



Australian Government
Classification Review Board

2 August 2006

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

- MEMBERS:** The Hon Trevor Griffin (Deputy Convenor)
Mrs Gillian Groom
Mr Anthony Hetrih
Ms Ann Stark
- APPLICANT:** Roadshow Films, the original applicant for classification,
represented by Mr Brett Rosengarten (National Sales Manager)
- BUSINESS:** To review the Classification Board's decision to classify the
film *Stormbreaker* (the film) M (Mature) with the consumer
advice 'Moderate action violence'.

DECISION AND REASONS FOR DECISION

1. Decision

The Classification Review Board (the Review Board) in a unanimous decision classified the film M (Mature), with the consumer advice 'Frequent action violence'.

2. Legislative provisions

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

Relevantly, the Code in paragraph 5 of the Table under the heading 'Films' provides that:

Films (except RC films, X18+ films, R18+ films and MA15+ films) that cannot be recommended for viewing by persons who are under 15

are to be classified 'M'. The Code also sets out various principles to which classification decisions should give effect, as far as possible. Section 11 of the Act

requires that the matters to be taken into account in making a decision on the classification of a film 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 film; and
- (c) the general character of the film, 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 *2005 Guidelines for the Classification of Films and Computer Games* (the Guidelines), determined under s.12 of the Act:

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

3. Procedure

On 31 July 2006 Roadshow Films submitted an application for review to the Review Board in respect of the film *Stormbreaker*. A written submission in support of their application was received by the Review Board who convened on 2 August 2006 to determine the validity of the application for review from, Roadshow Films, received on 31 July 2006, view the film and consider the substance of the application. Four members of the Review Board viewed the film *Stormbreaker* at the Board's meeting on 2 August 2006.

On 2 August 2006 the Review Board received an oral submission via teleconference from Mr Brett Rosengarten on behalf of Roadshow Films. The Review Board then considered the matter.

4. Evidence and other material taken into account

The Review Board determined that the application was validly made.

In reaching its decision with respect to the application to review the classification of the film, the Review Board had regard to the following:

- (i) Roadshow's application for review;
- (ii) Roadshow's written and oral submissions;
- (iii) The film;
- (iv) The relevant provisions in the Act;
- (v) The relevant provisions in the Code;

- (vi) The Classification Board's report; and
- (vii) The *Guidelines for the Classification of Films and Computer Games 2005*.

5 Synopsis

Based on the first of the best-selling series of Alex Rider novels by Anthony Horowitz, *Stormbreaker* introduces the reluctant teenage super-spy Alex Rider. After the death of his uncle, the 14-year-old hero is recruited by the Special Operations Division of Britain's secret intelligence service, MI6.

Alex's mission is to continue the investigation his late uncle had been involved in at the time of his death.

6 Findings on material questions of fact

The Review Board found that *Stormbreaker* contains the classifiable elements of themes and violence.

(a) Themes

Themes which are evident in the film are terrorism and bullying and are agreed by the Review Board to have a low sense of threat and menace, are justified by context and can be accommodated in a lower classification than "M".

(b) Violence

The film is an "action" type film and contains numerous scenes (over 20) which are of a violent nature. Those scenes noted by the Review Board include the following:

At approximately 2 minutes – a noisy and aggressive motor cycle chase scene where riders attempt to dislodge one rider.

At approximately 3 to 4 minutes – in the motorcycle chase, machine guns are fired, at least one of those being chased falls off his motorcycle and slides under a boat hull which is riddled with bullet holes. Shortly after, the car driven by Alex's uncle, being chased by motorcycles, fires two rockets from the rear and destroys two motorcyclists in a ball of flame and a loud explosion.

At approximately 5 minutes – a helicopter chases Alex's uncle's car. A man suspended upside down by a rope from the helicopter fires two guns at point blank range through the windscreen of the car being driven by Alex's uncle. Later plot developments confirm that the uncle is killed by these shots.

At approximately 13 minutes – Alex sees his uncle's car being stolen and gives chase on his bicycle through heavy traffic with near misses and screeching of tyres and follows it to a vehicle wreckers yard.

At approximately 15 minutes – Alex hides in the bullet-riddled car of his uncle to escape detection by several thugs. A ferocious dog leaps at him repeatedly but he is protected by the car window. After a sequence demonstrating the power of the

compactor, the car is grabbed by the compactor, crashed and crushed with Alex in it, but he escapes by using the car's ejector seat.

At approximately 18 minutes – after escaping from the car, Alex is cornered by 5 thugs in the wrecking yard and a fight ensues, with Alex overwhelming them by the use of martial arts.

At approximately 23 minutes – the scene from 18 minutes is repeated on a video-surveillance screen.

At approximately 26 minutes – Alex is rigged out in military clothing and is in a hut in a training camp in Wales and meets four tough army men. He is threatened and grabbed by one of the men. Alex hits him and kicks him in the groin.

At approximately 27 minutes – Alex is on a flying fox and is stopped mid-air and is prevented from going further. He hangs suspended from the rope above a body of water and ultimately has no alternative but to drop from a large height into a lake.

At approximately 30 minutes – as part of a training exercise, Alex escapes from a hut and removes the chocks from the wheels of a trailer with some army personnel inside, locks the door and lets it run down the hill and over a cliff into a lake. Screams can be heard from the occupants.

At approximately 37 minutes, a small fish in a large glass fish tank is killed by a giant jellyfish. The fish is seen swimming, then motionless and, as it slowly falls to the bottom, it is shown as a skeleton and then only a head as it reaches the bottom of the tank. This scene is a prelude to the scene at about 66 minutes.

At approximately 51 minutes – in Alex's house, his late uncle's female partner, Jack, arrives home to find an intruder, Nadia Volle, who attacks Jack. There is a fierce hand to hand fight (gun at start, kitchen utensils and spikey puffer fish at the end) which ends with Volle's hand spiked on the puffer fish with blood shown.

At approximately 55 minutes – at night, in a warehouse, a forklift driver drops a small container and is shot by Gregorovich who is supervising the operation (the object of the shooting, presumably the forklift driver, is off screen but a horn sounds to suggest a body slumped over the horn).

Starting from approximately 59 minutes – Alex is captured by Gregorovich's men and in the course of the altercation Alex grabs a green vial and uses it as a threat to his captors and then runs. He is threatened, chased and is finally captured and he is next seen tied to a chair in the presence of the villain, Darius. The atmosphere is sinister and threatening. Two knives are thrown at him, narrowly missing him but one is embedded in his chair between his legs.

At approximately 62-65 minutes – Alex is seen tied to a chair while two knives are thrown at him (narrowly missing).

At approximately 66 minutes – Alex is at Stormbreaker HQ and is thrown into the large glass tank of water with a menacing and huge jellyfish. A woman off-sider (Nadia Volle) of the villain, Darius, takes black and white photographs of the hapless and drowning Alex who applies a paste under water to metal window

supports. These photographs reiterate the plight of Alex, adding impact to the scene. Suddenly, the glass walls give way with a crash and water overwhelms the woman who is shown smothered by the jellyfish. She is shown with the jellyfish covering her torso and her two legs in the air, quivering.

At approximately 69 minutes – Alex is on a quad bike and is being chased and shot at. He fires a spear from a spear-gun at the under-belly of a helicopter and as he is lifted off the bike, it explodes.

At approximately 71 minutes – Alex is on board the helicopter being flown by Darius’ offsider. Alex fires a drug-laden nib (from a fountainpen-like instrument) into the neck of the pilot and the drug makes the pilot compliant with the instructions of Alex.

At approximately 74 minutes – Alex parachutes from the helicopter and through the roof of the venue where the Prime Minister is about to press a button to activate thousands of computers in schools and other places, the gift of Darius, which will release a deadly virus. He shoots out the button.

At approximately 75 minutes – Darius punches the PM.

At approximately 79 minutes – Alex follows up on a second “fallback” switch which Darius seeks to use to activate the computers to release the virus. As Alex enters the foyer of the building in which this system is housed, he is confronted by a burly security guard and Alex kicks him in the groin. The security guard is again kicked in the groin shortly afterwards by Alex’s female friend.

Starting at approximately 80 minutes a fight scene between Darius and Alex begins on top of the building.

At approximately 82 minutes Darius is shot and falls from the rooftop.

7 Submission of the Applicant

The Applicant’s submission included that:

- The 8 scenes identified by the Classification Board could not take the film into the “M” classification;
- Parents are able to make a judgment about the film by reference to the books;
- The distributor would not shirk its responsibility to clearly identify the violence in the trailers for cinemas and in television promotion;
- Humour in some scenes mitigates the violence;
- A comparison with other films shows that this film is less graphic and less violent than others which have been classified “PG”;
- Some scenes are too fantastic to be taken seriously;
- The violence in the film is mild rather than moderate and thus falls into the “PG” classification.

8 Reasons for the decision

The Review Board was concerned about the frequency of the acts of violence in the film. The Guidelines provide that in relation to the classifiable element of violence, to

be acceptable in the “PG” classification the “violence should be mild and infrequent, and be justified by context”. It is fair to say that the violence is justified by context – it is an “action” film. However, notwithstanding that the individual acts of violence could generally be described as mild, the Review Board considered that the frequency of the violence was such that it could not be accommodated at the PG (Parental Guidance) classification.

It is the determination of the Classification Review Board, that the film *Stormbreaker* warrants an M classification because the cumulative impact of the frequent violent action scenes is moderate rather than mild.

9 Summary

The Review Board concluded that the impact of the classifiable elements in the film could be accommodated in the M classification. The themes and violence were justified by the overall context of the film. The Review Board was unanimously of the view that an M classification was warranted.