



**Australian Government**  
**Classification Review Board**

**Review Date: 11 March 2011**  
**23-33 MARY STREET**  
**SURRY HILLS, NSW**

<b>MEMBERS:</b>	Ms Victoria Rubensohn AM (Convenor) Ms Helena Blundell Dr Melissa de Zwart Mr Alan Wu
<b>APPLICANT</b>	Warner Bros Entertainment
<b>INTERESTED</b>	
<b>PARTIES</b>	None, but one email from a member of the public was received and noted.
<b>BUSINESS</b>	To review the Classification Board's decision to classify the computer game <i>Mortal Kombat</i> RC (Refused Classification).

**DECISION AND REASONS FOR DECISION**

**1. Decision**

The Classification Review Board (the Review Board) by majority classified the computer game RC.

**2. Legislative provisions**

The *Classification (Publications, Film and Computer Games) Act 1995* (the Classification Act) governs the classification of computer games and the review of classification decisions. Section 9 provides that computer games are to be classified in accordance with the National Classification Code (the Code) and the *Guidelines for the Classification of Films and Computer Games* (the Guidelines).

Relevantly, the Code, under the heading 'Computer Games', provides that computer games that:

- (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; or
  - (d) are unsuitable for a minor to see or play

are to be classified RC.

The Code also provides that:

Computer games (except RC 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

are to be classified MA 15+ (Mature Accompanied).

Section 11 of the Classification Act requires that the matters to be taken into account in making a decision on the classification of a computer game include:

- (a) the standards of morality, decency and propriety generally accepted by reasonable adults; and
- (b) the literary, artistic or educational merit (if any) of the computer game; and
- (c) the general character of the computer game, including whether it is of a medical, legal or scientific character; and
- (d) the persons or class of persons to or amongst whom it is published or is intended or likely to be published.

Three essential principles underlie the use of the Guidelines, determined under section 12 of the Classification Act:

- the importance of context
- the assessment of impact, and
- the six classifiable elements – themes, violence, sex, language, drug use and nudity.

### **3. Procedure**

A four-member panel of the Review Board met on 11 March 2011 in response to the receipt of an application from the original applicant on 28 February 2011 to review the RC classification of the computer game, *Mortal Kombat*, determined by the Classification Board. Those four members had previously determined that the application was a valid application.

The Review Board was assured that the computer game, the subject of the review application, was the same game as had been classified by the Classification Board.

The Applicant provided a written submission and recorded game play of the computer game before the hearing. The Review Board viewed the recorded game play and a lengthy live demonstration of both recorded and non-recorded elements of the game by the distributor on 11 March 2011. The Review Board also engaged in separate lengthy live game play assisted by its own officer.

The Review Board heard an oral submission from Paul Hunt, representing the Applicant. Mr Hunt was accompanied by Mark Aubrey, Melissa Faustmann and Nick Wong on behalf of the Applicant. Mr Wong demonstrated both live aspects of game play and he and other representatives of the Applicant answered questions regarding different aspects of the game including higher levels of play.

The Review Board then considered the matter.

#### **4. Evidence and other material taken into account**

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

- (i) The application for review
- (ii) Warner Bros Entertainment's written and oral submissions
- (iii) the computer game, *Mortal Kombat*
- (iv) a disc of material provided by the Applicant which depicted aspects of game play and the 'fatalities'
- (v) A submission from Alex Williams, a member of the public
- (vi) the relevant provisions in the Classification Act, the Code and the Guidelines, and
- (vii) the Classification Board's report.

#### **5. Synopsis**

*Mortal Kombat* is the ninth instalment in the *Mortal Kombat* franchise, which has existed since 1993. It portrays the fights that are staged between Thunder God Raiden and his band of Earth Realm warriors against Shao Kahn, Emperor of the Outer Realm, and his followers, in order to prevent Armageddon. The game is played as a flashback from the point of Armageddon, which occurs in the opening scenes of the game. The *Mortal Kombat* tournaments have been prescribed by the Elder Gods as a mechanism to maintain balance between the realms.

The game includes 25 characters, some of which are 'locked' at the beginning of the game and can only be unlocked as the player successfully advances through the game or upon use of a 'key' provided with the PlayStation version of the game. Characters include humans, humanoid aliens (such as lizard men) and robots. For humans, the 'blood' which is shed during a bout is red, for robots it is brownish/grey and for aliens it is green.

The game may be played in story mode, player versus player mode or challenge mode. In story mode (which includes more than 15 hours of game play), the player has no choice regarding the sequence of characters that they play. This mode is designed to guide the player through the back stories of each of the characters and how they came to be at the Mortal Kombat competition. The main aim in this mode is for the player to win all bouts and matches and win the Tournament and then defeat Shao Kahn in order to avert Armageddon. In other modes the aim is simply to win matches and bouts.

In player versus player mode the player or players can choose which of the characters they play as. Each character has different abilities, strengths, weapons and powers (including magical powers). Players can play in tag team mode and online.

In challenge mode, players can choose to undertake a series of challenges which requires the player to complete a range of tasks. The Applicant informed the Review Board during the oral submission that two out of three hundred challenges involve fatalities.

There is also a training mode in which players are given instructions as to how to practice the special moves needed to control the various characters, and, in particular, to execute the fatalities. Initially, only six of the characters are available for playing in this mode, though the others are progressively unlocked through game play. The fatalities are most easily accessible in this mode.

Fights between players take place in a variety of locations, including the Sewer, the Forest, the Dungeon and the Train Station.

## **6. Findings on material questions of fact**

The Review Board found that the computer game contains aspects or scenes of importance under various classifiable elements:

### **(a) Themes –**

The Applicant submitted that the main theme of the game is fighting, featuring aliens and robots as well as humans, with the ultimate outcome that if the player is not successful the Earth Realm will cease to exist. The Review Board concluded that themes of the game could readily be accommodated within a classification lower than RC.

### **(b) Violence –**

The computer game *Mortal Kombat* consists largely of a series of fights between two or more characters in the game. These fights are linked in the 'story mode', providing the player with no choice over the choice of combatants. However, in both challenge mode and player versus player mode, the player can choose which character they play, giving the player a choice over which characters do battle.

The various characters have differing fighting moves, powers, skills and weapons. Weapons include a hand gun, swords, knives, staves, a hat with a sharpened rim, chains, clubs, and magical abilities (ice, fire, lightning and smoke). Fighting bouts are depicted in realistically rendered three-dimensional graphics. *Mortal Kombat* includes, for the first time in this franchise, a feature known as 'X-ray view', which may be initiated when a player reaches a certain power level during the fight, and executes a series of commands. X-ray view (which is non-interactive) shows an injury being inflicted on one combatant. The vision slows down and the action and resulting impact is shown close up and in greater detail. The detail shown varies from character to character, but depicts injuries such as bones being displaced and snapped, skulls being fractured, ribs cracking and teeth being knocked out of jaws. Even with the less humanoid characters, these X-ray views depict a human type skeleton and underlying physical structure. The injury is often shown from multiple viewpoints. The X-ray view focuses on the injury, although the Review Board noted that in story mode the physical injury inflicted, such as a broken spine, did not seem permanent and the character continued to fight unaffected by the apparent injury.

In player versus player mode, the injuries sustained by combatants are cumulative in effect and displayed clearly on the body and clothes of both characters. For example, if one player harms another character, their blood and gore will spatter on both characters and on the floor. This blood and gore does not disappear but instead accumulates as the fight progresses. In story mode, the blood splashes are not as intense and disappear during bouts.

In several of the locations or 'Arenas' where bouts take place, such as the Sewer, there are dead bodies lying on the floor and hanging from the ceiling. There are also wounded people lying on the forest floor in the Forest scene and tortured bodies in the Dungeon. In three of the locations players can use special finishing moves that result in a non-interactive sequence in which the opponent is thrown from the fighting platform and dies. In one, the opponent is impaled on spikes. In another, the opponent is thrown into a pool of acid, from which they struggle before their body melts away, exposing tissue and bone. In another, the opponent's face is held against the carriages of a passing train. Their body is then thrown in front of another moving train.

The game includes (in its extended mode) a possible 65 fatalities. A fatality is a unique, non-interactive finishing move that results in the explicit death of the character upon whom it is performed. These fatalities may be executed by a player when the game recognises the other player is close to defeat and issues the command 'Finish Him/Her'. The player must then execute a pre-determined sequence of movements and commands within a defined area and within a limited time. These movements and commands are available in the menu and may be practised in the training mode. Thus fatalities are recognised as being a challenge to achieve. The Review Board noted, in particular, the following fatalities which represent a non-exhaustive sample of explicit violence:

- Baraka: knives -- slices off arms with knives, stabs knife into chest and slices body laterally in two with the other knife, one half held up on first knife. The side view provided of the dismembered body is like a carcass.

- Baraka: knives -- thrusts knife into chest, lifts body on knife, spins body, holds up second knife to cut off spinning legs, arms and head and throws down torso.
- Quan Chi: no weapon -- grabs leg, tears leg off, beats opponent with leg and crushes head. The beating with the detached leg is prolonged and repetitive, suggesting brutality.
- Sheeva: no weapon-- tears arms off, slaps opponent with severed arms, kicks body over and then claps severed arms.
- Jax: no weapon -- hits top of head, hammers opponent into the ground and kicks off the head.

The Applicant submitted that the violence in the game is highly stylised and unrealistic, in the tradition of fighting games, with the characters inflicting and sustaining injuries that could not be sustained in real life.

The majority of the Review Board concludes that the computer game *Mortal Kombat* includes elements where the violence is higher than strong and which could not therefore be accommodated within the MA 15+ classification. The majority view is that this is the case even though the fatalities may occur infrequently during normal story mode game play, which is one of three playing modes. The majority notes that the fatalities can, however, be performed repeatedly in practice mode when the player develops the requisite skill. The fatalities explicitly depict decapitation, dismemberment, disembowelment and a number of other brutal methods of slaughter. In the majority's view the overall impact of the fatalities is high. The majority of the Review Board also considers that the X-ray view serves to emphasise and humanise the impact of injuries, which also increases the overall impact of the violence in the game to higher than strong.

**(c) Language –**

There are several instances of coarse language but they are infrequent and can readily be accommodated in a classification lower than RC.

**(d) Sex –**

There is no sex in the computer game.

**(e) Drug Use –**

There is no drug use in the computer game.

**(f) Nudity –**

There is no nudity in the computer game.

## **7. Reasons for the decision**

### **Majority reasons**

The Applicant submitted that *Mortal Kombat* is a 'standard fighting game' in line with other games in the *Mortal Kombat* franchise, which are known to have 'more blood and guts than normal fight games' but which are in keeping with the MA15+ rating. *Mortal Kombat* games are also known for the 'fatalities' and players familiar with these games will know and expect them to contain a certain level of violence, including the fatalities. The fatalities feature 'over the top' violence and, occasionally, elements of humour. The Applicant submitted that the events depicted in *Mortal Kombat* occur in a 'fantastical realm, featuring fantasy characters and fantasy locations'. The Applicant also submitted that players know that the moves are not realistic, that the fatalities could not be executed by a human in real life and that the players are expecting unrealistic violence. While the Review Board notes the points made by the Applicant regarding the history and context of the *Mortal Kombat* franchise, it is cognisant that it is required to view each computer game submitted for review on its own terms, rather than those of predecessor games and must judge each submitted game on the basis of relevant legislation, the Code and guidelines. The majority of the Review Board notes the stylised, fantasy elements of *Mortal Kombat*, but concludes that the overall impact of the graphically detailed and realistically rendered violence, particularly that inflicted on human or humanoid characters, is not sufficiently ameliorated by the fantasy setting. Whilst much of the fighting takes place in designated, stylised arenas where violence may be anticipated, this context does not significantly reduce the impact of combat which results in violent injury or death. In the Review Board's view the impact of such scenes is higher than strong and not justified by context.

Further, the Applicant submitted that the moves are difficult to achieve. The Review Board accepts on the basis of its own playing of the game and the demonstration provided by the Applicant that, depending on skill and speed, the fatalities may be difficult to achieve, as they may only be executed within both a defined area and a certain limited time within the game and may often be missed. The majority of the Review Board concludes that even though the fatalities may not occur frequently or regularly during normal game play, the graphic nature of many of the fatalities is such that the overall impact of the violence in the game is higher than strong. Whilst the player experience may differ significantly from player to player and game to game, and is dependent upon playing mode, the violence is unsuitable for accommodation at the MA15+ level. The Review Board majority accepts that the fatality moves are non-interactive once successfully initiated by the player. However, the majority is of the view that the fatalities are for many, perhaps the majority of players, a major, important feature of the game and they will strive hard to achieve them. It is impossible to predict how many times a player may succeed in initiating such moves (although they are readily available in practice mode) but in any case, they constitute a central element of the game and many of them are high – rather than merely strong – in impact.

Further, in the view of the majority, the fatalities do not constitute the only violence in the game with an impact higher than strong. For instance, in player versus player mode, there is extensive blood and gore splatter that accumulates and remains in the game, with even victorious characters evidencing significant injury. As noted previously, the realistic, detailed X-ray view also heightens the impact of the violence. It humanises the damage inflicted on the characters, with even the less humanoid characters appearing more human (with a human-like skeletal structure),

and it accentuates the injury damage and detail. The fact that in story mode characters get up and walk away after a fight does not lessen this impact, which is higher than strong.

In the opinion of the Review Board majority, *Mortal Kombat* contains violence that exceeds strong in impact and is unsuitable for a minor to see or play.

### **Minority Reasons**

In the view of the minority, the impact of *Mortal Kombat*'s violence – the most impactful classifiable element – is strong. *Mortal Kombat* can thus be accommodated in the MA15+ category.

*Mortal Kombat* features a level of frenetic action and violence comparable to its predecessors, and to many contemporary fighting games. The most impactful violence is that featured in the fatalities. (In the view of the minority, the new X-ray view does not feature violence of a stronger impact than that in the fatalities.)

This impact is mitigated by the relative infrequency of fatalities in the context of usual game play. Fatalities are only available for execution in specific, limited circumstances, at which time players must perform a difficult combination of moves in order for the fatality to be realised. Even if successful, fatality sequences last only a few seconds. These sequences are non-interactive.

The impact is further mitigated by the fantastical and heavily-stylised nature of the violence, featuring implausible and unlikely combinations of sorcery and superhuman strength, endurance and agility and often involving identifiably non-human characters. In several instances, the fatalities feature dissonant humorous elements, pushing the sequences towards caricature. Though the game features advanced graphics, the violent action often lacks detail and realism. Finally, this action all occurs in a broader fantasy storyline and familiar fighting game format. The cumulative effect of these factors is to reinforce the artificiality of the violence and to reduce its impact.

In the view of the minority, the violence in *Mortal Kombat* is justified by context. The fantastical, unrealistic nature of the violence, and the infrequency of the strongest violence, means that its impact is strong, and unsuitable for persons under the age of 15. *Mortal Kombat* should thus be classified MA15+.

### **8. Summary**

The majority of the Review Board determined that the impact of the violence in *Mortal Kombat* is higher than strong and thus could not be accommodated within the MA15+ classification. As MA15+ is the highest classification category available to computer games under the Australian Classification Scheme, the Classification Review Board must refuse classification to *Mortal Kombat*. Accordingly, *Mortal Kombat* is classified RC.