



Australian Government

Classification Review Board

Review Date: 22 October 2009
23-33 MARY STREET
SURRY HILLS, NSW

MEMBERS:	Ms Victoria Rubensohn (Convenor) The Hon Trevor Griffin (Deputy Convenor) Ms Ann Stark
APPLICANT	Electronic Arts Pty Ltd
INTERESTED	
PARTIES	None, but one letter from a member of the public was received and noted.
BUSINESS	To review the Classification Board's decision to classify the computer game <i>Left 4 Dead 2</i> RC (Refused Classification).

DECISION AND REASONS FOR DECISION

1. Decision

The Classification Review Board (the Review Board) 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 three member panel of the Review Board met on 22 October 2009 in response to the receipt of an application from the original applicant on 23 September 2009 to review the RC classification of the computer game, determined by the Classification Board. Those three 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 gameplay of the computer game before the hearing. The Review Board viewed the recorded gameplay and a demonstration of the game on 22 October 2009.

The Review board heard an oral submission from Mr Paul Hellmrich representing the Applicant and he demonstrated the game.

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) Electronic Arts' written and oral submissions
- (iii) the computer game, *Left 4 Dead 2*
- (iv) the relevant provisions in the Classification Act, the Code and the Guidelines, and
- (v) the Classification Board's report.

5. Synopsis

A 1st person action/shooting game where a person can play as one of four human characters through a campaign to reach a safe-house after fighting through hordes of infected humans, or can play as an infected human with the aim of trying to prevent the human survivors reaching the safe-house.

The game also has several other multiplayer modes. In addition, it should be noted that Mr Hellmrich indicated that the computer game was intended to be played on-line but that that could not be demonstrated because the servers were not yet live.

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** –

Mr Hellmrich submitted that the game 'was all about self-preservation and working as a team'. The Review Board does not contradict that submission and concludes that the classifiable element of 'Themes' could be accommodated in a classification lower than RC.

(b) **Violence** –

Weapons used in the computer game included a pistol, axe, shotgun, chainsaw, rifle, machinegun, acid/bile, cricket bat, saucepan and Molotov cocktail.

The game contains humans, 'zombies' and grotesque fictional 'infected' characters.

Mr Hellmrich made a submission in which he analysed the provisions of the National Classification Code as it describes the circumstances in which a computer game

would be classified RC. That submission, in essence, relied very much on his assertions that:

- the game includes zombies who were not and never had been human;
- zombies were fictional characters and that zombie killing was an ancillary component to the central objective of the game being played on-line and multiplayer;
- 15 year olds would know that the zombies were fictional characters and could distinguish them from humans and that therefore lessened the impact, (but in any event it was not unlawful to kill zombies which meant that no crime had been committed); and
- there was no moral issue involved in killing fictional characters.

Mr Hellmrich also submitted that all figures (apart from the four humans) were stylized and not real, and that this lessened the impact.

Mr Hellmrich submitted that 'the game is a high MA15+ but due to the unrealistic nature of the violence still feel that this game should be within the MA15+ band'.

The following scenes and acts (not an exhaustive list) were noted by the Review Board:

- in the early stages, a body on the ground was shot at repeatedly, a body disintegrated leaving a head on the ground with copious amounts of blood;
- a fire left a visibly charred body;
- a body was lying face down on a bathroom floor with a trail of blood – screaming and moaning accentuated the impact;
- copious blood including repeated instances of blood splatter on camera lens;
- in a store with buses and trucks, blood splatters, a body on the ground having been dragged leaving a trail of blood;
- a person hanging by fingertips from a beam with fingers being stamped on, another person with arm shot off;
- swords used to behead and dismember with blood everywhere;
- in a swamp, with an aircraft crashed, persons being attacked, as they run towards camera some are shot with blood everywhere and fleeting glimpses of stomach entrails spilling out;
- a group between several buses shot at, copious blood including on camera lens, and several heads blown off;
- chainsaws used on attackers, heads cut off and lots of blood; and
- exclamations and coarse language from time to time accentuating the impact of acts of violence.

The Review Board concludes that the level of violence is high in impact, prolonged, repeated frequently and realistic in the context of the game.

It is also of the view that there is insufficient delineation between the depiction of the general zombie figures and the human figures as opposed to the clearly fictional 'infected' characters. This means that the objects of the violence could not easily be distinguished as human or unreal or fictional creatures. However, the Review Board is of the view that the question whether the objects of the violence were fictional or real,

and whether a 15 year old could discern the difference, is largely irrelevant where the game displays the level of realism this one does.

(c) Language –

There are several instances of coarse language but it is infrequent and can 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 game.

(f) Nudity –

There is no nudity in the game.

7. Reasons for the decision

The Review Board is of the view that the violence in the computer game is the principal classifiable element upon which the Review Board should make and has made its decision.

The Review Board is unanimous in its view that the game is not suitable for playing by minors because of the level of violence and its high impact.

To be classified MA 15+ as sought by the Applicant, the Guidelines will allow violence justified by context but with an impact no higher than strong. Having regard to those Guidelines and the constant and recurring acts of violence in the computer game, the Review Board unanimously determines that the computer game cannot be classified MA 15+ and falls into the RC classification for computer games.

8. Summary

The Review Board determined that the computer game *Left 4 Dead2* is classified RC as a game where the impact of the violence is high and, therefore, not suitable for playing by minors.