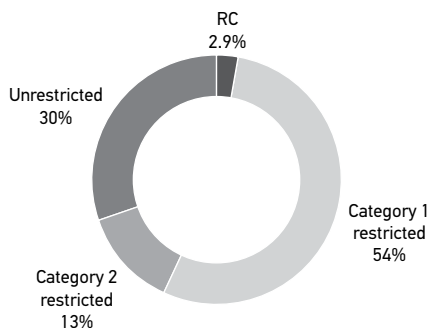
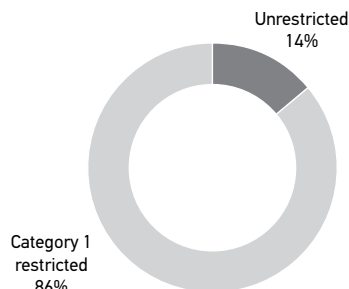
Classification	Classification decisions
Unrestricted	52
Category 1 restricted	94
Category 2 restricted	22
RC	5
Total	173

Table 04: Commercial (single issue) publications Refused Classification (RC) by reason

Reason ¹	Number
Publications RC 1(a)	0
Publications RC 1(b)	0
Publications RC 1(c)	0
Publications RC 1(a) & 1(b)	5
Total	5

As indicated in Figure 01, 54 percent of single issue publications classified were Category 1 restricted, 13 percent were Category 2 restricted and 30 percent were Unrestricted. Five publications were classified RC.

¹ The reason for refusing a film classification refers to the relevant item of the National Classification Code (see Appendix).

Figure 01: Publication classification decisions**Figure 02: Serial publication classification declarations****Serial classification declarations for publications**

The Classification Act provides that the Classification Board may declare that the classification granted for an original issue applies to future issues of a publication for a specified period or number of issues. The Classification Board must have regard to the *Classification (Serial Publications) Principles 2005* in deciding whether to grant a serial classification declaration.

Table 05: Serial classification declarations granted by classification

Classification	Declarations granted
Unrestricted	2
Category 1 restricted	12
Category 2 restricted	0
Total	14

The Classification Board audits publications granted a serial classification declaration. In 2014–15, four publications had their serial classification revoked.

As indicated in Figure 02, 86 percent of serial classification declarations were for Category 1 restricted publications and 14 percent were Unrestricted publications.

FILMS CLASSIFIED FOR PUBLIC EXHIBITION

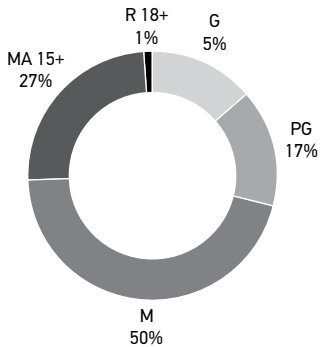
The Classification Board made 557 decisions on applications for the classification of commercial films for public exhibition.

Table 06: Decisions on commercial films classified for public exhibition

Classification	Classification decisions
G	30
PG	93
M	277
MA 15+	151
R 18+	6
X 18+	0
RC	0
Total	557

As indicated in Figure 03, 72 percent of public exhibition film classifications during the year were in the advisory categories of G, PG and M, with the highest number of decisions in the M category.

Figure 03: Decisions on films classified for public exhibition



FILMS CLASSIFIED FOR SALE/HIRE

The Classification Board made 2,409 decisions on applications for classification of commercial films for sale/hire. These figures include applications made under the ACA and ATSA Schemes.

Table 07: Decisions on commercial films classified for sale/hire

Classification	Classification decisions
G	346
PG	510
M	823
MA 15+	634
R 18+	91
X 18+	3
RC	2
Total	2,409

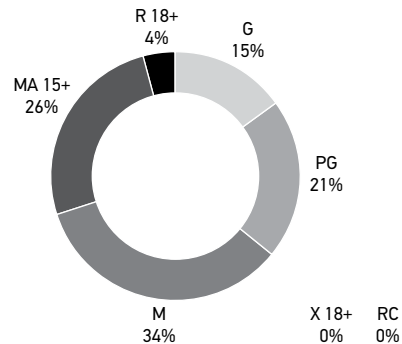
Table 08: Commercial films classified for sale/hire Refused Classification (RC) by reason

Reason ²	Number
Films RC 1(a)	2
Films RC 1(b)	0
Films RC 1(c)	0
Films RC 1(a) & 1(b)	0
Total	2

As indicated in Figure 04, approximately 70 percent of classifications of films for sale/hire during the year were in the advisory categories of G, PG and M, with the highest number of decisions in the M category.

The Classification Board classified two commercial films for sale/hire RC. This represents 0.1 percent of the total number of the films for sale/hire submitted for classification.

Figure 04: Decisions on commercial films classified for sale/hire (including ACA and ATSA)



² The reason for refusing a film classification refers to the relevant item of the National Classification Code (see Appendix).

Under the ACA Scheme, applications that comprise previously classified or exempt film/s plus additional content (e.g. additional scenes, director's commentary, out-takes, etc.) can be accompanied by a recommendation from a trained and authorised assessor on the appropriate classification and consumer advice for the additional content.

Under the ATSA Scheme, applications that comprise certain television series and series related material can also be accompanied by a report from an authorised assessor including a recommended classification and consumer advice. Applications submitted under the scheme generally attract a lower fee.

Under both schemes, the Classification Board is still responsible for the classification of the film, but its decision may be informed by the assessor's report and classification recommendation.

COMPUTER GAMES

The Classification Board made 514 decisions on applications for computer games.

Table 09: Commercial computer games decisions by classification

Classification	Classification decisions
G	173
PG	169
M	103
MA 15+	53
R 18+	15
RC	1
Total	514

Eighty seven percent of computer game classifications during the year were in the advisory categories of G, PG and M, with the highest number of decisions in the G category.

The Classification Board classified one computer game RC during the reporting period.

Figure 05: Computer game classification decisions

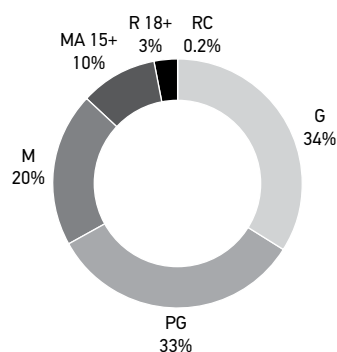


Table 10: Commercial computer games applications Refused Classification (RC) by reason

Reason ³	Number
Games RC 1(a)	1
Games RC 1(b)	0
Games RC 1(c)	0
Games RC 1(d)	0
Games RC 1(a) & 1 (b)	0
Total	1

³ The reason for refusing a computer game classification refers to the relevant item of the National Classification Code (see Appendix).

OTHER DECISIONS

Exemptions to show unclassified films and computer games

There is general information about exemptions in the overview of the National Classification Scheme on page 5.

During 2014–15, the Director finalised 1,058 applications for exemption to publicly exhibit unclassified films or computer games at film festivals and special film or computer game events. No films or computer games within these applications were refused an exemption. There were 779 finalised in the previous reporting period, meaning that in this reporting period, there has been a 36 percent increase in exemption applications.

Advertising approvals

The Classification Board did not receive any applications for approval of advertisements under section 29 of the Classification Act.

Advertising assessments

The scheme for advertising of unclassified films and computer games allows advertising subject to conditions set out in the *Classification (Advertising of Unclassified Films and Computer Games Scheme) Determination 2009*.

One of the conditions is a 'commensurate audience rule' which provides that, the likely classification of an unclassified film or computer game must be assessed before it is advertised with already classified material, and it may only be advertised with material that has been classified the same or higher than its assessed likely classification. The assessment of likely classification can be made by the Board on application, or by an appropriately trained and authorised industry assessor.

During the reporting period, the Board made 27 assessments of the likely classification of films and nil assessments of the likely classification of a computer game.

Certificates of exemption for films or computer games

Certain categories of films and computer games are exempt from classification under the Classification Act.

Applications for the classification of exempt films and computer games were no longer accepted by the Classification Board after 11 December 2014, owing to changes in legislation.

The Classification Board did not receive any applications to certify films or computer games as exempt from classification during the reporting period⁴.

Revocations

Four publications had their serial classification declaration revoked under subsection 13(5) of the Classification Act during this reporting period.

Call ins

Under the Classification Act, the Director may call in an unclassified film or computer game, a submittable publication or certain advertisements.

The Director called in three publications and 243 films for classification during the reporting period. The publications were called in from two different distributors and the films were called in from one distributor.

Two of the distributors complied with the Director's call-in notice. The other matter was referred to the relevant enforcement agency in the state in which the distributor was based.

⁴ Section 22B of the Classification Act, which provided for applications to be made to the Board for certification that an unclassified film or computer game is exempt, was repealed on 11 December 2014.

Enforcement agencies

The Classification Board classifies films, publications and computer games submitted by enforcement agencies, such as state and territory police. These classification decisions are often used in legal proceedings undertaken by the agency involved.

There were five decisions for enforcement applications for film for sale/hire made in the reporting period.

There were no enforcement applications for public exhibition films, computer games or publications in 2014–15.

Table 11: Enforcement application decisions by agency

Enforcement agency	Publications	Films	Section 87 Certificates ⁵	Total
Australian Federal Police	0	1	0	1
ACT Office of Fair Trading	0	0	0	0
NSW Police	0	1	0	1
NT Police	0	0	0	0
Qld Police & Qld Office of Fair Trading	0	3	3	6
Victoria Police	0	0	11	11
SA Police	0	0	0	0
Tasmania Police	0	0	0	0
WA Police	0	0	0	0
Department of Immigration and Border Protection	0	0	0	0
Total	0	5	14	19

Internet content

Under Schedule 7 of the *Broadcasting Services Act 1992*, the Classification Board classifies Internet content on application from the ACMA. Internet content is shown in tables 13 and 14.

Table 12: Internet content decisions by classification

Classification	Classification decisions
G	0
PG	0
M	5
MA 15+	6
R 18+	6
X 18+	2
RC	3
Unrestricted	0
Total	22

⁵ A section 87 certificate is an evidentiary certificate that describes the action taken, or not taken, by the Classification Board in relation to a publication, film or computer game. This evidentiary certificate is issued under section 87 of the Classification Act.

Table 13: Internet content Refused Classification (RC) by reason

Reason⁶	Number
Film RC 1(a)	0
Film RC 1(b)	0
Film RC 1(c)	2
Film RC 1(d)	0
Film RC 1(a) & 1(b)	1
Film RC 1(a) & 1(c)	0
S 9A (2) (c)	0
Total	3

FEE WAIVERS

The Classification Act allows the Minister to waive all or part of fees payable under the Classification Act in specific circumstances, such as where it is in the public interest to do so for public health or educational reasons. The Minister has delegated this authority to the Assistant Secretary, Classification Branch. There are also fee waiver provisions for non-profit organisations and for special interest material with a limited distribution in some circumstances (e.g. a short film from a new or emerging film maker) and where, in the Assistant Secretary's opinion, it is in the public interest to waive all or part of the fee.

The Assistant Secretary granted 15 fee waivers during the reporting period. There were no refused applications for fee waivers.

Table 14: Fee waiver applications granted

Film (public exhibition)	Fee waivers granted
Full fee waiver	5
50% fee waiver	0
75% fee waiver	0
Fee waiver refused	0
Film (for sale/hire)	
Full fee waiver	9
50% fee waiver	0
75% fee waiver	0
Fee waiver refused	0
Computer game	
Full fee waiver	0
50% fee waiver	0
75% fee waiver	0
Fee waiver refused	0
Publication	
Full fee waiver	1
50% fee waiver	0
75% fee waiver	0
Fee waiver refused	0
Total	15

⁶ The reason for refusing a film classification refers to the relevant item of the National Classification Code (see Appendix).

DECISIONS

PUBLICATIONS

Only 'submittable publications' must be classified before they can legally be advertised or distributed in Australia.

Section 5 of the Classification Act defines a submittable publication as:

- an unclassified publication that, having regard to section 9A or to the Code and the classification guidelines to the extent that they relate to publications, contains depictions or descriptions that:
 - a) are likely to cause the publication to be classified RC; or
 - b) are likely to cause offence to a reasonable adult to the extent that the publication should not be sold or displayed as an unrestricted publication; or
 - c) are unsuitable for a minor to see or read.

It is the responsibility of distributors to ensure that they meet classification requirements for publications. The enforcement legislation in some states and territories provides that it is an offence to sell or deliver a submittable publication that has not been classified.

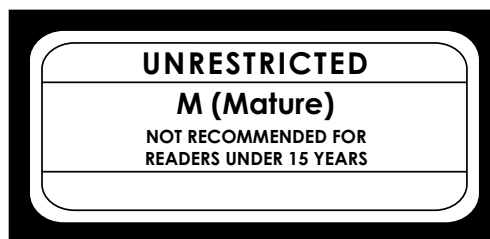
The Classification Act provides the Director of the Classification Board with the power to call in a publication for classification if the Director has reasonable grounds to believe that it is a submittable publication and that the publication is being published in the ACT. State and territory classification enforcement legislation provides the Director with power to call in material from their jurisdictions.

Classifications

There are four classifications for publications - Unrestricted, Category 1 restricted, Category 2 restricted and RC Refused Classification.

The *Guidelines for the Classification of Publications* are used by the Classification Board when classifying publications. They explain the different classification categories and the scope and limits of material suitable for each category.

Unrestricted



The Unrestricted classification covers a wide range of material. Unrestricted publications may contain classifiable elements such as sex and nudity with some detail but the impact should not be so strong as to require legal restriction to adults.

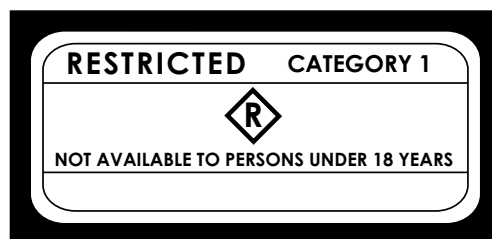
A special consideration of the Board in classifying publications is the suitability of covers for public display. There are specific criteria for the assessment of covers, which specify that the impact of any descriptions or depictions and references on covers should be low. This accords with one of the principles of the Code, namely that everyone should be protected from exposure to unsolicited material that they may find offensive. Publications with covers that are not suitable for public display cannot be classified Unrestricted.

Generally, there are no restrictions on the sale or display of Unrestricted publications. However, the Board can apply consumer advice not recommending the publication for readers under 15.

During the reporting period, a total of 187 classification decisions were made in relation to commercial applications for the classification of publications. This figure includes 14 serial publication declarations.

Out of the total of 187 classification decisions for publications, 52 single issue publications and two serial publications were classified Unrestricted. Titles of Unrestricted publications classified by the Board during 2014–15 included *People*, *The Picture*, *Hooters* and *Playboy*.

Category 1 restricted



During the reporting period, of the total 187 publications classified (including 14 serial publication declarations), 94 single issue publications and 12 serial publications were classified Category 1 restricted.

Category 1 restricted publications may include realistic depictions of nudity, realistic depictions of sexual excitement and detailed descriptions and simulated or obscured depictions of sexual activity between consenting adults.

Category 1 restricted publications can only be sold to persons 18 years of age and over and must be displayed in a sealed wrapper. The Classification Board can impose a further condition that the sealed wrapper is made of opaque material. Category 1 restricted publications cannot be sold in Queensland.

Titles of Category 1 restricted publications classified by the Board during 2014–15 include *Club International*, *The Picture Premium*, *The Picture: 100% Home Girls* and *X-Rated: The Sex In The Act*.

Category 2 restricted



During the reporting period, of the total 187 publications classified (including 14 serial publication declarations), 22 single issue publications were classified Category 2 restricted. No serial publications were classified Category 2 restricted.

Category 2 restricted publications may include realistic depictions of actual sexual activity involving consenting adults.

Category 2 restricted publications can only be sold to persons 18 years of age and over and can only be displayed in restricted premises. Category 2 restricted publications cannot be sold in Queensland.

Titles of Category 2 restricted publications classified by the Board during 2014–15 included *Penthouse Forum*, *The Picture Premium* and *Just 18*.

RC Refused Classification

Publications classified RC cannot be sold or displayed in Australia. During the reporting period, of the total 187 publications classified (including 14 serial declarations), five publications were classified RC.

Serial classifications for publications

On application, the Classification Board can issue a serial classification declaration. This means that a classification (and conditions, if applicable) given to one issue of a periodical will apply to a specified number of future issues of the same periodical. Publishers must ensure that the future issues do not have content at a higher level than the serial declaration allows.

During the reporting period, 14 periodicals were granted a serial classification declaration. All of these declarations were granted for a 12-month period.

The Classification Board audits publications covered by serial classification declarations. During the reporting period, 27 audits were undertaken. After failing an audit, four publications had their serial classifications revoked during 2014–15.

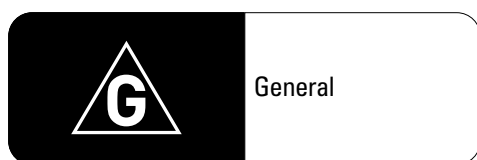
Once a serial classification is revoked, the audited issue and all future issues become unclassified. The publisher must then submit each issue for classification, or apply for another serial classification declaration, before they can sell the publication.

If the Classification Board revokes the serial classification of a title, law enforcement agencies are notified as it is generally an offence to sell an unclassified submittable publication in the states and territories.

FILMS

Decisions for films were made using the *Guidelines for the Classification of Films* (the Guidelines).

The Guidelines explain the different classification categories and the scope and limits of material suitable for each category. A number of principles underlie the use of the Guidelines, including the importance of context and assessing the impact of the six classifiable elements (themes, violence, sex, language, drug use and nudity).



Out of the total of 2,966 commercial films classified in 2014–15, 376 films were classified G.

The G classification is for a general audience. While many films at the G classification are targeted towards children, it does not necessarily mean that a child will enjoy all films classified G. Some material that is classified G may be of no interest to a child such as some documentaries or particular music DVDs. Popular G films classified during the reporting period included *On the Way to School*, *A Monsterous Holiday*, *Paper Planes*, *Oddball*, *Shaun the Sheep Movie*, *Maya the Bee Movie*, *Destination Flavour: Down Under*, *In Organic We Trust* and *Toy Story of Terror!*

On the Way to School (*Sur le chemin de l'école*) is a documentary film by French filmmaker, Pascal Plisson, which follows the journeys of four children from across the globe who, driven by their desire to get an education to improve their future, must set out on long and gruelling daily treks to school where they are forced to confront and overcome

countless obstacles and mishaps. In Kenya, 11-year old Jackson and his younger sister must avoid elephants on over a 15-kilometre journey that takes two hours. In Morocco, 12-year-old Zahira treks through the Atlas Mountains and tries to secure a lift in a vehicle for part of the journey that covers about 22 kilometres over four hours. In India, 13-year-old Samuel is pushed in a wheelchair by his two brothers for over three kilometres across natural terrain for over an hour. In Argentina, 11-year-old Carlito and his sister ride across plains in Patagonia on horseback, a trip that covers about 18 kilometres.

The Board noted that the film contained one brief scene which imparted a very mild sense of threat, as two children ran to safety after being scared by the sound of a loud elephant roar. In the view of the Board, consumer advice was not warranted for this scene owing to its brevity, lack of detail and positive outcome. It was classified G with consumer advice of "General".

Oddball and *Maya the Bee Movie* are both Australian films. The former is a live-action film based upon the true story of a chicken farmer in South Australia who ingeniously used his Maremma dog in order to save a local penguin sanctuary under threat from foxes. The latter animated film is about a little bee with a big personality. Despite the film expressing some antipathy between the bees and the hornets living in close proximity, and the threatened aggression between the two groups, their problems are resolved when Maya befriends Stingy, the young son of the hornets' leader and they convince the insects of the need for harmony. In the case of both films, the Classification Board found them to be light-hearted and often humorous in tone, which significantly mitigated any sense of threat or menace contained in the content.

Ice Age: A Mammoth Christmas 4-D was a modified (shortened) version of the animated feature film of the same name which included not only 3D visual effects but also added in-theatre effects, that is, 4D. As the Classification Act defines a film as 'a cinematograph film, a slide, video tape and video disc and any other form of recording from which a visual image, including a computer generated image, can be produced (together with its sound track)', the Board considered only the audio visual content submitted for classification. In the Board's opinion, this 4D version of the film did not contain any classifiable elements that altered the classification of the original film, therefore the film was classified G with consumer advice of "Some scenes may frighten young children".



Parental guidance
recommended

Out of the total of 2,966 commercial films classified in 2014–15, 603 films were classified PG (Parental Guidance).

Films in this classification contain content that a child may find confusing or upsetting and may require the guidance of a parent or guardian. Films classified PG in the reporting period included *Big Hero 6*, *Muppets Most Wanted*, *That Sugar Film*, *Magic in the Moonlight*, *The Boxtrolls*, *Alexander and the Terrible Horrible No Good Very Bad Day*, *What We Did On Our Holiday*, *Moomins on the Riviera*, *Minions*, *Inside Out*, *Into the Woods*, *The Hundred-Foot Journey* and *The Theory of Everything*.

That Sugar Film is an Australian documentary which highlights some of the issues that plague the sugar industry. The filmmaker embarks on an experiment to document the effects of a high sugar diet on

a healthy body, consuming only foods that are commonly perceived as "healthy". The film contains mild themes, including footage of decayed teeth and tooth extraction by a dentist. It also includes black and white archival footage of an Aboriginal male with his genitals exposed, carrying a kangaroo. The Classification Board classified the film PG with consumer advice of "Mild themes, coarse language and naturalistic nudity".

What We Did On Our Holiday is a British comedic film, which injects hilarity and laughter into a story addressing difficult themes, including terminal illness and disposal of a body after death. Impact of the thematic material is mitigated by emotional scenes being broken up by comedic events, a focus on serious events as seen by the three young children, and an overall comedic tone. The film was classified PG with consumer advice of "Mild themes and coarse language".

The Book of Life is an American dramatic film about Manolo, a young man who is torn between fulfilling the expectations of his family and following his heart. He embarks on an adventure that spans three fantastic worlds where he must face his greatest fears. The film contains themes that have a low sense of threat or menace and are justified by context, sometimes inextricably linked to infrequent, mild violence. The majority of the film is set in Mexico in several different years, but always on the Day of the Dead. The film deals with themes such as mortality and the afterlife. The treatment of these themes and the associated violence is mitigated significantly by factors such as highly stylised animation, the upbeat music throughout, the slapstick style of any fighting, the unquestioning acceptance by the characters of the existence of the afterlife and the fact that Manolo returns from the afterlife towards the end of the film. This film was classified PG with consumer advice of "Mild themes and animated violence".



Recommended
for mature
audiences

The M classification is the largest classification category for films.

Out of the total of 2,966 commercial films classified in 2014–15, 1,100 films were classified M.

Films classified M are not recommended for persons under 15 years of age. Accordingly, they require a mature perspective. There are no legal restrictions on access and ultimately, it is the responsibility of a parent or guardian to make decisions about appropriate entertainment material for their child and to provide adequate supervision.

Films classified M by the Classification Board during the reporting period included *A Royal Night Out*, *Avengers: Age of Ultron*, *Big Eyes*, *Blended*, *Exodus: Gods and Kings*, *Infinitely Polar Bear*, *Insurgent*, *Interstellar*, *Mortdecai*, *Terminator Genysis*, *The Age of Adaline*, *Thermae Romae II*, *The Imitation Game*, *The Intern*, *The Man from U.N.C.L.E.*, *Still Alice* and *Woman in Gold*.

The Australian film *8MMM Aboriginal Radio* is a six-part made for television comedy series set in a radio station run by “whitefellas”, and whose indigenous crew air the day-to-day preoccupations of Alice Springs and its surrounds such as housing, education, culture, finance, alcohol and reconciliation. This film was classified M with consumer advice of “Mature themes, coarse language and drug use”.

Hercules is an American action adventure in which the legendary Hercules and his band of mercenaries travel through Ancient Greece to the land of Thrace where they fight in a bloody civil war and attempt to return the rightful king to his throne. The majority

of violence depicted in the film comprises action sequences in which Hercules fights mythical beasts and battle sequences featuring combat with swords, spears, axes and clubs. Although some injury and blood effects are noted, the Classification Board found that the impact of the violence was mitigated by its theatrical portrayal, fantasy context and moments of comic relief. The film was classified M with consumer advice of “Violence, blood and infrequent coarse language”.

The Australian drama-comedy, *Last Cab to Darwin*, is a film based on the stage play of the same name, about Rex, a cab driver living in Broken Hill who is diagnosed with cancer and who decides to drive to Darwin, hoping to take advantage of the Northern Territory’s voluntary euthanasia laws. The film’s thematic content explored issues of euthanasia, the stereotyping of Australian Aboriginals, racial prejudice and alcohol abuse. The film was classified M with consumer advice of “Coarse language and mature themes”.

Still Alice is an American film centred on Alice, a highly educated university professor. Alice is diagnosed with Alzheimer’s disease, and is shown to suffer a rapid decline. The film explores Alice’s struggle to cope with her deteriorating mental state. The film contains the classifiable elements of themes and language. The theme of suicide, which the Board considered to be moderate in impact, is explored by showing Alice forming a plan to commit suicide. Alice is later shown attempting to execute her plan, but is shown to have difficulty following it, and is ultimately interrupted by the housekeeper, who startles her causing her to drop the pills to the ground. This film was classified M with consumer advice of “Mature themes and infrequent coarse language”.

The Italian comedy-drama *The Mafia Only Kills in Summer*, is about Arturo, born in Palermo in 1969 just as the mafia boss, Vito Ciancimino, is elected mayor. Arturo grows up, falls in love and tries his hand as a junior journalist in a city entrenched with mafia violence. The film appears to combine dramatic footage with archival news footage of historic incidents and what appear to be actual depictions of murdered victims. Although some detail is noted in these visuals, impact is mitigated by their context within the film, utilising Arturo's narration and personal perspective which is frequently light-hearted. The film also contains sexual activity and sexual references that are discreetly implied and justified by context. In one scene, Arturo tells how his conception coincided with a Mafia-linked killing and the election of the Mayor. Visuals accompanying his narration include a CGI sequence of sperm fertilising an egg, a depiction of his parents implicitly engaged in sexual intercourse on a bed and a depiction of a mafia shoot-out featuring muzzle flashes, and bloody bullet tears in clothes. In the opinion of the Classification Board, the impact of this sequence did not exceed moderate. This film is classified M with consumer advice of "Violence, coarse language and sex scene".



Not suitable for people under 15. Under 15s must be accompanied by a parent or adult guardian

Films classified MA 15+ are not suitable for persons under 15 years of age. It is a legally restricted category, which means that people under 15 years of age must be accompanied by a parent or adult guardian to attend, buy or hire a MA 15+ film. MA 15+ films contain themes, violence, sex, language, drug use or nudity that have a strong impact.

Out of the total of 2,966 commercial films classified in 2014–15, 785 films were classified MA 15+. Films that were classified MA 15+ during the reporting period included *A Promise*, *Chappie*, *Fat Pizza Vs Housos*, *Nick Cave: 20,000 Days on the Earth*, *Nightcrawler*, *Partisan*, *Serena*, *Spy*, *Taken 3*, *Tangerines*, *Ted 2*, *The Diary of a Teenage Girl* and *The Inbetweeners 2*.

Bayonetta: Bloody Fate is a Japanese anime film that follows Bayonetta, a witch, as she battles various demons and angels. The film featured highly stylised battles resulting in a wide range of bloody wounds and deaths. The Classification Board noted that the film contained nudity that was at the upper limit of the M classification and therefore the film was classified MA 15+ with consumer advice of "Strong animated violence and nudity".

Fifty Shades of Grey is an American film based on a best-selling book in which a literature student's life changes forever when she meets a handsome, yet tormented, billionaire. The film contained implied sexual activity and sexual references that were strong in impact. The film also contained strong sexual themes justified by context. Sexual topics such as virginity, sadism, domination and submission were discussed and a number of the sex scenes contained light binding or spanking. Although the film

included some nudity, full genital depictions were not included. The Board classified the film MA 15+ with consumer advice of “Strong sex scenes, sexual themes and nudity”.

In the American film *Gone Girl*, on the occasion of his fifth wedding anniversary, Nick Dunne reports that his wife, Amy, has gone missing. Under pressure from police and a growing media frenzy, Nick’s portrayal of a happy marriage starts to crumble and he becomes the number one suspect. The film contained implied sexual activity and violence that were strong in impact. The film was classified MA 15+ with consumer advice of “Strong sexualised violence, blood, sex scenes and coarse language”.

In the Australia-USA co-production action film, *Mad Max: Fury Road*, Max, a loner in a post-apocalyptic wasteland, teams up with a group of women fleeing a citadel and its tyrannical leader, Immortan Joe. Max and the women are constantly pursued or engaging in combat with Joe’s minions and other assailants. The film mostly consists of extended action sequences involving vehicular violence, fiery explosions and the use of guns, knives and flame-throwers. The film also contains strong post-apocalyptic themes including various depictions of scarred and barren landscapes, water and fuel scarcity, slavery and human breeding programs. The film was classified MA 15+ with consumer advice of “Strong violence and post-apocalyptic themes”.

The French biopic, *Saint Laurent*, follows the life of the flamboyant fashion designer from 1967–1976, while at the peak of his career. The classifiable elements in the film were themes, sex, drugs (frequent depictions of drug use including the swallowing of pills, the snorting of powder and implied intravenous drug use) and nudity that were strong in viewing impact. This film was classified MA 15+ with consumer advice of “Strong themes, sex, nudity and drug use”.



The R 18+ classification category is wide in scope giving effect to the Code principle that adults should, with limited exceptions, be able to read, hear and see what they want. The R 18+ classification is legally restricted to adults. People under 18 are not permitted to view R 18+ films in cinemas, or to rent or buy them. The impact of material classified R 18+ should not exceed high. Some material classified R 18+ may be offensive to some sections of the adult community.

Out of the total of 2,966 commercial films classified in 2014–15, 97 films were classified R 18+.

Films classified R 18+ during the reporting period included *Kerser S.C.O.T National Tour 2014*, *Wrong Turn 6*, *Lipstikka*, *Essex Boys*, *Retribution* and *The ABCs of Death 2*.

The dramatic Malaysian film (with English sub-titles), *Claypot Curry Killers* is about Mrs Chew and her three daughters who run a small but flourishing restaurant. Most of the customers come for the house specialty, unaware that the special ingredient is human flesh. The film contained violence and sexualised violence that was high in viewing impact. The film was classified R 18+ with consumer advice of “High impact themes, violence, sexualised violence, blood and gore”.

Bring me the Head of the Machine Gun Woman is a Chilean film about a gangster who uses a night club DJ to track down a sexy but lethal female mercenary. Throughout the film, there are numerous scenes of fighting and attacks on individuals. Although some of this action is implicit or viewed from a distance, the associated blood

spurts and post-action view of the blood and gore create a high impact. The film was classified R 18+ with consumer advice of “High impact bloody violence”.

Charlie’s Farm is the story of four friends investigating the gruesome murder of a family in outback Australia. Despite warnings from local residents, they visit the farm house and come face to face with the giant and sadistic Charlie Wilson. This horror genre film maintained a sense of threat and menace throughout and included scenes that contained explicitly detailed acts of violence. The film was classified R 18+ with consumer advice of “High impact blood and gore”.

The Human Centipede 3 (The Final Sequence) is an American horror film in which a prison warden and his right-hand man decide that creating a 500-person prison centipede is the answer to all their problems. The film contained themes, violence—including implied sexual violence—sex and nudity that were high in viewing impact and that were, at times, inextricably linked. The film’s thematic material included references to and depictions of disturbing images and concepts (as well as crude humour) that may be offensive to sections of the adult community. These elements were rendered as the film followed the antics of a “completely insane” prison warden using barbaric techniques to try to control a prison population, and his right-hand man, Dwight manages to convince the warden that turning the prisoners into a giant human centipede, by surgically connecting them mouth to anus, is the answer. In the opinion of the Classification Board, the unrealistic and over-the-top nature of the plot, combined with what appeared to be a satirical treatment of much of the material, mitigated the impact imparted by the classifiable elements to the extent that it did not exceed high, and therefore, the film was classified R 18+ with consumer advice of “High impact sexual violence, violence, sex and disturbing scenes”.



The X 18+ classification applies to films only. It is a special and legally restricted category which contains only sexually explicit material. That is, material which contains real depictions of actual sexual intercourse and other sexual activity between consenting adults. X 18+ films are restricted to adults 18 years and over and can only be legally sold or hired in the Australian Capital Territory and parts of the Northern Territory.

Films classified X 18+ can contain real depictions of actual sexual activity between consenting adults, but does not allow violence, sexual violence, sexualised violence or coercion. Nor does it allow consensual depictions which purposefully demean anyone involved in that activity for the enjoyment of viewers.

Out of the total of 2,966 commercial films classified in 2014–15, three films were classified X 18+.

Films classified X 18+ during the reporting period included *Blonde*, *Candy Crush* and *Saints & Sinners the Best Action from 2014* (a modified version of a film previously classified RC).

RC Refused Classification

Out of the total of 2,966 commercial films classified in 2014–15, two films, *Found* and *Saints and Sinners the Best Action from 2014*, were classified RC.

Films that are classified RC cannot be legally sold, hired, advertised or exhibited in Australia. Films will be classified RC if they depict, express or otherwise deal with matters of sex, drug misuse or addiction, crime, cruelty or revolting or abhorrent phenomena in such a way that they offend against the standards of morality, decency and propriety generally accepted by reasonable adults to the extent that they should not be classified. Films containing descriptions or depictions of child sexual abuse or any other exploitative or offensive descriptions or depictions involving a person who is, or appears to be, a child under 18 years, will also be classified RC; as will films depicting gratuitous, exploitative or offensive depictions of violence with a very high degree of impact, including sexual violence.

COMPUTER GAMES

Decisions for computer games were made using the *Guidelines for the Classification of Computer Games* (the Guidelines).

The guidelines explain the different classification categories and the scope and limits of material suitable for each category. A number of principles underlie the use of the guidelines, including interactivity, the importance of context and assessing the impact of the six classifiable elements (themes, violence, sex, language, drug use and nudity).



The G classification is the largest classification category for computer games.

Out of the total of 514 computer games classified in 2014–15, 173 computer games were classified G.

The G classification is for a general audience. While many games at the G classification are targeted towards children, it does not necessarily mean that a child will enjoy all games classified G. Popular G games classified during the reporting period included *Heroes of the Storm*, *Xeodrifter*, *Capsule Force* and *Draw a Stickman: Epic*.

FIFA 15 is a sport simulation game in which the player must compete in authentic professional soccer games with the objective of winning every game. The game was classified G with consumer advice of “Caution: online interactivity”.

Sayonara Umiharakawase + is a modified version of the previously classified game, *Sayonara Umiharakawase*, a side-scrolling, anime-style puzzle game in which the player controls a female character who uses a fishing lure and hook to traverse the environment, avoiding obstacles and walking fish enemies that are removed using the lure. The player can access online leader boards which display user names and rankings. The game was classified G with consumer advice of "Very mild themes, online interactivity".

So Many Me is a 2D, single player, side-scrolling, puzzle platform game in which the player, in the role of Filo, a green blob, and his band of clones, attempt to save the world from evil in a bright and colourful land full of exotic creatures. The game features cartoon-like violence and enemies simply fall off-screen when the playable character bounces on the top of their heads. Players are challenged by boss-like enemies including a red chicken and a floating dragon and must avoid being hit with their special ability. The player can battle the boss creatures and move to higher levels, which includes standing on buttons to shoot laser-beams and moving in certain directions so the enemy can be stunned. The game was classified G with consumer advice of "Very mild violence".

PG

Parental guidance recommended

Out of the total of 514 computer games classified in 2014–15, 169 computer games were classified PG (Parental Guidance).

Games in this classification contain content that a child may find confusing or upsetting and may require the guidance of a parent or guardian. Games classified PG in the reporting period included *Deadnaut*, *Disney Infinity 3.0* and *Tembo the Badass Elephant*.

Giana Sisters: Twisted Dreams – Director's Cut is a platform game in which the player assumes the role of a girl named Giana, whose sister has been abducted to the Dream World and held prisoner by a giant dragon. Giana has to enter the Dream World to rescue her and transforms between "Cute" and "Punk" personas which provide different skills, enabling her to navigate platforms, avoid hazards and overcome enemies. Typical gameplay involves jumping on fantasy creatures such as bipedal hoofed and winged beasts or giant owls which fall over on their backs when defeated, unmoving, with their claws sticking upwards. In the Board's opinion, the cumulative impact imparted by themes and violence throughout the game exceeded very mild thereby warranting a PG classification with consumer advice of "Mild fantasy violence".

Costume Quest 2 is a Halloween-themed role-playing action puzzle game in which players take on the role of one of a pair of twins who set off on adventure to prevent an evil dentist from eradicating Halloween and candy from existence. Violence occurs in the form of turn-based battles in an arena-type setting, in which the playable characters are pitted against enemy monsters (known as Krony Combatants), which resemble

tall, segmented tree-like creatures with long arms and cone-shaped heads. Players select a target, then a combat ability (such as a Flying Fist Attack or Sweet Justice) which trigger a pre-set sequence that depict the combat move being played out. In one battle sequence, a Krony Combatant hurls a bomb towards Wren, which detonates in a fiery explosion and sends her reeling. Reynold then flies at the Krony Combatant and delivers a Flying Fist Attack which defeats his enemy. On being defeated, enemy characters vanish from screen. Impact is depicted by flashes of coloured light, clouds of smoke or small fiery explosions. In the opinion of the Board, the impact of the violence does not exceed mild therefore the game could be accommodated within the PG classification level with consumer advice "Mild fantasy violence".

Penarium is a 2D side-scrolling arena arcade game in which the player assumes the role of Willy, a kidnapped boy, who is forced to perform as part of a circus act in which he must avoid a variety of hazards and death traps in an effort to stay alive. The game does not contain dialogue. The storyline is driven by text only. Each level commences with the 'ringmaster' providing a challenge for Willy to complete. At certain times, after the ringmaster delivers his objective to Willy, he offers a 'dark' remark aimed to spur Willy on as he competes to stay alive. Players engage in fast-paced, frantic gameplay to the sound of upbeat background music as they attempt to navigate the playable character across a series of platforms in order to avoid hazards and obstacles and stay alive. These death traps include falling boulders, swarms of bees, propellers, laser beams, leaping dragons, water cannons, flashes of lightning, rockets and a Gatling gun. If the playable character fails to avoid a hazard or death trap, a variety of animations depict his demise. Some death traps produce very brief dispatch animations accompanied by blood effects. In one animation, a giant bowling ball falls on top of Willy and small

blood drops emanate on impact. In the view of the Classification Board, the impact of violence is heavily mitigated by the highly stylised 'boxy' 2D graphics (which lack detail and realism), the miniature-sized animations, and the brevity of the depictions of violence. As such, the game was able to be accommodated within the PG classification level with consumer advice for "Dark themes and violence".



Recommended
for mature
audiences

Out of the total of 514 computer games classified in 2014–15, 103 computer games were classified M.

Computer games classified M are not recommended for persons under 15 years of age. Accordingly, they require a mature perspective. There are no legal restrictions on access and ultimately, it is the responsibility of a parent or guardian to make decisions about appropriate entertainment material for their child and to provide adequate supervision.

Computer games classified M by the Board during the reporting period included *Falling Skies: The Game*, *Meridian: New World*, *Monster Hunter 4 Ultimate*, *Hyperdimension Neptunia Re* and *Birth2 Sisters Generation*.

Goat Simulator (modified version) is an absurdist, third person, open-ended/sandbox game in which the player controls a goat, aiming to cause maximum destruction in the game's environment by ramming, bashing, licking and jumping at humans, animals and inert objects. Points are awarded for doing things "with style" such as "doing a backflip while head-butting a bucket through a window." The game has online leaderboards and local co-operative play.

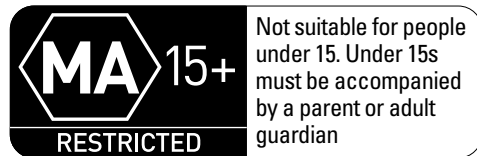
The original game was classified MA 15+ with consumer advice of “Strong crude humour, online interactivity”. The modifications were various and included, among other items, the removal of assorted references to alcohol, and some coarse language. In the Board’s opinion, the modifications to this game resulted in the lowering of the cumulative impact of the classifiable elements from strong (MA 15+) to the extent that the portrayal of themes and violence imparted a playing impact no higher than moderate (M). The modified game was therefore classified M with consumer advice of “Violence and themes, online interactivity”.

Senran Kagura is a game series featuring characters from a television anime series and a manga comic book series, which revolves around a group of female characters at schools for ninjas. *Senran Kagura: Shinovi Versus* centres on female students who battle students from various other ninja schools. The game has single player and multiplayer modes. All playable characters are female, who are represented in a sexualised manner which typically includes exaggerated and oversized breasts (scanty costumes and partial nudity). The game was classified M with consumer advice of “Sexualised imagery, innuendo and interactive, sexualised gameplay”.

No Time to Explain is a highly stylised pencil-drawn side-scrolling platform adventure game in which the player assumes the role of a ‘Guy’ character who must navigate a variety of environments, avoid hazards and traps and battle against robot and creature enemies in order to progress to the game’s final level and defeat the ‘Boss’. The game imparts a comedic tone throughout, driven by its fast-paced, over-the-top gameplay action which is interspersed with character commentary during combat scenes. Although the violence within the gameplay contains very little in the way of detail, the cut-scenes depict more impactful violence in the form of over-the-top gunplay which is

accompanied by exaggerated blood effects and dismemberment. In the Board’s view, the game was able to be accommodated within the M classification level with consumer advice of “Comedic violence”.

Blood Bowl 2 is a turn-based, strategy game in which the player manages a team made up of Warhammer character creatures to compete in a violent, fantasy version of grid-iron football. The game features single player as well as online multiplayer modes. Impact is mitigated throughout by basic graphics, unrealistic blood effects, a lack of wound detail in depictions, the fantasy context, the slow pace of the game and an overall comedic tone. The computer game was classified M with consumer advice of “Fantasy violence, online interactivity”.



Computer games classified MA 15+ are not suitable for persons under 15 years of age. It is a legally restricted category, which means that people under 15 years of age must be accompanied by a parent or adult guardian to buy or hire a MA 15+ computer game. MA 15+ computer games contain themes, violence, sex, language, drug use or nudity that have a strong impact.

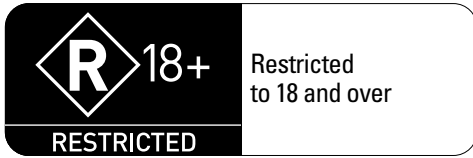
Out of the total of 514 computer games classified in 2014–15, 53 computer games were classified MA 15+. Computer games that were classified MA 15+ during the reporting period included *Evolve*, *Far Cry 4*, *Bloodborne*, *Assassin’s Creed Rogue*, *Call of Duty: Advanced Warfare*, *Gauntlet*, *Saints Row: Gat Out of Hell*, *Steins;Gate* and *Zombi*.

The Vanishing of Ethan Carter is an adventure game with a focus on immersive storytelling. The player is a detective with the supernatural ability to visualise scenes of lethal crimes who investigates the kidnapping of a young boy, hoping to save him before it is “too late”. Depictions of violence include bludgeoning, drowning, stabbing and dismemberment. The occult/supernatural theme is a major plot device and game mechanic. The computer game was classified MA 15+ with consumer advice of “Strong themes and violence”.

Mad Max is an open-world 3rd person action/adventure game set in a post-apocalyptic wasteland. Players navigate Max through a variety of challenges with gameplay typically consisting of driving or combat. The storyline features references to torture as well as to women being kept as slaves and concubines, or “breeders”. Many characters appear heavily scarred or deformed, and several enemy characters wear body parts of their previous victims as trophies. The post-apocalyptic setting and constant threats of violence to Max and his allies give a dark tone to the game and heighten the impact of the elements. Max has several encounters with a sinister character called “Stank Gum”, whose game biography details his character traits such as his love for torture. The leader of the enemy characters is viewed with bloody disembodied human heads hanging from his belt and a large animal horn strapped to his crotch. The computer game was classified MA 15+ with consumer advice of “Strong post-apocalyptic themes and violence”.

Total War: Attila – Blood & Burning is a modified version of the M classified game, *Total War: Attila*, a real-time strategy game. It is set around 400AD and players can choose to play as either the Romans or a Barbarian tribe, with the aim of defeating rival factions and consolidating power throughout various campaigns. The game can be played online, either co-operatively or in one-on-one competitive campaign battles. The modifications to this game take the form of new visual effects featuring blood, decapitation, and gore and burning animations. While these animations exceeded the original game’s impact level of moderate (M level classification), the animations appeared somewhat unrealistic, thereby resulting in an impact level no higher than strong (MA 15+ classification level). Accordingly, the computer game was classified MA 15+ with consumer advice of “Strong bloody battle violence, online interactivity”.

God of War III Remastered is a modified version of the MA 15+ classified game *God of War III*, a third-person action adventure game based on Greek mythology in which the player-character, Kratos, sets out to seek revenge against the gods who have betrayed him. The modifications to this game included improved graphics in the form of increased resolution, increased frame-rate and in-game textures; however, they did not contain any classifiable elements that altered the classification of the original game, or exceeded a strong impact level. However, in the Board’s opinion, the modified version of the game warranted additional consumer advice for blood and gore. Therefore, the modified game was classified MA 15+ with consumer advice of “Strong violence, blood and gore, sex and nudity”.



The R 18+ classification category is wide in scope giving effect to the Code principle that adults should, with limited exceptions, be able to read, hear and see what they want. The R 18+ classification is legally restricted to adults. People under 18 are not permitted to rent or buy R 18+ computer games. The impact of material classified R 18+ should not exceed high. Some material classified R 18+ may be offensive to some sections of the adult community.

Out of the total of 514 computer games classified in 2014–15, 15 computer games were classified R 18+.

Computer games classified R 18+ during the reporting period included *Grand Theft Auto V (modified)*, *Metal Gear Solid V: The Phantom Pain*, *The Evil Within*, *The Order: 1886*, *The Walking Dead: Season 2 – Episode 4*, *Amid the Ruins* and *Zombie Army Trilogy*.

The Witcher franchise is a series of action/adventure, open world role playing games set in a medieval fantasy land in which the player assumes the role of Geralt of Rivia, a monster hunter for hire, trained from early childhood and mutated to gain superhuman skills and strength. In *The Witcher 3: Wild Hunt*, Geralt embarks on his final mission to find “the woman of the prophecy” whilst being targeted by the “Wild Hunt”, a mythical cavalcade of ghastly riders. Violence is rendered both within cut scenes and throughout gameplay as the player battles foes including humans, animals and fantasy creatures using weapons such as swords, crossbows, spears, axes, clubs and magic spells. Depictions of violence include cinematic style finishing moves and feature copious blood effects, dismemberment

and decapitation, resulting in a high playing impact. The game contains violence, for example, during a quest which tasks the player with searching Whoreson Junior’s residence and killing him, Geralt finds the corpses of murdered women. The game contains simulated sexual activity. The player character is able to select to have sex with several non-playable characters, including prostitutes in a brothel, requiring payment with in-game currency. Animations of implicit sexual activity include thrusting motions with detailed breast and buttock nudity depicted. Accordingly, the Board classified this computer game R 18+ with consumer advice of “High impact violence and sex”.

Left 4 Dead 2 is a team-based co-operative first person shooter game. The game is set post-zombie apocalypse in the bayous, backwoods, streets and parishes of the southern United States, where groups of one to four players work co-operatively to battle the “infected” and reach safe houses at the end of each campaign. The ultimate goal is for players to reach an extraction point where they are rescued. The game’s online capability allows for co-op play and user generated content. The computer game was classified R 18+ with consumer advice of “High impact violence, blood and gore”.

Wolfenstein: The Old Blood is a single player, first person shooter which is part of the *Wolfenstein* franchise, set in an alternate reality in 1946 where the Nazis are winning World War II. Violence is interactive within gameplay and involves the player attacking humans, robots, dogs and zombies, using both ranged and melee weapons. Blood effects are copious and some attacks result in dismemberment or decapitation. The game’s graphics are detailed and human characters are portrayed in a realistic fashion. The computer game was classified R 18+ with consumer advice of “High impact blood and gore”.

RC Refused Classification

In 2014–15, out of the total of 514 computer games classified, one computer game was classified RC.

Computer Games that are classified RC cannot be legally sold, hired, advertised or demonstrated in Australia. Computer games will be classified RC if they contain content that has a very high impact.

The computer game that was classified RC during the reporting period was *Hotline Miami 2: Wrong Number*. The game is a third person shooter game set in a 1980s Miami underworld and is a conclusion to the *Hotline Miami* saga. In the view of the Board, this game warranted an 'RC' classification in accordance with item 1(a) of the computer games table (clause 4) of the National Classification Code. This game featured an animated sequence depicting sexual violence. This content exceeded what is able to be accommodated within the R 18+ guidelines, which states that "implied sexual violence that is visually depicted, interactive, not justified by context or related to incentives or rewards is not permitted".

OTHER DECISIONS

Internet content

During the reporting period, the Classification Board classified 22 items containing internet content items. These applications were made by the Australian Media and Communication Authority (ACMA). In the reporting period, three items of internet content were Refused Classification (see page 41 for breakdown of statistics).

The following items are examples of internet content that was classified by the Board during the reporting period.

One item submitted for classification consisted of what appeared to be a page from a website embedded within a PDF document containing three pages of text that appeared to be promoting the use of psychedelic medicine. The pages contained information about the use of psychedelic drugs for medical purposes and to treat a variety of ailments. The pages also contain statements suggesting that the site is science focused, and provided warnings about the risks associated with misuse of psychedelic drug use. In the opinion of the Board, the impact is mitigated by a seemingly balanced view point regarding the use of psychedelics for medicinal purposes, not recreational use, and as such the content imparted a moderate viewing impact. The Board classified the content M pursuant to Schedule 7 of the *Broadcasting Services Act 1992*.

Another item consisted of a PDF containing pages of text, images and a video relating to a teen girl “caught on camera punching, kicking and kneeing a younger girl in the street”. In the Board’s opinion, although no blood or injury detail is viewed, the aggressive nature of what appears to be an assault imparts a moderate impact that cannot be recommended for viewing by those under 15. The material was classified M pursuant to Schedule 7 of the *Broadcasting Services Act 1992*.

Revocations

Four publications had their serial classification declaration revoked under subsection 13(5) of the Classification Act during this reporting period.

Call ins

Under the Classification Act, the Director may call in an unclassified film or computer game, a submittable publication or certain advertisements.

The Director called in three publications and 243 films for classification during the reporting period. The publications were called in from two different distributors and the films were called in from one distributor.

Two of the distributors complied with the Director’s call-in notice. The other matter was referred to the relevant enforcement agency in the state in which the distributor was based.

CORRESPONDENCE

COMPLAINTS

The Classification Board seeks to reflect current community standards in its decision-making and feedback from the community is informative and helpful.

During the reporting period, the Classification Board received 277 complaints. There were:

- 4 complaints about decisions for publications;
- 115 complaints about decisions for films;
- 127 complaints about decisions for computer games; and
- 31 general complaints about associated classification matters.

Some titles received several complaints and other titles only received a single complaint. Some complaints referred to several titles.

In the previous financial year, the Board received 483 complaints. The reduction in complaints compared to this year's figure of 277 can largely be explained by the reduction in the number of complaints about decisions for computer games to 127 for this financial year compared to 355 for the previous financial year.

The films which attracted the most complaints were *Fifty Shades of Grey*, *Paddington*, *Gone Girl* and *Kingsmen: The Secret Service*. The computer games which attracted the most complaints were *Hotline Miami 2: Wrong Number*, *Grand Theft Auto V* and *South Park: The Stick of Truth*.

Publications

The Classification Board made 187 classification decisions for publications in the reporting period (this included 14 serial publication declarations).

Four complaints were received about publications during 2014–15. These were about the Australian magazine *Zoo Weekly*. The Classification Board examined this publication and determined that the editions of the magazine viewed were not considered to be submittable publications and therefore, the publication has not been classified by the Classification Board.

Films

The Classification Board made 2,966 classification decisions for films in 2014–15.

The Classification Board received 115 complaints about the classifications of films. This compares with 93 complaints in 2013–14.

There were 18 complaints about *Fifty Shades of Grey*. The complainants were of the view that the MA 15+ classification with consumer advice of "Strong sex scenes, sexual themes and nudity" was too low due to the depictions of implied sexual activity in the film.

There were 12 complaints about the film *Paddington*. The complainants were of the view that the G classification was too low due to the depictions of violence and scary themes.

The film *Gone Girl*, which was classified MA 15+ with the consumer advice "Strong sexualised violence, blood, sex scenes and coarse language", attracted 10 complaints in the reporting period. The complainants believed the film's classification was too low due to the depictions of sex, violence and sexual violence in the film. Two complainants thought the consumer advice was insufficient.

There were eight complaints about *Kingsmen: The Secret Service*. The complainants were of the view that the MA 15+ classification was too low due to the depictions of violence in the film.

The film *The House of Magic* which was classified G with the consumer advice “Some scary scenes” received five complaints. The complainants felt that the classification was too low. The complainants considered that the film was too scary for young children.

Overall, the remainder of complaints were about a small number of titles.

Computer games

The Classification Board made 514 classification decisions for computer games in 2014–15.

The Classification Board received 127 complaints about computer games. Four of the complaints were about the Refused Classification (RC) and R 18+ decisions for the computer game *South Park: The Stick of Truth* which was classified in the previous reporting period.

There were 94 complaints about the computer game *Hotline Miami 2: Wrong Number* being Refused Classification (RC). On 14 January 2015 the Board classified *Hotline Miami 2: Wrong Number* Refused Classification (RC). The Board was of the view that the content of this game exceeded the R 18+ classification, as per the Guidelines for the Classification of Computer Games which state that: “Implied sexual violence that is visually depicted, interactive, not justified by context or related to incentives or rewards is not permitted”.

The Classification Board received 14 complaints about the computer game *Grand Theft Auto V* (modified) which is classified R 18+ with consumer advice of “High impact themes and drug use”. The complainants expressed the view that the R 18+ classification was too low due to the depictions of sexualised violence and drug use in the game.

Overall, the remainder of complaints were about a small number of titles.

Other complaints

There were also 31 complaints that covered classification related issues.

The majority of the complaints were in relation to the classification of computer games, particularly in relation to the R 18+ and RC decisions. Many complainants expressed concern that the Classification Board edits computer games. The Board does not modify or cut material, or direct that cuts be made to material. It classifies material in the form in which the distributor has submitted it.

Other complaints included concerns about consumer advice and depictions of female nudity in publications.

Table 15: Complaints

Complaints	Number
Publications decisions	4
Films decisions	115
Computer games decisions	127
General complaints	31
Total	277

Enquiries and other assistance

The Attorney-General’s Department responded to a range of other enquiries which are related to classification policy matters.

This included requests for general classification information. Other requests were about how to get material classified, how to obtain exemptions and requests for information on the determined markings for films and computer games. A number of requests concerned the importation of publications, films and computer games and clarification about the enforcement of classification decisions.



Australian Government
Classification Board
Classification Review Board

CLASSIFICATION REVIEW BOARD

ANNUAL REPORT 2014–15





Australian Government
Classification Review Board

Senator the Hon Mitch Fifield MP,
Minister for Communications, Minister for the Arts,
Minister Assisting the Prime Minister for Digital Government
Manager of Government Business in the Senate
Parliament House
CANBERRA ACT 2600

Dear Minister

In accordance with subsection 85(1) of the *Classification (Publications, Films and Computer Games) Act 1995*, I am pleased to submit a report on the management of the administrative affairs of the Classification Review Board for the period 1 July 2014 to 30 June 2015.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Fiona Jolly'.

Fiona Jolly
Acting Convenor

14 October 2015

INTRODUCTION

The Classification Review Board is an independent statutory body that reviews, on application, decisions of the Classification Board. The Review Board makes its decisions in accordance with the *Classification (Publications, Films and Computer Games) Act 1995* (the Classification Act), the National Classification Code and the classification guidelines.

This report includes an overview of the work of the Review Board in 2014–15.

The Review Board received secretariat support from the Classification Branch.

The background of the slide is a dark gray grid. Each square in the grid contains a white movie rating icon. The icons include: 'R' in a diamond, 'MA' in a hexagon, 'PG' in a rounded rectangle, 'X' in a square, 'M' in a circle, and 'G' in a triangle. Some icons are followed by age restrictions like '18+' or '15+'. The word 'RESTRICTED' is also visible in some squares.

CONVENOR'S OVERVIEW

CONVENOR'S OVERVIEW



This is my first report as Acting Convenor of the Classification Review Board. I would like to acknowledge the work of Ms Victoria Rubensohn AM, who held the position of Convenor from 6 February 2009 to 5 February 2015 and also Ms Jane Smith who held a position on the Review Board from 7 December 2011 until 6 December 2014. I join the rest of the Review Board in wishing Victoria and Jane well in their future endeavours.

It was a quiet year for the Review Board with only one application for review. Certain members of the Review Board convened for one day to make this decision.

The classification of *Boychoir* was reviewed during the reporting period. The distributor of the film applied for the review. On 4 March 2015, the Classification Review Board overturned the M classification decision of the Classification Board and classified the film PG with consumer advice of "Mild bullying violence and themes".

Although there was only one application to consider during the reporting period, I would like to thank the Review Board members for their professionalism and dedication during 2014–15 and I look forward to continuing our work together.

I would also like to offer my thanks to the Minister for Justice, the Hon Michael Keenan MP, for his continued support during 2014–15.

Finally, I would like to thank members of the Classification Branch who have provided comprehensive secretariat support and valuable advice to the Review Board and its members over the past year.

Fiona Jolly
Acting Convenor

CLASSIFICATION REVIEW BOARD PROFILES



VICTORIA RUBENSOHN AM

Convenor

APPOINTED: 6 February 2009
REAPPOINTED: 6 February 2012
APPOINTMENT EXPIRED: 5 February 2015

Ms Victoria Rubensohn AM holds a Master of Arts degree, a Master of Human Rights degree, a Bachelor of Laws degree, and has been a Member of the Order of Australia since 2004. She has worked in radio and television in Australia and the USA - and more generally in communications, especially in communications regulatory policy, for most of her professional life.

Ms Rubensohn has been a Member of the Australian Broadcasting Tribunal, a Member of the Immigration Review Tribunal and Chairman of the National Film and Sound Archive. She has chaired Australian Government committees in the communications and intellectual property areas. Ms Rubensohn also chaired the Telephone Information Services Standards Council for 15 years and was a Consumer Member of the Mobile Premium Services Code Review Committee in 2011–12.

She is Consumer Director of Communications Compliance Ltd, a member of the Standing Advisory Committee on Consumer Affairs of the Australian Communications Consumer Network and is an Independent Reviewer for the Advertising Standards Bureau. Ms Rubensohn runs an international communications consultancy, specialising in regulatory policy, is a Director of the Communications Law Centre and is the founding Director and Secretary of Media Access Australia.



FIONA JOLLY

Deputy Convenor

APPOINTED: 7 December 2011
APPOINTMENT EXPIRED: 6 June 2015
REAPPOINTED: 1 July 2015
APPOINTMENT EXPIRES: 30 June 2016

Ms Fiona Jolly, 47, resides in Wamboin NSW and works in the ACT. She is currently the Chief Executive Officer of the Advertising Standards Bureau and previously held numerous positions with a number of Australian Government agencies. Ms Jolly has also held positions on numerous Boards including as Director of Australian Business Volunteers (current), the Ministerial Advisory Council for Women (ACT), Majura Primary

School Board and as National President of the Young Women's Christian Association (YWCA) of Australia.

Ms Jolly holds a Bachelor of Laws and a Bachelor of Arts (ANU) and a Master of Laws (Melb) specialising in communications and international trade law. She is a graduate of the Australian Institute of Company Directors. Ms Jolly is the parent of four children aged seven to fifteen years and has been actively involved in her local community through her children's school and sporting commitments as well her volunteer work with the YWCA over a period of 15 years.



JANE SMITH

APPOINTED: 7 December 2011

APPOINTMENT EXPIRED: 6 December 2014

Ms Jane Smith, 55, lives in Ballarat, Victoria. She is currently the inaugural Director of the new Museum of Australian Democracy at Eureka, a technology rich interactive museum. Her previous role was as Director of theshinyshinyworld Pty Ltd, an organisation providing strategic advice on a range of communications issues and creating artwork and projects that express concern for the environment and human interaction. Ms Smith's previous positions include senior roles with the ABC from 1990 to 1997, Chief Executive Officer with the NSW Film and Television Office from 1997 to 2006

and Vice President of Seed Productions, a film production company in 2007. Ms Smith was the inaugural Head of the Centre for Screenwriting at the Australian Film Television and Radio School 2009–10.

Ms Smith is currently Chair of the Committee for Revision of Mobile Premium Services (MPS) Codes and a member of the Digital Media Thought Leadership Group for the Australian Centre for Broadband Innovation. She has also represented on a number of other Boards including Ausfilm, Screen Finance Group, the Australian Children's Television Foundation, and the Broadcasting Council. Ms Smith holds a Bachelor of Arts (Flinders) majoring in psychology and history and a Post Graduate Diploma in Criminology (Melb). She is actively involved in the community through her extensive career in both the public and private sectors as well as her involvement in the arts and film community.



PETER ATTARD

APPOINTED: 7 December 2011

APPOINTMENT EXPIRED: 6 June 2015

REAPPOINTED: 1 July 2015

APPOINTMENT EXPIRES: 30 June 2016

Mr Peter Attard, 47, lives in Melbourne, Victoria. He has been the director of two small retail businesses, managing digital music sales, importing food, wine and beer

from Malta, as well as being involved in a variety of hospitality projects and ventures. He is currently working as a travel consultant in business travel, in Melbourne's Docklands.

He has created and taught Media, Visual Literacy, Visual Arts and Photography curriculum in both Secondary and TAFE education, as well as serving as Co-ordinator of these studies at various colleges in Victoria.

Mr Attard has been a committee member of the Australian Teachers of Media (ATOM), judged ATOM student film awards and is a member of the Victorian Institute of Teaching.

Mr Attard holds a Bachelor of Education (Visual Arts) from the University of Melbourne. He is the father of three teenage children, and actively pursues his passions of film appreciation, music, AFL Football and travel.



PETER PRICE

APPOINTED: 7 December 2014

APPOINTMENT EXPIRED: 6 June 2015

REAPPOINTED: 1 July 2015

APPOINTMENT EXPIRES: 30 June 2016

Mr Peter Price OAM, 50, resides in Sydney, NSW and is an advertising and communications professional with over 25 years' experience in multi-national agencies in Johannesburg, London and Sydney. He is the Managing Director of First Light, an advertising agency he founded in 1994.

His experiences as a victim of multiple crimes in South Africa helped steer him in the direction of violence prevention and law enforcement advocacy. Mr Price has

been closely involved with the development of Crime Stoppers in both Australia and abroad. Mr Price has been a Director of Crime Stoppers in Australia since 1999 and has served as Chairman for five years and as Deputy Chairman for six years. He currently serves as CEO (part time) of Crime Stoppers NSW and Vice President of Crime Stoppers International.

In 2009, Mr Price was awarded the Medal of the Order of Australia for his service to community safety through executive roles with Crime Stoppers.

Mr Price was also a Board Director of the Internet Industry Association from 2011 to 2014. He holds a diploma in marketing management and is a graduate and fellow of the Australian Institute of Company Directors.

LEGISLATIVE BASE

The Classification Review Board is established under the Classification Act. The Classification Act provides that the Review Board is to consist of a Convenor, a Deputy Convenor and at least three, but no more than eight, other members.

The Governor-General appoints members of the Review Board. Under the Classification Act, the Minister must, before recommending an appointment, consult with state and territory ministers with responsibility for classification. The Classification Act also requires that regard is to be had to the desirability of ensuring that membership of the Review Board is broadly representative of the Australian community.

DECISIONS OF THE REVIEW BOARD

In the reporting period, the Review Board conducted one review. The review was completed within the statutory timeframe.

The report for the Review Board's decision is published on the classification website at www.classification.gov.au.

Table 16: Decisions of the Review Board

Title	Media	Review applicant	Review Decision	Original classification	Review classification
<i>Boychoir</i>	Film	Becker Entertainment	4 March 2015	M	PG

ATTENDANCE AT REVIEW BOARD MEETINGS

The Review Board convened for one day in 2014–15 to deal with one application.

Table 17: Attendance at Review Board meetings

Review Board member	Meetings 2014–15	Number of meeting days 2014–15
Fiona Jolly (FJ), Acting Convenor, ACT	1	1
Peter Attard (PA), VIC	1	1
Peter Price (PP), NSW	1	1

Table 18: Composition of panels in 2014–15

Title	Number of meeting days	Panel members
<i>Boychoir</i>	1	FJ, PA, PP

COMPLAINTS

The Review Board received no complaints about its decisions in the reporting period.

JUDICIAL DECISIONS

Aspects of a Review Board decision can be reviewed, on application, by the Federal Court under the *Administrative Decisions (Judicial Review) Act 1977* (Cth).

In the reporting period, no application for review of the Review Board's decisions was lodged with the Federal Court.

APPENDICES

APPENDIX: NATIONAL CLASSIFICATION CODE

NATIONAL CLASSIFICATION CODE

1. 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;
 - 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.

PUBLICATIONS

2. Publications are to be classified in accordance with the following table:

Item	Description of publication	Classification
1	Publications that: <ul style="list-style-type: none"> a) describe, depict, express or otherwise deal with matters of sex, drug misuse or addiction, crime, cruelty, violence or revolting or abhorrent phenomena in such a way that they offend against the standards of morality, decency and propriety generally accepted by reasonable adults to the extent that they should not be classified; or b) describe or depict in a way that is likely to cause offence to a reasonable adult, a person who is, or appears to be, a child under 18 (whether the person is engaged in sexual activity or not); or c) promote, incite or instruct in matters of crime or violence 	RC
2	Publications (except RC publications) that: <ul style="list-style-type: none"> a) explicitly depict sexual or sexually related activity between consenting adults in a way that is likely to cause offence to a reasonable adult; or b) depict, describe or express revolting or abhorrent phenomena in a way that is likely to cause offence to a reasonable adult and are unsuitable for a minor to see or read 	Category 2 restricted
3	Publications (except RC publications and Category 2 restricted publications) that: <ul style="list-style-type: none"> a) explicitly depict nudity, or describe or impliedly depict sexual or sexually related activity between consenting adults, in a way that is likely to cause offence to a reasonable adult; or b) describe or express in detail violence or sexual activity between consenting adults in a way that is likely to cause offence to a reasonable adult; or c) are unsuitable for a minor to see or read 	Category 1 restricted
4	All other publications	Unrestricted

FILMS

3. Films are to be classified in accordance with the following table:

Item	Description of film	Classification
1	<p>Films that:</p> <p>a) depict, express or otherwise deal with matters of sex, drug misuse or addiction, crime, cruelty, violence or revolting or abhorrent phenomena in such a way that they offend against the standards of morality, decency and propriety generally accepted by reasonable adults to the extent that they should not be classified; or</p> <p>b) describe or depict in a way that is likely to cause offence to a reasonable adult, a person who is, or appears to be, a child under 18 (whether the person is engaged in sexual activity or not); or</p> <p>c) promote, incite or instruct in matters of crime or violence</p>	RC
2	<p>Films (except RC films) that:</p> <p>a) contain real depictions of actual sexual activity between consenting adults in which there is no violence, sexual violence, sexualised violence, coercion, sexually assaultive language, or fetishes or depictions which purposefully demean anyone involved in that activity for the enjoyment of viewers, in a way that is likely to cause offence to a reasonable adult; and</p> <p>b) are unsuitable for a minor to see</p>	X 18+
3	Films (except RC films and X 18+ films) that are unsuitable for a minor to see	R 18+
4	Films (except RC films, X 18+ films and R 18+ 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 under 15	MA 15+
5	Films (except RC films, X 18+ films, R 18+ films and MA 15+ films) that cannot be recommended for viewing by persons who are under 15	M
6	Films (except RC films, X 18+ films, R 18+ films, MA 15+ films and M films) that cannot be recommended for viewing by persons who are under 15 without the guidance of their parents or guardians	PG
7	All other films	G

COMPUTER GAMES

4. Computer games are to be classified in accordance with the following table:

Item	Description of computer game	Classification
1	Computer games that: <ul style="list-style-type: none"> a) depict, express or otherwise deal with matters of sex, drug misuse or addiction, crime, cruelty, violence or revolting or abhorrent phenomena in such a way that they offend against the standards of morality, decency and propriety generally accepted by reasonable adults to the extent that they should not be classified; or b) describe or depict in a way that is likely to cause offence to a reasonable adult, a person who is, or appears to be, a child under 18 (whether the person is engaged in sexual activity or not); or c) promote, incite or instruct in matters of crime or violence 	RC
2	Computer games (except RC computer games) that are unsuitable for viewing or playing by a minor	R 18+
3	Computer games (except RC and R 18+ computer games) that depict, express or otherwise deal with sex, violence or coarse language in such a manner as to be unsuitable for viewing or playing by persons under 15	MA 15+
4	Computer games (except RC, R 18+ and MA 15+ computer games) that cannot be recommended for viewing or playing by persons who are under 15	M
5	Computer games (except RC, R 18+, MA 15+ and M computer games) that cannot be recommended for viewing or playing by persons who are under 15 without the guidance of their parents or guardians	PG
6	All other computer games	G

GLOSSARY

Term/ abbreviation	Explanation
ACMA	Australian Communications and Media Authority
ACA Scheme	Additional Content Assessor Scheme
Advertising Scheme	The Advertising of Unclassified Films and Computer Games Scheme
APS	Australian Public Service
ATSA Scheme	Authorised Television Series Assessor Scheme
BSA	<i>Broadcasting Services Act 1992</i> (Cth)
Call in	<p>The Director of the Classification Board may call in a publication if he/she has reasonable grounds to believe it is a submittable publication and that it is being published in an Australian state or territory</p> <p>The Director of the Classification Board may also call in a film or computer game if he/she has reasonable grounds to believe it is not exempt and that it is being published in an Australian state or territory</p>
Classification Act	<i>Classification (Publications, Films and Computer Games) Act 1995</i> (Cth)
Classification Board	Statutory body established under the Classification Act. The Classification Board classifies computer games, films and certain publications
Classification Board member	A statutory appointee to the Classification Board established under the Classification Act
Classification Branch	The Classification Branch of the Attorney-General's Department. Classification Branch officers provided administrative support to the Classification Board and Classification Review Board
Classification guidelines	Guidelines on the application of the National Classification Code, approved by Ministers with responsibility for classification. There are the <i>Guidelines for the Classification of Films</i> , the <i>Guidelines for the Classification of Computer Games</i> and the <i>Guidelines for the Classification of Publications</i>
Classification Review Board	Statutory body established under the Classification Act. The Classification Review Board is a part-time statutory body convened, as required, to review decisions made by the Classification Board
Classification Review Board member	Statutory appointee to the Classification Review Board under the Classification Act
Code, the	The National Classification Code

Term/ abbreviation	Explanation
Computer games classifications	
G	General
PG	Parental guidance recommended
M	Recommended for mature audiences
MA 15+	Not suitable for people under 15. Under 15s must be accompanied by a parent or adult guardian
R 18+	Restricted to 18 years and over
RC	Refused Classification
Consumer advice	The Classification Board and Classification Review Board determine consumer advice for films, computer games and certain publications. Films classified G, PG, M, MA 15+, R 18+ and X 18+, and computer games classified G, PG, M, MA 15+ and R 18+, must be assigned consumer advice. Consumer advice generally gives information about the content of the film or game, the principal elements that contributed to the classification of the product and indicates the intensity and/or frequency of those elements. The Classification Board and the Classification Review Board may also provide consumer advice to publications classified Unrestricted
Convenor	Member of the Classification Review Board who is responsible for the management of the Classification Review Board's business
Customs	Department of Immigration and Border Protection
Deputy Convenor	Member of the Classification Review Board who may exercise some of the Convenor's powers in the Convenor's absence
Deputy Director	Full-time member of the Classification Board who may exercise some of the Director's powers in the Director's absence
Determined markings	Classification symbols, descriptions and consumer advice lines, as determined by the Director as set out in the <i>Classification (Publications, Films and Computer Games) (Markings and Consumer Advice) Determination 2014</i>
Director	Full-time member of the Classification Board responsible for the management of the Classification Board
Exemptions to show an unclassified film at an event	An organisation may apply to the Director of the Classification Board for exemption from state and territory classification enforcement legislation to screen an unclassified film at an event. A person may also apply for an exemption
Exempt computer game	A computer game exempt from classification requirements as defined by section 5B of the Classification Act

Term/ abbreviation	Explanation
Exempt film	A film exempt from classification requirements as defined by section 5B of the Classification Act
Fee waiver	The waiving of classification application fees by the Director in specific circumstances, as provided by the Classification Act
Film (including video, DVD and other media storage devices) classifications	
G	General
PG	Parental guidance recommended
M	Recommended for mature audiences
MA 15+	Not suitable for people under 15. Under 15s must be accompanied by a parent or adult guardian
R 18+	Restricted to 18 years and over
X 18+	Restricted to 18 years and over
RC	Refused Classification
FOI Act	<i>Freedom of Information Act 1982</i> (Cth)
FOI	Freedom of information
Guidelines	Legislative instruments which provide direction on the application of the National Classification Code, approved by ministers with responsibility for classification. Separate guidelines exist for the classification of films, computer games and publications
Industry assessors	<p>Persons authorised by the Director to make recommendations to the Classification Board on the classification and consumer advice for:</p> <p>computer games that are likely to be classified G, PG or M; or</p> <p>additional content accompanying previously classified or exempt film/s on DVD or other media storage devices; or</p> <p>certain television series released on DVD or other media storage devices.</p> <p>There are also industry assessors who are authorised to assess the likely classification of unclassified films and/or computer games for advertising purposes</p>
National Classification Scheme	A cooperative Commonwealth, state and territory regulatory scheme for classification of films, computer games and certain publications
National Classification Code (the Code)	A code that sets out how films, computer games and certain publications are to be classified

Term/ abbreviation	Explanation
Prohibited Exports Regulations	<i>Customs (Prohibited Exports) Regulations 1958</i> (Cth)
Prohibited Imports Regulations	<i>Customs (Prohibited Imports) Regulations 1956</i> made under section 50 of the <i>Customs Act 1901</i> (Cth); Regulation 4A relates to the importation of publications (including films and computer games and other goods)
Publications classifications	
Unrestricted	Unrestricted
Category 1 restricted	Not available to persons under 18 years
Category 2 restricted	Not available to persons under 18 years
RC	Refused Classification
Serial classification declaration	A declaration issued by the Classification Board on the classification and any conditions that apply to issues of a periodical for a specified period
State and territory ministers with responsibility for classification matters	The Law, Crime and Community Safety Council (LCCSC) assists the Council of Australian Governments by developing a national and trans-Tasman focus on fighting crime and promoting best practice in law, criminal justice and community safety. The LCCSC consists of ministers with responsibilities for law and justice, police and emergency management. Classification policy matters may be considered by ministers via the LCCSC.
Submittable publication	An unclassified publication that is unsuitable for a minor to see or read, and likely to cause offence to a reasonable adult to the extent that the publication should not be sold or displayed as an unrestricted publication

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