



Australian Government

Classification Review Board

19 November 2013

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

- MEMBERS:** Ms Victoria Rubensohn (Convenor)
Ms Jane Smith
Mr Peter Attard
Dr Melissa de Zwart
Ms Fiona Jolly
- APPLICANT** Minister for Justice as requested by the South Australian Attorney-General
- INTERESTED PARTIES** IGEA, ACCM and Australian Family Association (WA Branch) (AFA)
- BUSINESS** To review the Classification Board's decision to classify the computer game *Company of Heroes 2* with the classification MA 15+ and consumer advice 'Strong battle violence, Gaming experience may change online'.

DECISION AND REASONS FOR DECISION

1. Decision

The Classification Review Board (the Review Board) unanimously classified the computer game MA 15+, with the consumer advice 'Strong battle violence, Gaming experience may change online'.

2. Legislative provisions

The *Classification (Publications, Films and Computer Games) Act 1995* (Cth) (the Classification Act) governs the classification of computer games and the review of classification decisions.

The Review Board

Part 5 of the Classification Act outlines the provisions relevant to the Review Board and its procedures.

Section 42(1) of the Classification Act sets out the persons who may apply for review of a decision:

- (a) the Minister
- (b) the applicant for classification of the computer game, or the likely classification of the computer game under section 33
- (c) the publisher of the computer game, or
- (d) a person aggrieved by the decision.

Section 42(2) provides that if a participating Minister asks the Minister, in writing, to apply for a review of a decision, the Minister must do so.

Section 43 sets out the conditions regarding the manner and form of applications for review, including time limits. Under section 44, the Review Board must deal with an application for review in the same way that the Board deals with an application for classification of a computer game.

Classification of Computer Games under the Classification Act

Section 9, subject to Section 9A, provides that computer games are to be classified in accordance with the National Classification Code (the Code) and the classification guidelines. Section 9A states that a computer game that advocates the doing of a terrorist act must be classified RC.

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.

The National Classification Code

Relevantly, the Computer Games Table of the Code under paragraph 3 provides that:

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 are to be classified MA 15+.

The Code also sets out various principles to which classification decisions should give effect, as far as possible:

- (a) adults should be able to read, hear, see and play 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.

The Guidelines

Three essential principles underlie the use of the *Guidelines for the Classification of Computer Games 2012* (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.

A further consideration in classifying computer games is interactivity. Due to the interactive nature of computer games and the active repetitive involvement of the participant, as a general rule computer games may have a higher impact than similarly themed depictions of the classifiable elements in film, and therefore greater potential for harm or detriment, particularly to minors.

3. Procedure

Five members of the Review Board met on Tuesday 19 November 2013 in response to the receipt of an application from the Minister on 7 November 2013 to conduct the review of the computer game *Company of Heroes 2*, which had previously been classified MA 15+ by the Classification Board. The Review Board determined that the application was a valid application.

The Review Board was provided a written submission from IGEA, ACCM and AFA.

The Review Board received an oral submission from Ron Curry and Joshua Cavaleri from IGEA.

The Review Board received an oral submission by telephone from Professor Elizabeth Handsley, Chair of the ACCM, on behalf of the ACCM and a subsequent supplementary written submission from Professor Handsley on behalf of ACCM.

The Review Board viewed recorded gameplay footage.

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 Minister's application for review
- (ii) IGEA's written and oral submissions
- (iii) ACCM's written and oral submissions
- (iv) AFA's written submission
- (v) the computer game, *Company of Heroes 2*, and
- (vi) the relevant provisions in the Classification Act, the Code and the Guidelines.

5. Background

The Review Board noted the Board's decision report of *Company of Heroes 2*.

6. Synopsis

Company of Heroes 2 is a real time strategy game for the PC, set in Europe during World War 2, where players command the Russian army as they complete missions with the objective of defeating the German Army and gaining control of the Eastern Front. The game contains 14 missions and can be played in single or multiplayer modes.

7. 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 game contains strong historic war themes.

The impact of this element is no higher than strong and can be accommodated at the MA 15+ level.

(b) Violence – The game contains violence that is at times strong in impact but justified by context. Strong and realistic violence should not be frequent or unduly repetitive. The game contains no sexual violence – implied or otherwise.

The majority of gameplay takes place from a top down distant perspective, as players use strategy to carry out mission objectives. Combat against enemy soldiers uses authentic weaponry including firearms, grenades, landmines and tanks.

There are several cinematic cut-scenes that contain a number of execution style shootings, one of which is accompanied with some stylised blood effects.

Injury to enemy soldiers is accompanied by an unrealistic blood red mist, and at times, results in some dismemberment, usually as a result of explosive detonations. The corpses of defeated enemies remain in the playing environment for a short period of time. The top-down perspective style of the majority of gameplay limits the amount of visible blood and injury detail.

The impact of this element is no higher than strong and can be accommodated at the MA 15+ level.

(c) Sex – There is no sex in the game.

(d) Language – The game contains coarse language that can be accommodated at a lower classification.

(e) Drug Use – There is no drug use in the game.

(f) Nudity – There is no nudity in the game.

8. Reasons for the decision

The Review Board unanimously decided that the impact of the classifiable elements is no higher than strong and can be accommodated within the MA 15+ classification. As a real time strategy game for the PC, the violence is no higher than strong and is frequent but justified by context.

The Review Board therefore considered that the overall impact of the violence is no higher than strong.

9. Summary

The Review Board decided that the computer game should be classified MA 15+.