

Responses to questions from the Australian Classification Review Board

RIMWORLD

1. We appeared in the hearing before the Review Board of 20 April 2022 on behalf of the Applicant, Double 11, to request that the decision of the Classification Board to refuse classification of *RimWorld* should be reviewed and revised to a classification of R 18+ or lower.
2. The following supplementary materials are in response to questions raised in the hearing. Please advise us if any further information is required for the Review Board to make your decision.
3. **Why are drugs included in RimWorld?**
- 3.1 We were asked why drug use is included within the game if it has such negative impacts on the colonists, and would like to expand on the response given by providing you with the following that was written by the developer of the game, Tynan Sylvester, who we asked, '*why is drug use critical to RimWorld?*'
 - (a) There's no single, narrow answer as to why drug use is critical to RimWorld. The fiction, tone, mechanics, and choices related to drug use fit into the game in many ways. Here are some, explained more fully.
 - (b) **Moral dilemmas:** RimWorld is designed as a story generator, which means player isn't intended to just engage in a mechanical system attempting to win a specific outcome. Rather, the player is directing part of a story that he or she creates together with the semi-random game systems. Every part of the game was consciously designed to create the most dramatic and intense stories possible. Good stories have moral choices and dilemmas, and drug use is a key mechanic which supports these because drugs are part of moral dilemmas in many situations. The most fundamental moral choice with drugs is: Is it right to use a drug that has a short-term benefit, like increased speed or reduced need for sleep, even if it's harming a person's health over the long term? The game implicitly asks this question in countless different contexts depending on the situation. What if there's a hard fight at hand? What if a necessary trade deal is about to fall through? What if you need to travel a long distance to deliver medicine to a sick friend? Without any drug use in the game, RimWorld would lose a key system helps generate difficult choices like these.
 - (c) **Human management challenge:** A key part of RimWorld's challenge and story-generating potential are the difficulties of managing your own group of colonists, with their flaws, special needs, and personal instabilities. These are not robots under the player's direct control like in many games. They get in fights with each other, especially when under stress. If they're too unhappy, they'll get mad and destroy your resources in an emotional tantrum, or stop working and hide in their room, or rebelliously begin lighting fires, or do many other things. Some of the things they do connect with irresponsible misuse of drugs. One form of mental break is a drug binge, where a character will give up from stress, stop working, and consume dangerous amount of drugs until they fall into a stupor (or potentially-fatal overdose).
 - (d) **Characterization:** Nearly every one of the randomly-generated characters in the game has some serious character flaw. This is essential to the story-generating aspect of the game, because dramatically flawed characters are essential for interesting storytelling. Among the various flaws, some of them are based on drug use: some characters arrive addicted to drugs, and can be helped to kick the habit by other characters. Some have a 'chemical interest' which draws them towards drug use and must be managed over time, generally by taking steps to prevent them from accessing the drug.

- (e) **Tone of adversaries:** Drugs use is also part of the characterization of adversaries in the game. Pirates who attack the player sometimes have written backstories that mention drug use, and often come with drug addictions. They take drugs during combat to dull pain or speed up their movement, making them more dangerous.
- (f) **Presentation of the world:** RimWorld takes place in a gritty frontier planet with no effective law or social institutions. The presence of drugs in the world, and their honest presentation as dangerously addictive, temptingly useful in the short term, but destructive over time is a key part of the tone and structure of the world.

4. Drug use without direction

4.1 We were asked to clarify if there are situations where colonists will take drugs without player direction and on instructions, provide the following response:

- (a) Yes, colonists can take drugs without player direction, though there are several ways to interpret the term "player direction". A player can generally stop someone from taking drugs for example, by building a wall to isolate them off from all sources of drugs.
- (b) An example of where a colonist may do so, is when they are under so much stress that they randomly have a mental breakdown. In response to the breakdown, they go on to consume large amounts of drugs and this leads to an overdose.

5. Ratings in other jurisdictions

5.1 We were asked about how the game has been rated in other jurisdictions, and confirm that it has never been 'refused classification' and has been rated as follows:

- (a) PEGI Rating (Europe): 18+ (Extreme violence)
- (b) New Zealand Classification Office: PG (adult themes)
- (c) ESRB (United States): Mature 17+ (Blood, use of drugs, violence)
- (d) USK (Germany): 18+ (Drug use)
- (e) IARC (Global): 18+ (Drugs, extreme violence)
- (f) PCBP (Russia): 18+ (Drugs, violence)
- (g) DJCTQ (Brazil): 18+ (Drugs, violence)
- (h) CCC (Chile): 18+
- (i) CSRR (Taiwan): 18+ (anti-social characteristics, drugs, violence)
- (j) Microsoft (Global): 18+
- (k) KGRB (South Korea): 15+ (Realistic violence expression, indirect drug expression)

6. Comparable games

6.1 We were asked if we are aware of any other games classified in Australia which have similar systems for drug use.

6.2 Some examples are as follows:

- (a) **Frostpunk:** Rated M by ACB [here](#). This is a strategy game where the player manages a city in a frozen post-apocalyptic world. Similarly to RimWorld, it focuses on moral choices in the setting of social policy in the city. One such policy is "Cocaine pills", which has various mixed advantages. It is described [here](#).
- (b) **Fallout 3** was rated MA 15+ by the ACB [here](#), and has an in-depth drug system where drugs are based on real-life prohibited substances. For example, the game drug Med-X is based on morphine. In this game, the player can become addicted to drugs, which we note is something that also happens in RimWorld. However, in *Fallout 3*, addiction can be cured instantly by spending some money ("caps") at a doctor. More information is [here](#).
- (c) **Green Hell:** Rated MA 15+ [here](#). In this survival game, the player survives in a jungle environment. It includes the use of Ayahuasca. Ayahuasca is a hallucinogenic brew that is used in the religious rituals. In the game, Ayahuasca is key for the story mode - it allows the player to progress further into the story, and it will unlock access to new areas on the map. The incentive is that you need to make and drink the Ayahuasca brew in order to move the plot forward and to advance the game's story. If you don't, you can't make progress in the game's story. More information [here](#).
- (d) **The Binding of Isaac: Afterbirth** was rated M by the ACB [here](#). The player character consumes pills to gain powerups and is able to use syringes.
- (e) **Far Cry 3:** Rated MA 15+ by the ACB [here](#). In order to unlock a part of the game's backstory, the player has to take drugs which causes them to hallucinate.
- (f) **Heavy Rain:** Rated MA15+ by the ACB [here](#). The detective character, Norman Jayden, is addicted to a drug called triptocaine which is required for him to examine and solve crimes. The player can choose to resist taking the drug, or they can take it. It is presented as a choice in the game.

7. Evidence of the negative impacts

7.1 The Review Board have requested screenshots from the game that demonstrate the mechanics whereby drug use has negative consequences.

7.2 Double 11 has provided the following screenshots and context of what is occurring within the game.

7.3 We also provide the following context:

- (a) Drug overdose is caused by consuming an excessive amount of drugs in a short time period, before the body has the time to deal with it. There's a chance of getting an overdose from just one dose. Overdose can cause instant death.
- (b) The severity of a Drug Overdose is determined by what drugs are consumed; for example, Go-juice, Flake, Yayo, Wake-up, increase the severity by 0.18-0.35 *per drug consumed*, and medical drugs (i.e. Penoxycyline) increasing severity by 0.08-0.14 *per dose*.

- (c) Aside from normal overdoses caused by excessive drug consumption, all 'hard drugs' also have an unavoidable chance of causing a major overdose when consumed. This overdose will be of random severity, and is unaffected by previous overdose severity, meaning that *even the first dose* could potentially result in a major overdose which serves as a risk the Player then learns from going forward.
 - (d) We also note that the game takes place over a long period of time (5-10 in game years) with many characters (generally 8-16 characters) at play. This isn't a short game where player just does a few actions by themselves, it's a buzzing hive of simulated activity. As time goes on, and characters use the drugs, the risk they will overdose increases.
- 7.4 To clarify, drug use can lead to an overdose due to both random chance, which applies every time, so a single consumption of a drug can cause it, or due to repeated use – if drugs are used repeatedly, an overdose is guaranteed.
- 7.5 The series of screenshots below have been provided by the developer of the game, Tynan Sylvester, and depict the following:
- (a) Use of Yayo - The colonist Kazuko died from an overdoes after 5 uses.
 - (b) Use of Wakeup - The colonist Nijima died from an overdoes after 4 uses.
 - (c) Use of Go-Juice - The colonist Staurakos died from an overdoes after 4 uses.
 - (d) Use of Flake - The colonist died from an overdoes after 4 uses.
- 7.6 In these cases of game play, it took 4/5 uses for a drug to cause fatal overdose, however, this doesn't mean that's always the case, as there is always a chance of random overdose on any usage of these drugs. We also note that these drugs cause long-term organ damage, tolerance, and mental breaks as well as leading to overdoses.
- 7.7 Please let us know if the Review Board would like any further information.



Figure 1: Notification that the colonist is overdosing after overconsumption of Yayo (with added circles directing your attention to the key information)

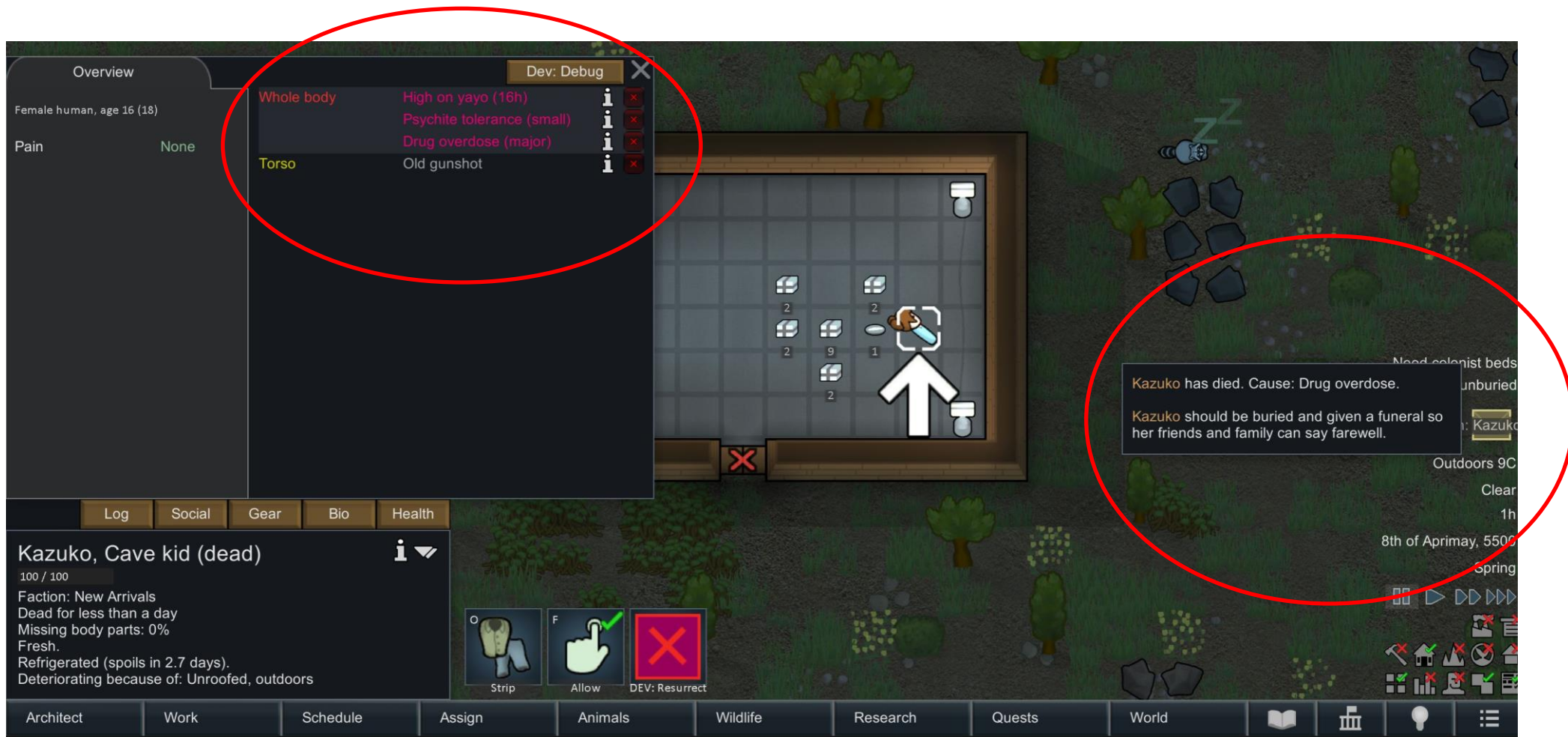


Figure 2: Notification that the colonist has died – cause of death: drug overdose after overconsumption of Yayo (with added circles directing your attention to the key information)

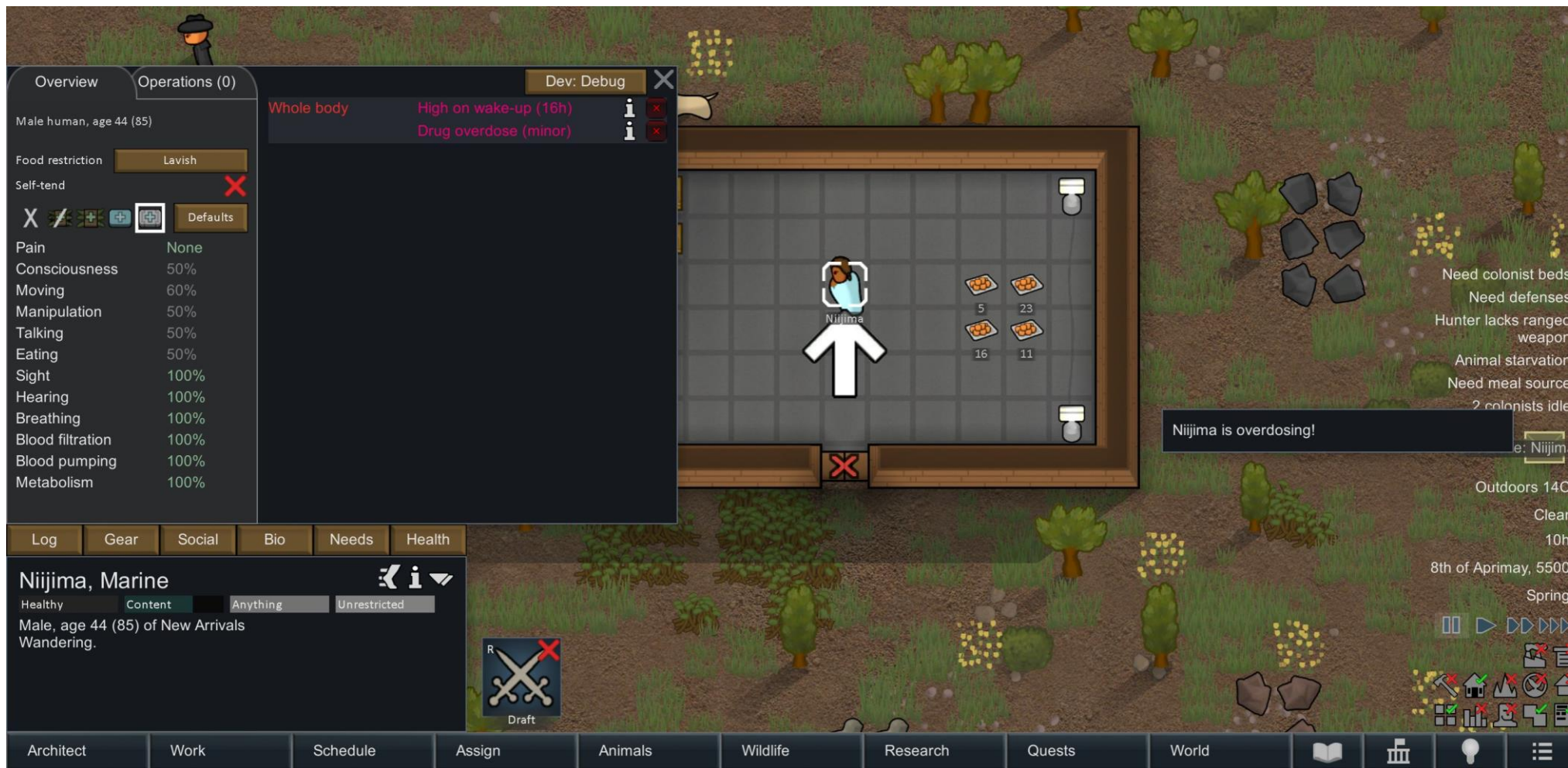


Figure 3: Notification that the colonist is overdosing after overconsumption of wake-up

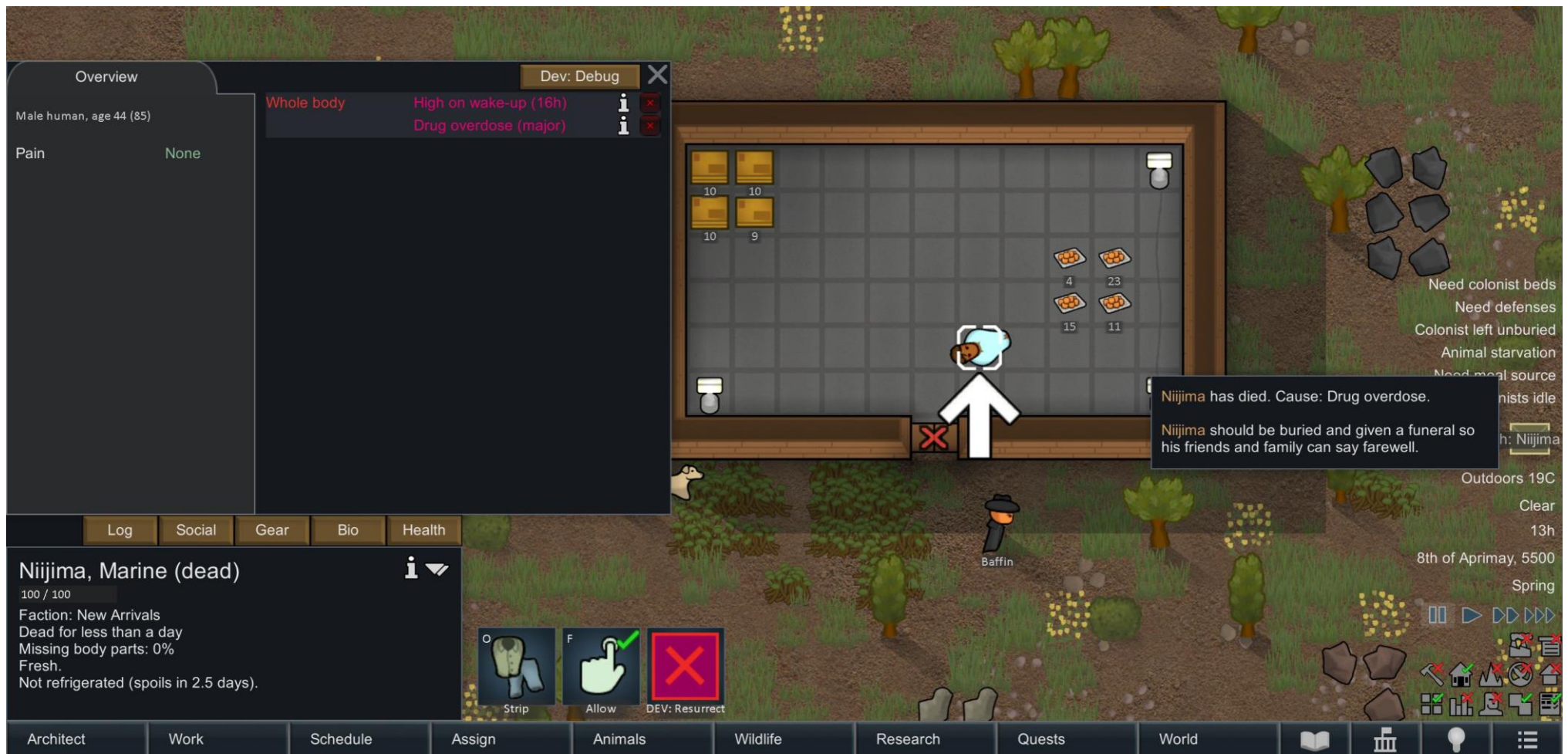


Figure 4: Notification that the colonist has died – cause of death: drug overdose after overconsumption of wake-up



Figure 5: Notification that the colonist is overdosing after overconsumption of Go-Juice



Figure 6: Notification that the colonist has died – cause of death: drug overdose after overconsumption of Go-Juice



Figure 7: Notification that the colonist has died – cause of death: drug overdose after overconsumption of Flake

From: s 47F
To: [Classification Branch Review Board](#)
Subject: Rimword - Classification Review
Date: Friday, 8 April 2022 3:42:01 PM

Dear Convenor of the Review Board

Today I write to express my interest in the Classification Review Board review of the Computer game - Rimworld.

It has come to my attention that recently this game has been classified by the Classification Board as RC (Refused Classification) due to drug use related to incentives and rewards are not permitted within games.

I personally do not agree with this statement completely. Although drug use is present in Rimworld - a world simulation game. My experience is that it does not encourage and promote drug use in an unrealistic manner. The options are presented to you but, like in real life the short term gains of drug use heavily outweigh the long term negative effects, and like in real life, the use of drugs is a decision you need to make as a reasonable adult. The mechanics gives you the freedom to experience and experiment with scenarios - the good and the bad. This is what makes Rimworld a unique, that not every life experience/story is a good story. You play it out as is, see where it takes you. Not many other games in the market give you the same experience and would truly be a shame if it's withheld from Australian audiences without proper justification and a thorough review.

I have played over 500 hr of Rimworld since 2015, with many successful and unsuccessful campaigns, but every single one of them was a fun experience. Some playthrough I had to rationalize the use of drugs, weigh up the pros and cons , and very rarely have felt I needed to take drugs in the game to win/progress in the game, I found that drug use would most times negatively affect my playthrough. In my personal life I have never taken drugs as a direct effect I have from the game. I am a mentally healthy adult who is married with 2 young children, and I hope that when they grow up and be mature, they will be able to have the same experience I had, with games like this, games that give you freedom and options to create your own adventure.

I only asked that during your review, you look at the larger picture and not just ticking boxes.

I am looking forward to your decision on 20 April 2022.

Kind Regards

s 47F



From: s 47F
To: [Classification Branch Review Board](#)
Subject: Classification of the computer game "RimWorld"
Date: Friday, 8 April 2022 4:37:11 PM

April 8, 2022

Greetings and salutations,

I was inspired to write to you upon hearing the computer game RimWorld was recently considered 'Refused Classification' by the Classification Board. As someone who has thoroughly enjoyed the game since approximately 2017 with adept competency, I feel I am very well informed and positioned to determine your recent judgement as misguided, short sighted, and wrong.

RimWorld is best (and officially) described as a science-fiction colony survival game. The premise of the notion of fiction is that any event or depiction is not true and fundamentally occurs in a creative context. In this instance, a creative context with science and technological flavour. Moreover, the core element to the game is an artificial intelligence (AI) 'story teller' that uniquely influences your colony with events and challenges that the player can respond to. I feel it is pivotal with the aforementioned summary of the game to note that your colony is a story, not merely a save file, and that each story plays out differently. This is why RimWorld is a global success despite no 'campaign mode' or multiplayer mode.

With this understanding I can explain why your view that there is "a depiction of drug use that rewards players" is unequivocally wrong. Drug use in the game, among other things, though the focus here is specifically drug use, operates in the abstract and is not detailed or realistic. In fact, drug use is exaggerated and operates on a plane that is weighted strongly to the negative. The AI story teller can often punish the player for overuse and over reliance of drugs. As a player, it is also a challenge to manage a colonist with an affliction for bad drugs, be it in their specific traits or experience as a colonist over time. A player can banish a colonist for the negative repercussions of drug use, outright ban drug use as a colony policy, or try to rehabilitate colonists who are conversely affected by drugs. On the other hand, temporary boosts or medicine, which is a drug, to heal injuries and wounds acts as a balance in the overall scheme and not explicitly as a reward.

I would like to refer to two examples. Beer exists in the game. Beer provides a temporary mood boost to colonists, so it can be used every so often to alleviate negative moods and keep your colonists happy. Long term misuse, however, can lead to addiction and health issues, resulting in an ineffective colonist that is difficult to manage. With regards to beer, it is fair and reasonable to conclude in RimWorld that moderate use is okay, but overuse is overwhelmingly negative. This is something for the player to manage, and not just a blatant reward with no consequence.

Moreover, another drug is an entirely fictionalised one called Luciferium. This drug may heal permanent wounds and brain damage, significantly aiding a colonist who has seen better days. The downside, however, is that Luciferium requires consistent doses that otherwise results in death of the colonist and can only be purchased rarely and never self produced. With consideration to Luciferium it can be seen that the negatives outweigh the positives, the drug is fictional, abstract, and not realistic, and that it would seldom be used. It does not encourage or inspire use of real world illicit drugs as the name and effect are fictional.

There are no clear in-game rewards in Rimworld, only survival. The result of a player navigating challenges and opportunities, positive and negative altercations is a joyful story telling experience worthy of a few hours of our time, here and there. Any game mechanic is part of the fictional story and not rooted in any sense of realism. There are blurred lines between positive and negative actions. There are grey zones, not rewards, that must be

skilfully managed by the player. Overall, drug use in RimWorld is shown in a negative, rather than positive light, and it sits with the player to determine the scope of what actions are worth taking concerning drugs or otherwise, unique to their own story. All illicit drugs in RimWorld are entirely fictionalised and exist solely in the creative domain of the game and developer. The hallmark of the game is that I can build a colony with a staunch abstinence based ideology. Alternatively, I can liberally allow my colonists to do as they please with concern to drugs. The key point is there is no reward. Only mitigations and challenges come from your actions.

Finally, I would like to declare, given the possibility that this view can be made public, a statement that I do not partake in, personally use, or endorse illicit and/or recreational drugs. I am merely defending the right for sale in Australia a science-fiction computer game that I have been privileged to enjoy playing every so often. With the accumulation of time I have spent playing RimWorld I can conclude that it is not an easy game to learn or play, and can be considered quite complicated or advanced in comparison to other popular computer games. As such, I sincerely doubt the review process by the Classification Board to be fair, thorough, detailed, and conducted with subtlety to reflect the type of game that RimWorld is. I argue that the review, reflective of an individual or the organisation itself, has been undertaken largely by technological novices who lack true experience in exploring the mechanics, depth, and context, of computer games. There are no reasonable grounds to ban RimWorld for sale in Australia. It is subjectively (my opinion) and objectively (industry reviews) a game of exceptional quality.

s 47F

From: s 47F
To: [Classification Branch Review Board](#)
Subject: Rimworld ban
Date: Friday, 8 April 2022 6:53:45 PM

Rim world should not have been banned for it depiction of drug use. Just make it age restricted.

From: s 47F
To: [Classification Branch Review Board](#)
Subject: Rimworld classification.
Date: Friday, 8 April 2022 7:45:40 PM

Please reconsider the classification of the game Rimworld, as given the demographic who primarily enjoy these games are thirty-five-year-old adults, as well as the fact that current classification standards seem to be entire out of touch with real world application.

My plea is not simply to this one instance, but is to the entire board in which video games are classified. There needs to be a major overhaul of what is classed acceptable, and to the powers granted to this board. The entire system is dated and treats fully grown adult as if they are children who do not have the capacity to regulate their own moralities.

Classification are there to classify, not to enforce abstract and ambiguous ideas of sensibilities upon the adult population.

I am a thirty-year-old adult, I do not require a board to coddle my decision when I choose to enjoy a piece of entertainment. Treat us like adults, please.

Sincerely,

s 47F

From: s 47F
To: [Classification Branch Review Board](#)
Subject: Application for standing as interested party to classification review of the computer game Rimworld
Date: Friday, 8 April 2022 9:45:56 PM
Importance: High

Dear s 47F,

My name is s 47F, and I am writing to you as Convenor of the Australian Classification Review Board regarding the Board's decision to Refuse Classification to the computer game *Rimworld* on 28 February 2022. It is my understanding that the Board has recently received an application to review this rating and will convene on 20 April 2022 to make a final decision.

As an individual, I support the publisher's position and would like to apply for standing as an interested party to this review.

I have written to the Board previously regarding this decision and received a response outlining its reasons for applying an RC rating.

However, I am completely dissatisfied with this response. After performing a legal and independent review of the content, I remain strongly opposed to the decision on the following grounds:

1. The game contains 7 different consumables which may be classified as "drugs" according to definitions from the Department of Health. All except for one are completely fictional representations of substances that have no real-world name or analogue. As precedent, I refer to the ACB's predecessor the Office of Film and Literature Classification (OFLC)'s decision in 2008 to re-classify the title *Fallout 3* as MA15+ instead of RC, after certain names of in-game consumables were changed.
2. The single consumable that is arguably not a fictional substance is labelled "yayo", which after some research appears to be a Spanish street slang term for the real-world illicit drug cocaine. Not a single official dictionary or medical definition can be found linking the term "yayo" with cocaine. Does the Board rely on translations of foreign street slang in its decision-making process?
3. If the answer to the above is "yes", then my view is that the game actually attempts to convey an educational and realistic depiction of the negative externalities of drug abuse. In the game, consuming "yayo" provides a temporary increase to certain player attributes, which the Board may have considered to fit the definition of "incentives or rewards".

However, had the Board exercised maximum due diligence in its review of the content, it would have also determined that the net effect on the player is actually a significant disincentive. Similar to any possible real-world counterparts, consuming this drug results in an "addiction" modifier being applied, which decreases all player attributes in excess of the benefit mentioned previously. Excessive consumption also results in "overdose" and death or chemical damage to internal organs. I am not a medical expert, but I am unable to see how this set of conditions can be defined as either an incentive or a reward.

Being an ex-Senator, I trust the Convenor of the Board will take into account the views of Australian taxpayers and voters when deciding on the application of Legislation, and exercise maximum due diligence and consideration when making a final decision on whether any of the content in this game accurately fits the definition of *“illicit or proscribed drug use related to incentives or rewards”* as outlined in the *Guidelines for the Classification of Computer Games 2012*.

Regards,

s 47F

From: s 47F
To: [Classification Branch Review Board](#)
Subject: Classification review for Rimworld
Date: Friday, 8 April 2022 9:49:51 PM

To whom it may concern;

Re: Classification review for RimWorld:

<https://www.classification.gov.au/about-us/media-and-news/media-releases/classification-review-announced-for-computer-game-rimworld>

I am a 42 years old father of four employed in the IT industry for 16 years. As of time of writing, I have spent 772.3 hours playing RimWorld since its release 8 years ago in 2013.

I consider myself a “reasonable adult” under the standards of the *Classification (Publications, Films and Computer Games) Act 1995*.

As a reasonable adult, who has spent a significant period of time playing the game, I would like to state that I consider the drug use in the game to be abstracted and cartoonlike and definitely not “detailed and realistic”

Currently on my 27” computer monitor, the cartoonlike characters in rimworl are approximately 1.5-2cm high. The characters are roughly made of a circle for a head and either a rectangle or oval for a body. An example is below



I would consider the very common occurrence of drug use in movies to be “detailed and realistic” as there are actual human actors using realistic looking drugs.

I would not consider a 2cm high cartoon character with a pipe or “cigar” with smoke coming out of it to be in the same category of “detailed and realistic” content.

I would also like to note that the drug use in Rimworld has severe consequences.

The Drug named “Luciferium” in Rimworld causes instant addiction. Not receiving the drug will cause mental breaks and eventually death.

Other drugs have a daily chance for addiction to occur as well. Drug withdrawal and long recovery times are also shown with very negative effects usually resulting in mental breaks.

Kind Regards,

s 47F

From: s 47F
To: [Classification Branch Review Board](#)
Subject: Rimworld Classification
Date: Friday, 8 April 2022 10:28:03 PM

I am writing to you to express my concerns over Rimworld being banned from sale in Australia. Allegedly the reasoning is 'incentives' or 'rewards' being associated with illicit drugs in the game. I wish to clarify this for you, as it seems that the people assigned to review played the game for 30 minutes then called it a day. There is one drug that corresponds to a real life illicit one, by the name 'yayo'.

Rimworld is a roughly simulationist game. It simulates individual characters or 'pawns' down to limbs, organs and their various traits. Some of these are boosted or reduced when certain substances in the game are used. I believe this would be where your people *stopped*. The game also simulates the difference between 'soft' and 'hard' drugs, with the both causing long term issues such as carcinomas/liver cirrhosis/induced asthma, addiction (with crippling withdrawals that last for months in-game and render an individual useless while dropping their 'mood' stat so low that they go into dangerous psychotic breaks), tolerance and so forth. The latter category - which includes **yayo** - has a *percentage chance* of instant overdose. Any time a pawn uses them - and sometimes if you even have them on the map pawns will use them, meaning you need to hunt them down and destroy any that end up there - there is a chance the pawn will drop into overdose, which often kills.

To recap, in Rimworld using drugs is something only new players will do, because they have not learned the systems by which the game *punishes* drug use, even alcohol. This is the problem with having your people only take a short play. It misses the deeper systems. Use of various chemicals causes the breakdown of a pawn's body and mind, as tolerance builds and they need more and more to get the fix. It's darkly analogous to how real life drug use destroys people and *that's the point*. It's a false 'incentive' - a trap for the early players to fall into and then *learn from*. Successful Rimworld play requires each pawn be able to support the others, and using the drugs causes the game to fall apart as the minds and bodies of the pawns collapse.

Personally as a long-time player I just don't engage with these aspects. I learnt the lesson a long time ago and know better.

s 47F

From: s 47F
To: [Classification Branch Review Board](#)
Subject: Rimworld Refused Classification
Date: Saturday, 9 April 2022 7:14:40 AM

Hi,

I'm writing to support the repeal of the Refused Classification status of Rimworld. I have spent a fair amount of time playing this game over the years and have never associated nor considered the drugs to be beneficial. The drugs depicted are so far removed from our current world as to be fantasy. In addition they come with a number of downsides such as hangovers, increasing tolerance with increased use and rising chance of addiction. Personally because of these factors I don't view them as a purely beneficial strategy but appreciate the challenge of having some colonists come already addicted and having to wean them off. Thanks for your time and I hope this makes sense to you too.

Regards

s 47F

From: s 47F
To: [Classification Branch Review Board](#)
Subject: Review of Classification of RimWorld
Date: Saturday, 9 April 2022 1:33:13 PM

To The Convenor of the Classification Review Board,

Re: Classification review for RimWorld:

<https://www.classification.gov.au/about-us/media-and-news/media-releases/classification-review-announced-for-computer-game-rimworld>

I am a software engineer who, at time of writing has spent over 200 hours playing RimWorld since its release 8 years ago in 2013. I would consider myself a "reasonable adult" under the standards of the Classification (Publications, Films and Computer Games) Act 1995.

As a reasonable adult, who has spent a significant period of time playing the game, I would like to state that I consider the drug use in the game to be abstracted and cartoonlike and definitely not "detailed and realistic".

Characters (or "pawns" as they are known) in RimWorld are represented in a relatively cartoonish way. They only have a basic face shape with a few different body shapes. Hands are depicted as circles whenever a pawn is interacting with an object.

The method by which pawns engage in drug use in RimWorld can be either because the player directs them to do so, or they have a personality type that predisposes them to addiction to drugs, or to use drugs when they fall below a certain mood threshold. The visuals showing the drug use are either the pawn picking up a cigarette like object which emits smoke, or just holding a green can or pill or brown beer bottle.

I believe that visual style of RimWorld does not have the fidelity or detail that would allow for the "detailed and realistic" depiction of drug use.

I do agree however that the consequences of that drug use, both positive and negative, do present a relatively close mirror to reality.

The consequences of this drug use can vary depending on circumstance. Some pawns can become addicted to the drugs. This has serious long-term implications for that pawn's health if they start to enter withdrawal. Negative mood penalties, a decrease in the function and speed of that pawn, permanent status conditions like cirrhosis and addiction, up to and including death if the withdrawal or overdose is not managed.

RimWorld has a condition called a mental break, that pawns can suffer from and can be triggered by a number of factors including poor mood, dirty environment, drug addiction, personality traits or pain.

When a mental break occurs, the player loses control of the pawn and cannot direct them to perform actions as they normally would. A pawn undergoing a mental break can do a number of random things from destroying an item in storage (ranging from clothing to

expensive statues, to explosive shells), insulting another pawn repeatedly, lighting fires, binging food, alcohol or drugs or even attempting to kill another pawn.

All of these are undesirable to the success of the colony as a whole. A fire started in the wrong place and not managed properly can completely burn down all the buildings and items a player has. Destroying an explosive shell, causes a massive explosion, seriously injuring or outright killing the pawn and any bystanders. Binging a drug usually means death from an overdose or the worsening of health outcomes.

The point of this is to attempt to demonstrate that drug use can and usually does have serious consequences that must be managed by the player. Having a pawn go through withdrawal, will mean that you have one hand down for months of in game time, as well as having to dedicate sometimes very limited resources to their continued health and survival.

I believe that the way RimWorld depicts the use of all drugs in a very cartoonish manner. I do agree that the *consequences* of that drug use are also shown in a realistic way, including all the downsides associated with drug use in real life.

Addiction, mental health conditions and permanent damage are all possibilities of using illicit drugs in real life, which has real and long-lasting consequences for the user. The mechanics of the game make it very clear that drug use will have very serious consequences if unmanaged.

Having your entire base burnt to the ground because someone was going through withdrawal and suffered a mental break teaches a very stark lesson.

I hope that you will reconsider the Refused Classification stance on RimWorld.

Yours respectfully,

s 47F

B Eng(Honors)

s 47F





s 47F



From: s 47F
To: [Classification Branch Review Board](#)
Subject: Classification review for the computer game RimWorld
Date: Tuesday, 12 April 2022 12:45:15 PM

Hi CRB,

As someone who have played many hours of RimWorld, I was very surprised with the initial refused classification. The game doesn't promote the use of drugs, quite the opposite. The use of drugs in game has bad side effects and addictions that discourages players to use them in the first place and they outweigh the benefits. In fact, when we receive a game character that already has an addiction, the best course of action is to immediately rehabilitate them. The game could even be considered educative in that sense, even if it's not the intention.

Thank you for your consideration,

s 47F

From: s 47F
To: [Classification Branch Review Board](#)
Subject: RimWorld Classification Review
Date: Tuesday, 12 April 2022 2:49:11 PM

RimWorld is a computer game with a cartoony style and often hyperbolic events. Surely any reasonable adult would know it is a work of fiction and is not meant to be taken particularly seriously.

On the subject of drug abuse in the game, the usage of drugs by the player can have both negative and positive effects.

Is this not the same as in The Binding of Isaac and its various versions which have been published in Australia? I was under the impression that The Binding of Isaac was not refused classification as the various pill items had both useful and inhibiting effects. Is RimWorld not the same?

The usage of drugs in the game can lead to addiction and death in the game's characters. See this page on the RimWorld wiki, a page ran and maintained by avid fans of the game:

<https://rimworldwiki.com/wiki/Overdose>

"Drug overdose is caused by consuming an excessive amount of drugs in a short time period, before the body has the time to deal with it. There's a chance of getting an overdose from just one dose. Overdose can cause instant death."

Does this not provide a cautionary tale to players of the game, that drugs are dangerous and just one dose can lead to extremely harmful effects?

If the difference between Rimworld's usage of drugs and The Binding of Isaac's usage of drugs is the resemblance of RimWorld's drugs to real life counterparts, then the Classification Board should make this apparent to the game's developers so they can release a patch changing the descriptions and names of the drugs within the game.

Furthermore, the other depictions of "sex, drug misuse or addiction, crime, cruelty, violence or revolting or abhorrent phenomena" are often controlled by the player, and if the player indeed chooses to create violent or abhorrent events in their game, they lower the mood of their characters. Please consult the tables on the following page:

<https://rimworldwiki.com/wiki/Mood>

If a character's mood is lowered enough, it will cause a mental break. Mental breaks lead to undesirable situations, such as a player's character leaving or acting violent towards the player's other characters. If a player is left with no characters, this leads to a "game over" state.

Therefore, the violent and abhorrent actions in the game are a risk the player can take, but if the player is to abstain from violence, they can raise the mood of their characters and have a more successful gameplay experience.

This game does not encourage violence; it does the opposite.

A reasonable adult should be able to incur that the violent and abhorrent acts are depicted in such a way that they are not encouraged. They often lead to "game over" states. They do

not offend against the standards of morality and decency as if the player chooses to partake in such actions, they are punished.

And, as I wrote in my opening paragraph, the game is often hyperbolic. Ridiculous situations often arise. See this description of the "Idolatry" DLC:

"Everything is customizable. Make your own story of pirate nudist cannibals, blind undergrounder mole people, charitable ranching cowboys, machine-obsessed transhumanists, or rustic peaceful tribes who link with curious tree creatures."

Also worthy of note is that this game's graphics are simplistic and nowhere near realistic. A child, while they should not be allowed to play such a game, can easily tell it is a work of fiction. A reasonable adult should be able to realise that the game is intended to be ridiculous and hyperbolic, and should realise that choosing to partake in violence or choosing to use drugs in game can lead to extremely undesirable outcomes, as it can in the real world.

I believe this game should not be refused classification but instead given a MA15+ or R18+ rating.

Sincerely,

a concerned Australian citizen who believes in free artistic expression for all mediums,

s 47F



s 47F



From: s 47F
To: [Classification Branch Review Board](#)
Subject: Concerning RimWorld's Refused Classification
Date: Wednesday, 13 April 2022 3:59:55 AM

Greetings Classification Board. I am s 47F and an Australian Citizen. I have played RimWorld for about 550 hours over the last five years, and am writing concerning the following announcement;

<https://www.classification.gov.au/about-us/media-and-news/media-releases/classification-review-announced-for-computer-game-rimworld>

I get the impression there has been a bit of a misunderstanding about how detailed and realistic the portrayal of the character sprites (also known as "colonists"), offending "drug" items and the interactions between these two are, as well as some confusion over various flavour text and status effects. I will do my best to concisely explain the specifics so that you can better decide how to rule on this potential censorship/ban.

I'm going to assume the items in question that are central to this debate are as follows; "Beer", "Smokeleaf", "Psychite Tea", "Yayo", "Go-juice", "Wake-up", "Ambrosia", "Luciferium", "Penoxycyline", "Herbal Medicine", "Medicine" and "Glitterworld Medicine". Despite the fact that not all of them use the word "drug" to describe them, for simplicity I will refer to them as that. It might also be useful to make a distinction between the "player" that is playing the game, and a "colonist", character sprites that the player has some measure of control over, and can include multiple colonists in a given colony.

First off, at no point are these drugs mentioned as illicit in the game's setting (Be it in the colony that the player creates, or the greater universe that it takes place in), and with the exception of the generic terms of "beer" and "medicine", said drugs do not share a name with any real-world equivalent.

It takes a creative mind to try and draw said in-game drugs to a real-world equivalent, but in the spirit of the debate we'll assume that the player has made such a connection as best as they can, since some of the drugs are exceptionally fantastical ("Luciferium" for example is instantly 100% addictive, has the ability to heal brain injuries, and will cause psychotic breaks and eventually death if not administered regularly, which as far as I'm aware doesn't have a real world analogue).

Second, the depictions/animations of a colonist using these drugs, in the large majority is having the drug sprite hover next to the colonist, a progress bar starts to fill under them, and a short sound will play (like a bottle cap being popped, the rattle of a pill in a container, etc). That is the entire extent of what it looks like for a colonist to use any drug. The only exception to that is in the case of Smokeleaf, where little smoke clouds will emanate from the tile that the colonist is standing in.

I should also point out that these sprites of the colonists, the drugs and animation are;

- a) tiny (at the closest zoom level they are 1-2 cm square, and a bit larger again for the colonists)
- b) simplified (the drugs are often just a container, with some of the more detailed ones essentially being coloured circles, or including "+" symbols for the medicines, and the sprites for the colonists are an armless, legless ovoid, with another simple ovoid for a head with eyes and hair.)
- c) non-specific (this action of using a drug is the same animation used when a colonist is performing manual labor, eating a meal, and donning/doffing clothes and other such actions).

- d) brief (At the slowest non-paused game setting, the longest animation is 12 seconds.)
- e) passive (apart from the initial "use X" command the player will give, the colonist will take that drug with no further player intervention required)
- f) 2-Dimensional (all of the sprites and graphics in the game are flat images, and cannot be viewed as a 3D object) and
- g) infrequent (I'll go into more detail in the next segment as to why it wouldn't happen that often.)

And lastly, there are consequences and risks to using these drugs. Except for the ones classed as "medicines" (whose primary purpose to to mend injuries and infections, and typically require a skilled colonist to administer and can still potentially fail), the following descriptions and mechanics surround using said drugs;

- a) The player is warned that there is a chance that the colonist is going to either build up a tolerance (making it less effective), build up a dependence (creating a need for the colonist to crave said drug to offset the impending withdrawal penalty), gain an addiction (an extremely detrimental health debuff), overdose (potentially resulting in the colonist going into a mental-break state whereby they are unable to follow any instructions requested by the player) or a particular combination thereof.
- b) When the colonist gains any of the before mentioned health debuffs, they take a penalty to their various stats, which makes them less effective in a variety of different ways depending on the ailment.
- c) To overcome some of the more troublesome conditions (like dependence/addiction), a sizable amount of time and care has to be put into that colonist's rehabilitation for them to overcome their condition.
- d) The player has some measure of risk control with regards to these mechanics by regulating how frequent a colonist is allowed/required to consume said drugs.

So yes, as a reasonable adult, as per the standards of the Classification (Publications, Films and Computer Games) Act 1995, I consider the drug use in the game to be considered abstracted, cartoonlike and simplified, while the consequences of said drug-use are serious, pervasive, and detrimental.

Frankly I don't think it's worth the trouble, and plus, I'm too busy selling the drugs to have my colonists on anything.

Feel free to contact me s 47F for any clarifications or elaborations on the specifics.

Side-note, I am confused as to the wording in the classification, since it is vague enough to suggest that if someone were to release a game depicting in-detail first aid, it would be refused classification.

Kind Regards

s 47F

From: s 47F
To: [Classification Branch Review Board](#)
Subject: Rimworld classification review - interested party.
Date: Friday, 15 April 2022 8:01:36 PM

To whom this may concern,

I do not know much about the process of reviewing classifications, but I would like to state my dissatisfaction with the refusal to classify the video game Rimworld. I think that the government should not have the power to prevent adults from purchasing a game with their own money because some prude disagrees with the portrayal of drugs in a video game. It is absurd that you are allowed to censor media because of **purely political bias**. Drugs are a fact of reality and have been used for millennia throughout many societies and it's moronic that the classification board is allowed to censor any depiction of this topic because they have some personal gripe or some puritanical ideology.

Please use some damn common sense and stop viewing media from your ideologically tainted mindset and reverse this stupid decision. If the supposed media classification board cannot objectively determine ratings then they need to be FIRED and replaced with people who aren't puritanical morons.

Stop using "refused classification" as a political tool in order to control and censor what content adult Australians can access. It is a farce that this is allowed to continue.

Regards,
s 47F, a concerned citizen.

s 47F



From: 
To: [Classification Branch Review Board](#)
Subject: Interested Party submission for RIMWORLD review
Date: Sunday, 17 April 2022 6:14:58 PM
Attachments:  [17 April 2022 RimWorld classification review letter.pdf](#)

Dear Convenor

I am an Australian citizen and I wish to be listed as an interested party. Below is a written letter outlining my thoughts and interest in reversing the prohibition of Ludeon Studio's *RimWorld* from being sold on Australian physical and digital storefronts. Please see the attachment below.

Kind regards,

 s 47F

The Convenor
Classification Review Board
Locked Bag 3
HAYMARKET N.S.W. 1240
crb@classification.gov.au

17 April 2022

Dear Convenor,

I am an Australian citizen and an interested party in the review process for Ludeon Studio's *RimWorld*, which was recently refused classification by the Board. I will provide a list of points arguing in favour of *rescinding the ban* and allowing the game to be sold on physical and digital storefronts in Australia.

1. *RimWorld* has been sold in Australia before with no observable impact

Through all known legal avenues for the sale of computer video games, *RimWorld* has been available for purchase since it went to Steam Early Access, allowing gamers to buy the game before its official release and provide feedback to improve the final build. It released in 2018 to critical acclaim, and it is fair to say that Australians have also been enjoying the game ever since. The Australian Classification Board (A.C.B.) issues verdicts on all video game submissions (as required by law) with the intention of determining the impact that video game content may have on the mental development of gamers in the country. The Board has failed to provide sufficient evidence that the content of *RimWorld* has negatively impacted the mental development of Australians from 2018 to today – they instead compared the game's content to its own list of prohibited content without proper context nor a demonstration of impact.

2. *RimWorld's* depiction of objectionable content is in no way realistic

The A.C.B. determines the impact of video game content based on set criteria, one of which being the observable realism of how the content is depicted. *RimWorld* cannot be said to appear realistic in any reasonable sense. The top-down camera angle and miniature sprites of the game's world are unable to sufficiently depict objectionable content to the extent that gamers can learn and re-enact criminal acts and behaviours. The Board has not indicated that any of its Members have played the game and observed first-hand how *RimWorld* depicts its content.

3. The prohibition of video game sales contributes to piracy

Members of the Board are recommended to research both the Streisand Effect and psychological reactance, a phenomenon where prohibiting someone from accessing information increases their desire to obtain it. In the case of *RimWorld* and other banned video games, a sound judgement can be made that the status of Refused Classification increases the perceived value of the banned media. If legal avenues for distribution are closed off, then interested gamers will inevitably resort to Internet piracy, which Members of the Board agree is a criminal act in Australia. In the interest of promoting the rule of law, it is recommended that the A.C.B. resume the legal distribution of video game software such as *RimWorld*; Australian customers drive the economy, and the Board must assure video game companies that they can continue to participate in the Australian marketplace.

4. The existence of user-generated video game mods circumvents and nullifies classifications

User-generated video game mods allow tech-savvy gamers to create content not designed nor intended by the original software developers. The Board understandably cannot examine individual submissions of user-generated content even if it had the resources to attempt such a feat. In the event that the Board demands Ludeon Studio removes objectionable content in order for its submission to be approved, it will prove to be ultimately fruitless. Putting aside the disgruntlement of gamers who disagree with the removal of objectionable content, the existence of user-generated mods includes the ability to restore censored content on the PC platform (video game hardware like the PlayStation and the Xbox do not provide that freedom), thereby circumventing the classification entirely.

In closing, I urge the Convenor and the Review Board to consider the above arguments I provided and allow Ludeon Studio's *RimWorld* to be legally distributed in Australia as planned.

Kind regards,

s 47F

From: s 47F
To: [Classification Branch Review Board](#)
Subject: Submission for the review of computer game "RimWorld"
Date: Sunday, 17 April 2022 9:11:55 PM
Attachments: [RWreviews submission.pdf](#)

Dear The Convenor,

I would like to make a submission regarding the review of the Refused Classification decision for the game RimWorld.

I have attached a copy of my submission to this email, as a PDF file. I have also created an online document copy, if this would be preferred:

<https://docs.google.com/document/d/18AZcRw0O5edXsWS8fA1gxGxytwUk8am/edit?usp=sharing&ouid=112994855145718176377&rtpof=true&sd=true>

I have been following this game and its developer since I became aware of it in 2018 via a narrative youtube playthrough, and I am now an active player and community member. I am an interested party because I would like to be able to continue to support the developer and recommend it to others.

As I am a member of the general public, rather than a professional or industry group, I would also like to please request that my full name is either not disclosed in the Review Board's final decision report, or disclosed by initials (such as s 47F).

Thank you,

s 47F

To Whom It May Concern,

I will try to make my submission concisely on one page, and more detail on the second.

First, here is a screenshot of the 2018 game, *Red Dead Redemption 2*:



As can be seen from the image – it contains a consumable item explicitly labelled in image and text form as “COCAINE” which contains positive gameplay effects as restoring Stamina and Fortifying. This was a game with very highly detailed, ‘realistic’ graphics where the player controls one main character.

It also happens to have been the latest marquee title from a multi-billion dollar company. It was rated by the Australian Classification Board as “MA15+”.



Now here is a screenshot of the game, originally released in 2013, *RimWorld*:

This is the most zoomed-in high-detail possible. ‘Drug taking’ is depicted as a yellow bar over the colonist’s name slowly filling up. The colonists are depicted as basic shapes, without limbs or facial expression outside of eyes. The player role is conceptualised as an AI or god-like figure controlling a colony, mainly indirectly via a task priority or rule-based system (i.e. there is no ‘player character’ representative). The ‘drugs’ in this game are all fictional creations, with names such as “Luciferium” and “Go-Juice”.

This game is a highly niche genre world-simulation game, that has been in active development and available to play since 2013, largely created by a single independent developer. And, the Australian Classification Board decided this game should be “**Refused Classification**”.

I would like the Review Board to consider – how is this a fair and logical application of the current legislation? It is certainly not the only example, of smaller indie games being refused classification, while the billion-dollar AAA titles with far ‘worse’ content get approved with no issues.

Considering RimWorld as an entity in isolation, I cannot see how it would meet any of the Refused Classification criteria for the following reasons:

- The extremely low detail graphics inherently do not meet the definition of “detailed and realistic”. The character models are small, 2D/flat broad representations of human shape, and do not have facial features outside some simple eyes, and do not have limbs. The ‘drugs’ themselves are similarly simple flat shapes. There is barely any animation, and consuming ‘drugs’ (along with other things, such as food, or completing a task) is represented by a small yellow progress bar.
- The drugs are fictional and do not exist in the real world, therefore cannot be “illicit or proscribed”. The ‘drugs’ in RimWorld (with the exception of beer) are fictional creations of the developer, with names such as “Luciferium”. They also have a number of fantasy properties, such as ‘Luciferium’ creating an addiction that cannot be removed, even by putting the colonist in a bio-regeneration pod or by using healer or resurrection serum containing restorative ‘mechanites’. Luciferium addiction happens to be the only health condition in the game, up to and including death, that cannot be healed in some way.
- As described above, fictional drugs cannot be proscribed, however drug use is generally not encouraged by the game mechanics. It makes things more difficult and dangerous for your colony – but it is there an option, perhaps for role-playing purposes. All drugs considered in the games category of “hard drugs” (the others being “social drugs”, such as alcohol, or “medical drugs”, such preventative for malaria) have a 2% chance of instant death for each/any use, and strong chance of addiction. Withdrawal, overdose and permanent chemical brain damage are all modelled by the game – huge penalties that could permanently incapacitate or kill a colonist. Having incapacitated colonists when an enemy attack occurs is a significant liability and could easily lead to an entire colony wipe-out.
- The final criteria that I believe RimWorld clearly does not meet is “illicit or proscribed drug use related to incentives or rewards”. I already covered why the game does not fit the “illicit or proscribed” above, however putting that aside, I cannot see how RimWorld’s drug use would be considered as having an incentive or reward either. It is a negative, difficulty-increasing modifier to gameplay, often leading to bad outcomes, the same as deciding to play as a colony of nudists would be. In terms of the random traits that colonist can have, “chemical fascination” (which means the colonist will consume drugs, regardless of the player-set drug policies) is widely considered to be one of the worst and most dangerous to a colony traits in the game – on par only with “pyromaniac”s (who will habitually start random fires inside the colony). Even traits such as ‘cannibal’ or ‘bloodlust’, who respectively have a desire to consume human flesh and are 4 times as likely to start physical brawls with others, are considered to be less risky to manage. Personally, having a trait such as “chemical fascination” is an instant disqualifier to consider a colonist for my colonies. Same for Luciferium – as detailed above, for a game with multiple magic and sci-fi healing methods, this drug results in addiction 100% of the time, will kill a colonist who does not take more in 6.66-day intervals, and is the *sole* non-recoverable health condition in the entire game. It is more irrevocable and destructive to a colonist than straight up dying.

This game is a fantastic example of its niche genre, the result of a many-years labour of love from its main developer. It has a small but passionate community. To see the ACB try to cut out Australians from it retroactively is dismayng. I hope the Review Board will overturn this decision.

Regards,

s 47F

References

- [1] RadarX, "RadarX on Twitter: "Red Dead Redemption 2 has taught me a little about personal health recently. Mostly that I should be smoking cigarettes, chewing cocaine gum, and drinking gin. <https://t.co/x2P5iuaM6O>" / Twitter," 5 11 2018. [Online]. Available: <https://twitter.com/radarx/status/1059242512769052672>. [Accessed 17 04 2022].
- [2] *Rimworld Screenshot (Own Work)*, 2022.

From: s 47F
To: [Classification Branch Review Board](#)
Subject: Classification Review Board - RimWorld
Date: Monday, 18 April 2022 10:39:10 AM

Dear Sir or Madam,

18/04/2022

Thank you for taking your time to review the classification status of the video game RimWorld. I would consider myself an interested party who would like to see the ruling changed from RC (Refused Classification). To date, I have played 1,177.1 hours of this game since July 2016 and at no point have I felt that the drug themes featured in the game are depicted in a positive light. The player is faced with the heavy consequences that come with drug use, which range from social, physical, and mood-related issues and when combined often make the choice to use them undesirable. While I agree that the drugs featured in the game have similarities to real-world examples the game itself has changed their names to either lesser known or completely fictional ones when many other forms of media don't.

As you can tell this is a game that I am very passionate about which has done so much to inspire creativity in me through the way it tackles world-building and the storytelling within this and I feel like it would be a shame for future Australians like me to miss out on it. I would strongly recommend the Classification Board reconsiders its ruling.

Kind Regards,

s 47F

From: s 47F
To: [Classification Branch Review Board](#)
Subject: Classification Review - Rimworld
Date: Monday, 18 April 2022 1:26:01 PM

Hi,

I was surprised to hear that the computer game Rimworld has been refused classification due to “illicit or proscribed drug use related to incentives or rewards” , and for being “detailed or realistic”. I have played around 750 hours of Rimworld over the last several years, and the only realistic aspect of drug use I have encountered is that there are fairly strong incentives to *not* use them.

In some of my play-throughs, I have allowed colonists to consume beer. The colonists receive a small mood boost from it, and on these occasions, I considered the downsides - loss of coordination, addiction, and liver damage from long-term use - to be acceptable. Even then, I forbade some colonists from consuming beer if they had a job that required high levels of coordination, or if there was an upcoming fight that the colonists needed to be sober for.

The other, more extreme space-drugs, I have never intentionally allowed a colonist to consume. Occasionally I will recruit a colonist with an existing addiction to one of these, but I don't consider the risks of supporting their addiction worthwhile - the health penalties are too severe. Instead, any drugs in their possession are destroyed or sold, and the new recruit will be bedridden (and a burden on colony resources) while they go through withdrawal.

There is another drug - Luciferium - that I don't even allow colonists to store in the colony. Addiction is guaranteed, and withdrawal is 100% fatal. I once had a new recruit arrive with an addiction to Luciferium - they were a lost cause. I took them outside the colony and sent them on their way. I assume they died in the wilderness, but the game doesn't go into that much detail.

I hope my experiences with this game can help clear up some of the confusion regarding its rating.

Regards,

s 47F

s 47F



From: s 47F
To: [Classification Branch Review Board](#)
Subject: Submission to the Review of "Rimworld"
Date: Monday, 18 April 2022 11:33:10 PM
Attachments: [Rimworld review board submission.docx](#)

To the Convenor,
Classification Review Board.

Please find attached my submission to the Classification Review Board's review of the recent decision to Refuse Classification to the video game Rimworld. I believe the initial decision to Refuse Classification to Rimworld was made in error, and that the content and mechanics of the game can be accommodated under the guidelines set for the R18+ rating in accordance with previous classification decisions made by the Board.

Regards,

s 47F

To the Convenor,
Classification Review Board

RE: CLASSIFICATION REVIEW OF 'RIMWORLD'

I write to you today in support of publisher Double Eleven's appeal to review the classification of the video game *Rimworld*. I believe the initial decision to Refuse Classification to *Rimworld* was made in error, and that the content and mechanics of the game can be accommodated under the guidelines set for the R18+ rating in accordance with previous classification decisions made by the Board.

Rimworld is a critically acclaimed sandbox colony management simulator game. There are no set objectives for the player but to keep one or more characters, called colonists or *pawns*, alive for as long as possible on a far-flung planet in a hostile science fiction universe. The player is in opposition to an AI 'Storyteller' who creates events, good and bad (but mainly bad) that the player must respond to. Survival and therefore success requires the player to carefully manage all available resources, not the least of which is the pawns themselves who must perform every task in the colony. The player must direct pawns to do everything from building shelters to growing food, from manufacturing trade goods to fighting off hostile invaders.

Players must keep their pawns happy, fed, clothed, rested, entertained, healthy, and sheltered to have the best chance of long-term success and survival. Happy, healthy, well-rested, and well-fed pawns are more productive and are of more benefit to the colony than sad, sick, tired and hungry ones. Pawns who are sufficiently miserable may suffer from a 'break' where they stop working altogether, and while suffering from a break may actively harm other pawns or the colony itself. Having multiple miserable pawns can lead to a situation colloquially known as a 'tantrum spiral', wherein one pawn suffers from a 'break' and their negative behaviour causes another pawn to also suffer from a break, and their combined negative behaviours cause still more pawns to suffer from breaks, until the whole colony has stopped working and may even self-destruct.

The Board has stated that its initial reasons for refusing to classify *Rimworld* are that it found the game could not be accommodated under the Guidelines for depictions of Drug Use, specifically:

- Drug use related to incentives and rewards is not permitted.
- Interactive illicit or proscribed drug use that is detailed and realistic is not permitted.

Drug use related to incentives and rewards is not permitted.

I refer to the Review Board's 13 May 2021 decision to rate the video game *Disco Elysium* R18+ on appeal:¹

"In the Review Board's opinion, this game provides disincentives related to drug-taking behaviour, to the point where regular drug use leads to negative consequences for the player's progression in the game. The game mechanic is designed to disincentivise and penalise increased consumption of drugs."

Drug use in *Rimworld* is disincentivised to the point that many players, myself included, actively avoid engaging with the system, with no negative impact on our gameplay experience or ability to create a successful colony. Others engage with it only in dire circumstances, where the temporary positive benefits of commanding or permitting a pawn to use a drug outweighs

¹ <https://www.classification.gov.au/sites/default/files/documents/classification-review-board-review-of-classification-decision-for-game-disco-elysium-the-final-cut.pdf>

the longer term or even short-term negative consequences. Still other players treat it as an additional level of difficulty, a challenge to build a strong colony in spite of, not because of, drug use by their pawns. This is due to the combined operation of four mechanics:

- Drug Side Effects
- Overdose and Chemical Damage
- Addition and Tolerance
- Colony wealth

Drug Side Effects

All drugs in the game bar *Ambrosia* and Beer have immediate negative side effects for pawns that consume them. *Psychite tea* gives pawns a bonus to their mood stat at the expense of making them tire quickly, limiting their productivity in the colony while under its effects. *Smokeleaf* does something similar, providing a mood bonus while reducing the pawn's ability to complete work, but consuming it when the pawn's consciousness stat is below 30 can kill them. Pawns under the effects of Go-Juice are unable to feel pain, which makes them more effective in combat but also much more likely to die during it as they will fight on through potentially fatal injuries that would cause other pawns to collapse or retreat. As a rule of thumb, the stronger the positive effects of the drug, the stronger the negative side effects.

Overdose and Chemical Damage

There is a chance each time that a pawn takes a 'hard' drug (defined by the game as Go-juice, Flake, Yayo, Wake-up) and medical drugs (defined by the game as Luciferium and Penoxyclyline), there is a chance that the pawn will overdose. The chance of overdose increases with prolonged use of the drug, and has a range of negative effects, from pawns becoming ill and suffering negative status effects, to suffering permanent chemical damage, to dying.

Chemical damage is a related mechanism. Pawns who suffer an overdose, or who build up a tolerance to hard drugs are at risk of suffering severe damage to their brain or kidneys, reducing their ability to function and overall utility to the colony. This mechanic also applies to the pawns that build up a tolerance to beer; pawns who regularly over-consume beer will begin suffering blackouts that can cause permanent brain damage, and eventually can develop cirrhosis of the liver.

Addition and Tolerance

All drugs in *Rimworld*, including *Ambrosia* which lacks other side effects, are subject to the *Addiction* and *Tolerance* mechanics. *Addiction* is a representation of a pawn's physical dependency on a drug. *Tolerance* is a representation of how much of a drug a pawn must use to feel its effects. Pawns who regularly use the same drug or drugs will build up both physical dependency and physical tolerance towards them, meaning that pawns require the drug on a regular basis to not feel the effects of withdrawal, and they will see less and less benefit from the same dose in the same time period.

If the player cannot ensure a regular, consistent supply of a drug to an addicted pawn, the pawn will begin to suffer from *withdrawal*, a status which gives them significant penalties to their mental and physical statistics and greatly reduces their ability to contribute to the survival of the colony. In the case of the drug Luciferium, withdrawal symptoms are so severe that it results in the pawn's death within ten days. It is difficult to manage a pawn in the throes of withdrawal, often requiring the player to devote substantial resources to managing them to prevent them from breaking. However, having multiple addicted pawns in withdrawal at once

is one of the surest ways to doom a colony, either through their inability to complete work or through a tantrum spiral.

While drugs can be obtained through trade with non-player colonies and trade caravans, it is an unreliable way of sourcing them. In order to ensure a reliable supply of drugs to addicted pawns, the player will typically have the colony make it themselves. First, they need to unlock the ability to make drugs using the game's 'research' mechanic, which requires a pawn to spend time generating research points towards unlockables. Next, they need to create a production chain in the colony itself by planting and tending to precursor crops, spending resources to build equipment and storage. Finally, the player must also devote pawns to harvesting raw materials and making the drugs themselves.

This is a very substantial investment on the part of the player, particularly in the early and intermediate phases of colony construction. Every step of production diverts resources away from other critical areas of the colony. Every pawn researching how to make drugs is not researching how to build an effective power generator. Every piece of land and pawn growing drugs is not growing food. Every pawn refining drugs is not making clothes or building shelters.

And even with this substantial investment in research and production chains, supply is not guaranteed. *Rimworld* includes many mechanics that can interfere with the player's ability to manufacture drugs. 'Blight', a disease targeting domesticated plants, may wipe out entire drug crops. A volcanic winter may not only wipe out crops outside but stop the player from using solar panels to generate the power they need to grow them inside, or refine them. Enemy raids may successfully steal what the player has stored, damage production equipment, or simply injure so many colonists that production becomes unsustainable which is another recipe for a tantrum spiral and the death of the colony.

Colony wealth

An experienced player may find a way to mitigate all of the above dangers and successfully build a colony of pawns regularly taking drugs despite the risks. However, there is one final mechanic to impede them: drugs are valuable, and wealthier colonies attract harder enemies.

During the game, the AI Storyteller regularly calculates the player's current number of 'Raid Points', which it can 'spend' to buy enemies to send against the player. The way the AI calculates the number of raid points is complex, but one of the key inputs is the colony's level of wealth, which includes all of the material goods of the colony, from livestock to furniture to, yes, drugs. Producing one unit of the drug *Wake-up*, for example, creates more wealth than producing three units of gold ore.

This makes one of the core challenges for a player during a game of *Rimworld* managing the wealth of their colony so that they have everything they need for their pawns to thrive while giving not giving the AI storyteller the points it needs to send enemies too difficult for their colony to successfully fight off. Creating and stockpiling enough drugs for addicted colonists to survive supply chain disruptions will lead to more and harder enemies, upping the difficulty for the player. It can also lead to a temporary 'wealth spike', where the colony produces a lot of wealth in a short space of time, leading to the AI storyteller sending a raid the colony cannot fend off, often resulting in an effective game over.

In conclusion, the risk to reward ratio is distinctly skewed towards risk. Drug use comes with such substantial potential penalties that many players are not even willing to risk the chance of their pawns becoming addicted to drugs, while others use it as a mechanism to increase, not decrease, the level of challenge. In that light, and given drug use is not required to achieve success in the game (and, as indicated, may actually hinder it) I do not believe that can be considered to be incentivised.

Interactive illicit or proscribed drug use that is detailed and realistic is not permitted.

Without access to any of the Board's own internal guidance as to what is considered 'detailed' and 'realistic', I am genuinely baffled as to how *Rimworld*'s depiction of drug use could be considered either detailed or realistic.

Much like the board noted with the depiction of drug use in *Disco Elysium*, drug use in *Rimworld* is depicted at a distance from an isometric perspective, in a highly stylised form. Indeed, the art style of *Rimworld* is highly abstracted, simplified and has even been described as cartoonish. Pawns themselves consist only of a head, eyes, and a torso, with no arms or legs, or even noses or mouths.

Players may choose for pawns to take drugs, or pawns with certain traits or an established addiction may take drugs independently of the player (this is almost always a very undesirable situation for the player). Drug use is depicted largely through simplistic illustrations which show the drug product and a progress bar. Changes to character statistics as a result of drug use, positive and negative, are represented on screen in only a very limited fashion, if at all. The idea that this is considered detailed or realistic is, frankly, absurd.

Finally, while I appreciate that the Board, including the Review Board, is unable to effect legislative change or consider this as part of their review of the *Rimworld* classification decision, I would like to highlight two important issues with regards to the *Guidelines for the Classification of Computer*, and Australia's overall approach to media censorship.

The first is that, as it is illegal to own Refused Classification material in Western Australia, the initial decision by the Board made me a criminal overnight. I bought *Rimworld* on Steam in 2016, and have logged almost 400 hours playing the game without issue or concern until the decision. Moreover, if the decision to Refuse Classification stands, my criminality is a situation I may not be able to rectify. Because it is tied to my Steam account, I cannot easily divest myself of ownership of it. There is no physical media to destroy. I have to rely on Valve Inc., the owners of Steam, removing the game from my account on request (a request which has no guarantee of being acted upon), or I must delete my account and lose access to hundreds of other games, valued at thousands of dollars, that I have paid for.

Secondly, this decision shows, yet again, that the *Guidelines for the Classification of Computer Games* are outdated and do not reflect either the current media landscape or the attitude of Australians towards it. Video games, like other pieces of media, are capable of being sophisticated works of art, targeted at adults and dealing with adult themes and situations, including sex, violence and drug use. Under our current Guidelines, video games are treated more harshly than other forms of media, particularly film, for no good reason other than a baseless belief that they have greater impact on a player than an equivalent film or television program does upon its audience. Australian adults should be able to read, listen to, watch and play media of their choosing provided the material itself is not illegal. The current *Guidelines* do not permit that. The existence of a Refused Classification category itself does not permit that. Reform is needed if our classification framework is to be relevant now, let alone remain relevant in the future.

I look forward to your decision on the matter of *Rimworld*.

Regards,

s 47F

EXPERT OPINIONS ON RIMWORLD

s 47F

31 MARCH 2022

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1. CONTACT DETAILS

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2. ABOUT US

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2.3 In preparing this report, our opinions are based on our specialised knowledge arising from our training and study as media studies researchers with a focus on digital media and interactive games.

2.4 We have been retained by s 47F to provide our expert opinion in this proceeding. We have been provided by s 47F with a copy of the Federal Court Expert Evidence Practice Note (GPN-EXPT), including the Harmonised Expert Witness Code of Conduct and the Concurrent Expert Evidence Guidelines, dated 25 October 2016. A copy of this Practice Note is annexed to this report and marked as Annexure SC-1. We confirm that we have read, understood and complied with this Practice Note. Unless otherwise stated, we make this report from our own knowledge. Except to the extent otherwise stated, our opinions set out in this report are wholly or substantially based on our specialised knowledge and experience gained from the training, study and experience set out below and in our curriculum vitae, copies of which are annexed to this report and marked as Annexure SC-2. 2.5

We have made all the inquiries that we believe are desirable and appropriate and no matters of significance that we regard as relevant have, to my knowledge, been withheld.

3. REPORT OVERVIEW

3.1 Our main expert opinions are:

- A. *RimWorld* does not 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 offends against the standards of morality, decency and propriety generally accepted by reasonable adults. In particular:
 - a. *RimWorld* does not incentivise or reward illicit drug use; and
 - b. *RimWorld* does not represent realistic or detailed drug use
- B. As such, *RimWorld* should not have been refused classification on these grounds.

3.2 The research and reason that leads to these expert opinions are developed below. A summary of our argument is that:

- A. Videogames are a form of culture that, like all forms of culture, reflect our complex human world back at ourselves;
- B. 'Interactivity' is a property of all media, not one unique to videogames, and audiences are highly literate of how to interpret interactive artworks;
- C. Thus, Australian videogame players are highly critical of videogame content and do not simply understand what a game tells them as 'good' or 'bad';
- D. In this context, videogame representations of drug use should not always be understood as 'incentives' and 'rewards' when they are interactive;
- E. As such, *RimWorld* has been misunderstood by the Classification Board's initial decision, and the game should not have been refused classification but instead rated R18+.

4. THE VIDEOGAME AS CULTURE AND ART

4.1 Videogames, according to Alexander Galloway (2006), are "cultural objects, bound by history and materiality". They emerged as the first creative projects from the nascent era of computing following the Second World War and the beginnings of the Cold War (Donovan

2010). In the search for Artificial Intelligence, computer scientists like Alan Turing and Claude Shannon created game-playing computer prototypes: play is at the heart of Turing's "Imitation Game", his test for artificial intelligence that still remains key to computer science seven decades on.

4.2 However, these computer scientists also experimented with using new technology not simply to solve complicated mathematical problems or for military ends, but also to comment on and reflect the world around them. In 1952, Christopher Strachey, a British computer scientist struggling to come to terms with his queerness, worked with Alan Turing (another queer computer scientist) to use the then-groundbreaking Manchester Mark 1 computer to create a "Love Letter Generator". This playful use of code to create dull romantic texts ("you are my [adjective] [noun]. my [adjective] [noun] [adverb] [verbs] your [adjective] [noun]," runs the generator, replacing all words in square brackets with random replacements from a dictionary) amounts to an early use of computers as media, and as a machine to generate art that critiqued "acceptable" heterosexual society. "Digital media are not simply representations but machines for generating representations," writes Noah Wardrip-Fruin (2011) regarding Strachey's *Love Letter Generator*.

4.3 Other computer scientists, such as William Higinbotham (creator of *Tennis For Two*, 1958), and John Bennett (an Australian computer scientist working in the UK and the creator of NIM, shown at the Festival of Britain in 1951), saw the potential that computer games had to illustrate to a confused public the potency of these new computers. When computers entered universities, such as at MIT in Boston in the 1960s, irreverent student groups such as the 'Tech Model Railroad Club' began to use them to create complex and detailed games. When such inventions were discovered by businesspeople, the commercial videogames industry was born.

4.4 Videogames were born through a combination of exploration, technical genius, humour, and a resistance to the fixed social rules of postwar western society. Though since, corporations in particular have drawn out the videogame to be something akin to a technologically-driven product that arrives on store shelves much like any other piece of domestic design, like a toaster or a rice cooker, the videogame has always been, and will always remain, a cultural product first and foremost. The videogame is an achievement of craft and creativity, and any videogame, no matter how profit-orientated or deliberately drab, is the product of human invention and labour. They tell complex stories about our complex world, just like cinema, art, and literature before them.

5. INTERACTIVITY AND MEDIA STUDIES

5.1 One *does* when playing a game. Alexander Galloway (2006) shows that "if photographs are images, and films are moving images, then video games are actions". As opposed to the forms most associated with the first era of global media, such as photography, films, and broadcasting, the videogame is often thought of as interactive, and as something which requires entirely new – and sometimes daunting – modes of understanding and analysis. It is often assumed (such as

in media reports and by non-experts) that interactivity inherently changes the way that audiences consume the ideas represented in videogames.

5.2 However, videogames do not have a monopoly on interactivity. In the long history of media and art we can find many examples of works that require audience action. A baroque era ceiling painting, a tromp l'oeil like those by Andrea Pozzo at the Chiesa del Gesù (1694) and Chiesa di Sant'Ignazio (1685) in Rome, require the interactivity of vision and movement to function correctly. The church visitor must position themselves correctly within the environment for the illusion to present itself, forcing visitors to enter into a “game of perception” with the artist (Ndalianis 2004). What about Hans Holbein's ‘The Ambassadors’ (1533), which reveals a hidden skull only when viewed from the correct angle? The same could be said for aleatoric musical experiments, dating from Wolfgang Amadeus Mozart's Musikalisches Würfelspiel (1792), which requires players to roll dice in order to select which musical passage to play, all the way to 20th century experiments by the likes of John Cage. One would be laughed out of the academy if they were to suggest that, because of their interactivity, the same cultural and artistic concerns and frameworks that we bring to other media forms could not be brought to bear here.

5.3 To return to Galloway, understanding videogames as acts allows us to frame this in much more straightforward ways. I, as the player, act by moving my chess piece, and the computer acts by moving theirs. In more complex scenarios, I act by moving my player character through a fully realized digital city, and the computer acts by having cars drive past, the clouds begin to rain, and a street vendor wave to get my character's attention. This is where videogames are different to the other examples above: the computer in these instances also acts and reacts to player input (the Chiesa del Gesù as a work of architecture is blissfully unaware of any number of visitors).

5.4 None of this changes our fundamental understanding of how people respond to media. Videogames need players to function, usually; this much is true. But it is also true to say that a film without a viewer cannot be made to make sense: all semiotics are socially constructed and do not mean anything without a viewer located within the wider context of culture (de Saussure 1916). A television programme, according to Stuart Hall (1973), one of the most influential media and cultural researchers of all time, “is not a behavioural input, like a tap on the kneecap”. A viewer of a television programme does not mindlessly consume its message and reproduce it uncritically. We know this as individuals, as we frequently disagree with the messages we see in media, and we know it in research. However, all-too-frequently our understanding of other people, and society, and accordingly sometimes media regulation, is often premised on the idea that other people are somehow far less critical than we are ourselves.

5.5 Indeed, our own incredulity is often displaced onto historical examples of alleged media manipulation. How silly, we think, that audiences in 1895 really thought a train was coming at them through the first film screen (a myth that has been disproven time and time again, see Gunning 1989); and how ridiculous it would be to really believe, as a result of listening to Orson

5.6 Wells' broadcast of *War of the Worlds*, that aliens really were invading (another myth that has been proven to be well over-inflated, see Schwartz 2015). The fact that these examples never actually occurred in the way that they are popularly discussed seems to have had little impact on these myths' reproducibility. While we are ourselves critical consumers of media, we also seem to enjoy aggrandising our own criticality by exaggerating the prevalence of credulity in others.

6. CRITICAL PLAYERS AND CLASSIFICATION

6.1 Australia's videogame classification system was initially premised on a similarly false assumption that interactivity overrules our critical abilities and might create a generation of uncritical, game-playing dupes. There is no evidence for this.

6.2 Public discourse surrounding violent content unsuitable for children in the 1990s in videogames like *Doom*, *Mortal Kombat*, and *Night Trap* translated to a substantial political interest in regulating videogames in Australia – and in regulating them harshly. In October 1993, a Senate Select Committee headed by Senator Margaret Reynolds recommended that videogames be censored more harshly than film: "The Committee cannot emphasise strongly enough that the difference in sensory impact of video and computer games when compared to videos is as substantially different as television is to radio" (Senate Select Committee on Community Standards Relevant to the Supply of Services Utilising Electronic Technologies 1993). The clearest record available detailing the contemporary reasoning and political mood behind the decision to exclude an R18+ level classification is the classification bill's second reading Hansard from the federal lower house. According to this evidence, the decision to omit an R18+ level classification seems to restate the two central concerns of the Senate Select Committee: first, that videogames could have a higher impact due to their interactive nature, and secondly, that the absence of R18+ level videogames would aid in the protection of children from inappropriate content. "It is one thing to watch a violent video; it is another thing altogether to be involved in the violence," stated Member of the Federal House of Representatives Peter McGuarun, in the parliamentary discussion of the classification legislation in 1994 (Golding 2013).

6.3 We must be clear: these were unproven assumptions not supported by evidence either at the time or since. In 1996 a report by the Australian Bureau of Statistics (ABS) found that 50% of those playing videogames were aged 18 or over (Skinner 1996). Therefore, shortly after the introduction of the classification legislation, the OFLC commissioned a report on the current research of the effects of videogames on 'young people' by the University of Western Australia Professor Kevin Durkin. The report, while not discounting the possibility of negative impacts completely, cautioned strongly against alarm. In his summation, Durkin concluded: "Computer games have not led to the development of a generation of isolated, antisocial, compulsive computer users with strong propensities for aggression" (Durkin 1995). This report seemingly did not impact upon the politics of the time, though it did represent the first of many public indications that such a restrictive classification system may not be effective, or necessary.

Durkin also claimed that other scholars attacked his research in the media before even seeing it: “one [academic] gave a radio interview to condemn it, based on a press release - and then admitted that, as the report itself had not yet come out, she had not actually read a word of it,” claims Durkin (Golding 2012).

6.4 However, there is evidence to suggest that the culture that surrounds videogames is markedly more *critical* than that of other media. Graeme Kirkpatrick (2015) in his examination of decades of British gaming magazines argues that videogame culture formed through the creation of “a specialised language for talking about games... a critical vocabulary” that prioritised abstract questions of “gameplay” and game systems over that of representation and gloss. This is a culture capable, as Dyer-Witheford and de Peuter (2009) argue, of “resisting the dominant messages encoded in games,” but also of “producing alternate expressions” through play.

7. INTERACTIVITY, SIMULATION, AND INCENTIVES

7.1 Videogames are the first art form native to digital media. They are different to other media forms in that the computer is able to react and respond to player input through complex means. They are not, however, media that are so radically different that they require a suspension of the fundamental tenets of media research that views individual audience members as critical, intelligent beings capable of coming to their own conclusions about what they see, hear, read, or in this case, play.

7.2 In this context, it is overly simplistic to consider a representation of drug use in a videogame as one of ‘incentivising’ or ‘rewarding’ simply because an action has an advantageous effect. Videogames use interactivity to tell complex, multifaceted, and long-form stories where the reactions of different actions are not always immediate or direct. In *Persuasive Games* (2007), media theorist Ian Bogost demonstrates how the entire simulating system of the videogame needs to be taken into account if we are to understand the “procedural rhetoric” with which it communicates with the player. Individual, immediate cause-and-effect interactions must be contextualised within the entire game system if they are to be adequately understood.

7.3 This is particularly important in ‘management’ style games like *RimWorld*. In management style games, the player does not simply embody a single virtual character but instead makes a range of macro and micro decisions about a broader structure such as a virtual community. These decisions, in turn, have complex knock-on effects across the broader simulation which the player, in turn, attempts to deal with by making further decisions. As a classic example, the player of *SimCity* does not choose where to build better quality buildings; instead, they manipulate zoning and taxing laws, among other variables, in the hope that better quality buildings will be built.

7.4 Such games are still meaningful works of interactive culture whose simulating systems express and communicate ideas about how the world works.

8. RIMWORLD

8.1 *RimWorld* is a management simulation game where the player controls a group of survivors from a crashed spaceship as they build a fledging colony in a hostile environment. The ultimate goal of *RimWorld* is to get the colonists offworld by either gathering sufficient resources to build a new spaceship, or to gather enough resources to undertake a journey across the planet to find a new spaceship.

8.2 As a 'management sim', the *RimWorld* player does not directly control a single character from an embodied perspective. Rather, they take on a more abstract 'top down' perspective, like in *SimCity*, in order to steer the overall direction of the colony. Individual colonists can be given commands and instructions, but cannot be directly controlled in terms of the moment-to-moment decisions they make.

8.3 In *RimWorld's* case in particular, the context of a group of space colonists struggling to survive in hostile terrain until they can make it off-planet is used as what the developers call a "story generator". While the player does have the ultimate goal of getting off-planet, there is no right way in which to go about this. Rather, the game randomly generates a vast range of planets, scenarios, disasters, etc. that work together to allow different players to face different unique situations in which they can experience unique "emergent" stories (Jenkins 2004). This requires the game to have a vast range of complex, interconnected systems that influence each other in different ways such as weather, terrain, types of aliens, different colonist personalities, and so on.

8.4 Drugs and medicine are among these complex game systems. Drugs are present in *RimWorld* largely as a game mechanic. Players can make decisions about how drugs are regulated within their in-game colony. A range of drugs are present in *RimWorld*, and some are analogous to those currently accepted and regulated in Australian society, such as beer. Others are medical drugs, which can be taken by colonists to prevent disease. "Hard drugs" are also present in *RimWorld* and impact on worker productivity. Such drugs produce short-term benefits (such as mental or combat performance for colonist units), counterbalanced by risks of addiction, reduced performance, and death.

8.5 The notion that *RimWorld*, through its interactivity, "incentives or rewards" drug use is a misrepresentation of how drugs fit in as just one element within the game's broader, complex systems and open-ended player goals. Most important of all, the player of *RimWorld* cannot use drugs directly through a virtual body that could be construed to be the player's own avatar or body. Rather, from the player's abstract position above the simulation, they can instruct the colonists to craft drugs alongside many other types of in-game objects such as crops, tools, and weapons. Drugs can also be obtained from in-game traders or found around the world. They are

one element of *RimWorld's* simulation of a difficult social, technological, and environmentally-hostile space colony.

8.6 *RimWorld* does not encourage players to use drugs: instead, it asks them to make strategic decisions about how drugs should be regulated by their in-game colony. If a colonist character consumes an in-game drug, they receive modifications to their statistics, which in turn will make them interact with other aspects of the simulation in different ways (eg. completing some tasks faster but others slower).

8.7 Drug use, alongside the consequences of addiction and overdosing, are thus presented as a strategic problem for players to manage as part of the broader, complex social simulation. This is neither easy or straightforward, and poses many long-term risks and complications for the player in terms of meeting their goal of getting the colonists safely off the island.

8.8 While the game is cartoonish and jovial in its overall visual style, its depiction of drug use and addiction are very much *in line with* the standards of reasonable adults. Drugs, both the legal and illegal kind, are broadly understood to offer a range of positive and negative, short-term and long-term variations to behaviour and health, and to be dangerous when used irresponsibly and in the long-term. In the context of the game's broader interactive systems, *RimWorld's* representations of drug use to its players are very much in keeping with these expectations.

8.9 Further, as we have established above, framing the game's representation of drugs as in anyway incentivised, disincentivised, rewarded or not rewarded, misrepresents how *RimWorld* uses complex interlocking systems to represent the world and allow for emerging stories, and the complex ways in which players engage with such interactivity.

8.10 Actions, choices, and abstract systems built on the representational power of numbers, are means through which videogames tell their stories and express their art. That a particular colonist in one or another attempt at completing a session of *RimWorld* might consume drugs or become addicted has different consequences and will lead to different combinations of variables, some of which are positive (eg. raising some in-game statistics temporarily) and others are negative (eg. lowering some in-game statistics temporarily or even permanently). The impacts are abstracted through *RimWorld's* game systems.

8.11 It is reductive and incorrect to frame such consequences, be they advantageous or disadvantageous, as simply 'incentives' or 'rewards'. The notion of any one particular playstyle in *RimWorld* being "incentivised" makes little sense considering the wide range of variables and unpredictable scenarios the player might be faced with. While there is an ultimate goal for the player (to get off planet), the point of the game is not to 'win' but to complete the scenario. While characters consuming drugs can in certain scenarios help players get closer to this goal, it can also greatly hinder players progress as characters succumb to addiction and deal with the long-term negative impacts of drug use.

9. RIMWORLD SHOULD NOT HAVE BEEN REFUSED CLASSIFICATION

9.1 The Guidelines for the Classification of Computer Games states that “Drug use related to incentives and rewards is not permitted”. It is our shared expert opinion that *RimWorld*'s representations of drug use are not related to incentives and rewards, but to stories emerging in different but qualitatively equal ways. That the game might become more or less challenging, that the player might gain or lose certain advantages, that the outcome of the story might be presented as more or less positive, is irrelevant: any of these could be more or less appealing to different players interested in seeing different stories play out. ‘Incentives’ and ‘rewards’ do not factor in this context.

9.2 Further, the long-term and permanent negatives of drug use in *RimWorld* mean that it would be difficult to argue that drug use is incentivised by the game in any sort of overall strategic sense. On the contrary, it would be possible to argue that drugs, as represented in *RimWorld*, may initially be seen by novice players as a shortcut to success, but that familiarity with the game ultimately reveals the in-game drugs to be too fraught with risk to be a strategy of success. The more effective strategy for the experienced player, according to our research, may be to mitigate the allure of drugs, to ban them outright, or to generally avoid encouraging their use within their colony.

9.3 The guidelines also state that “Interactive illicit or proscribed drug use that is detailed and realistic is not permitted”. It is accurate to say *RimWorld*'s representation of illicit drug use is ‘interactive’, but only in an abstract manner in that the game’s drugs interact with other game systems. The player does not decide to directly interact with drugs themselves in any straightforward manner. Nonetheless, it is our expert opinion that this representation is also not detailed or realistic. The game is presented from a top-down, distant perspective, with characters and actions heavily abstracted and presented in a cartoonish style. The impact of using drugs is present in the abstract systems of numerical values going up and down, and there is no detailed representation of the act of drug consumption. This depicts a representation of a social and systemic reality, but it is not itself visually or representationally ‘realistic’ nor ‘detailed’ by videogame standards, which can otherwise include fully rendered, three-dimensional details.

9.4 In our view, the Board’s decision to refuse classification to *RimWorld* is premised on a misunderstanding of the interactive nature of videogames, and a conflation of complex ‘causes and effect’ representational systems in interactive storytelling and art with overly simplistic ‘incentives’ and ‘rewards’. The game’s drug use is not realistic or detailed in its depiction, and its use is not related to incentives or rewards. This means that *RimWorld* does not depict, express or otherwise deal with matters of drug use or addiction in such a way that offends against the standards of morality, decency and propriety generally accepted by reasonable adults to the extent that it should not be classified.

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ANNEXURE SC-1 - PRACTICE NOTE



EXPERT EVIDENCE PRACTICE NOTE (GPN-EXPT)

General Practice Note

1. INTRODUCTION

- 1.1 This practice note, including the *Harmonised Expert Witness Code of Conduct* (“**Code**”) (see **Annexure A**) and the *Concurrent Expert Evidence Guidelines* (“**Concurrent Evidence Guidelines**”) (see **Annexure B**), applies to any proceeding involving the use of expert evidence and must be read together with:
- (a) the Central Practice Note (CPN-1), which sets out the fundamental principles concerning the National Court Framework (“**NCF**”) of the Federal Court and key principles of case management procedure;
 - (b) the Federal Court of Australia Act 1976 (Cth) (“**Federal Court Act**”);
 - (c) the *Evidence Act 1995* (Cth) (“**Evidence Act**”), including Part 3.3 of the Evidence Act;
 - (d) Part 23 of the *Federal Court Rules 2011* (Cth) (“**Federal Court Rules**”); and
 - (e) where applicable, the Survey Evidence Practice Note (GPN-SURV).
- 1.2 This practice note takes effect from the date it is issued and, to the extent practicable, applies to proceedings whether filed before, or after, the date of issuing.

2. APPROACH TO EXPERT EVIDENCE

- 2.1 An expert witness may be retained to give opinion evidence in the proceeding, or, in certain circumstances, to express an opinion that may be relied upon in alternative dispute resolution procedures such as mediation or a conference of experts. In some circumstances an expert may be appointed as an independent adviser to the Court.
- 2.2 The purpose of the use of expert evidence in proceedings, often in relation to complex subject matter, is for the Court to receive the benefit of the objective and impartial assessment of an issue from a witness with specialised knowledge (based on training, study or experience - see generally s 79 of the *Evidence Act*).
- 2.3 However, the use or admissibility of expert evidence remains subject to the overriding requirements that:
- (a) to be admissible in a proceeding, any such evidence must be relevant (s 56 of the *Evidence Act*); and
 - (b) even if relevant, any such evidence, may be refused to be admitted by the Court if its probative value is outweighed by other considerations such as the evidence

being unfairly prejudicial, misleading or will result in an undue waste of time (s 135 of the Evidence Act).

- 2.4 An expert witness' opinion evidence may have little or no value unless the assumptions adopted by the expert (ie. the facts or grounds relied upon) and his or her reasoning are expressly stated in any written report or oral evidence given.
- 2.5 The Court will ensure that, in the interests of justice, parties are given a reasonable opportunity to adduce and test relevant expert opinion evidence. However, the Court expects parties and any legal representatives acting on their behalf, when dealing with expert witnesses and expert evidence, to at all times comply with their duties associated with the overarching purpose in the Federal Court Act (see ss 37M and 37N).

3. INTERACTION WITH EXPERT WITNESSES

- 3.1 Parties and their legal representatives should never view an expert witness retained (or partly retained) by them as that party's advocate or "hired gun". Equally, they should never attempt to pressure or influence an expert into conforming his or her views with the party's interests.
- 3.2 A party or legal representative should be cautious not to have inappropriate communications when retaining or instructing an independent expert, or assisting an independent expert in the preparation of his or her evidence. However, it is important to note that there is no principle of law or practice and there is nothing in this practice note that obliges a party to embark on the costly task of engaging a "consulting expert" in order to avoid "contamination" of the expert who will give evidence. Indeed the Court would generally discourage such costly duplication.
- 3.3 Any witness retained by a party for the purpose of preparing a report or giving evidence in a proceeding as to an opinion held by the witness that is wholly or substantially based in the specialised knowledge of the witness¹ should, at the earliest opportunity, be provided with:
 - (a) a copy of this practice note, including the Code (see Annexure A); and
 - (b) all relevant information (whether helpful or harmful to that party's case) so as to enable the expert to prepare a report of a truly independent nature.
- 3.4 Any questions or assumptions provided to an expert should be provided in an unbiased manner and in such a way that the expert is not confined to addressing selective, irrelevant or immaterial issues.

¹ Such a witness includes a "Court expert" as defined in r 23.01 of the Federal Court Rules. For the definition of "expert", "expert evidence" and "expert report" see the Dictionary, in Schedule 1 of the Federal Court Rules.

4. ROLE AND DUTIES OF THE EXPERT WITNESS

- 4.1 The role of the expert witness is to provide relevant and impartial evidence in his or her area of expertise. An expert should never mislead the Court or become an advocate for the cause of the party that has retained the expert.
- 4.2 It should be emphasised that there is nothing inherently wrong with experts disagreeing or failing to reach the same conclusion. The Court will, with the assistance of the evidence of the experts, reach its own conclusion.
- 4.3 However, experts should willingly be prepared to change their opinion or make concessions when it is necessary or appropriate to do so, even if doing so would be contrary to any previously held or expressed view of that expert.

Harmonised Expert Witness Code of Conduct

- 4.4 Every expert witness giving evidence in this Court must read the *Harmonised Expert Witness Code of Conduct* (attached in Annexure A) and agree to be bound by it.
- 4.5 The Code is not intended to address all aspects of an expert witness' duties, but is intended to facilitate the admission of opinion evidence, and to assist experts to understand in general terms what the Court expects of them. Additionally, it is expected that compliance with the Code will assist individual expert witnesses to avoid criticism (rightly or wrongly) that they lack objectivity or are partisan.

5. CONTENTS OF AN EXPERT'S REPORT AND RELATED MATERIAL

- 5.1 The contents of an expert's report must conform with the requirements set out in the Code (including clauses 3 to 5 of the Code).
- 5.2 In addition, the contents of such a report must also comply with r 23.13 of the *Federal Court Rules*. Given that the requirements of that rule significantly overlap with the requirements in the Code, an expert, unless otherwise directed by the Court, will be taken to have complied with the requirements of r 23.13 if that expert has complied with the requirements in the Code and has complied with the additional following requirements. The expert shall:
 - (a) acknowledge in the report that:
 - (i) the expert has read and complied with this practice note and agrees to be bound by it; and
 - (ii) the expert's opinions are based wholly or substantially on specialised knowledge arising from the expert's training, study or experience;
 - (b) identify in the report the questions that the expert was asked to address;
 - (c) sign the report and attach or exhibit to it copies of:
 - (i) documents that record any instructions given to the expert; and

- (ii) documents and other materials that the expert has been instructed to consider.
- 5.3 Where an expert's report refers to photographs, plans, calculations, analyses, measurements, survey reports or other extrinsic matter, these must be provided to the other parties at the same time as the expert's report.

6. CASE MANAGEMENT CONSIDERATIONS

- 6.1 Parties intending to rely on expert evidence at trial are expected to consider between them and inform the Court at the earliest opportunity of their views on the following:
 - (a) whether a party should adduce evidence from more than one expert in any single discipline;
 - (b) whether a common expert is appropriate for all or any part of the evidence;
 - (c) the nature and extent of expert reports, including any in reply;
 - (d) the identity of each expert witness that a party intends to call, their area(s) of expertise and availability during the proposed hearing;
 - (e) the issues that it is proposed each expert will address;
 - (f) the arrangements for a conference of experts to prepare a joint-report (see Part 7 of this practice note);
 - (g) whether the evidence is to be given concurrently and, if so, how (see Part 8 of this practice note); and
 - (h) whether any of the evidence in chief can be given orally.
- 6.2 It will often be desirable, before any expert is retained, for the parties to attempt to agree on the question or questions proposed to be the subject of expert evidence as well as the relevant facts and assumptions. The Court may make orders to that effect where it considers it appropriate to do so.

7. CONFERENCE OF EXPERTS AND JOINT-REPORT

- 7.1 Parties, their legal representatives and experts should be familiar with aspects of the Code relating to conferences of experts and joint-reports (see clauses 6 and 7 of the Code attached in *Annexure A*).
- 7.2 In order to facilitate the proper understanding of issues arising in expert evidence and to manage expert evidence in accordance with the overarching purpose, the Court may require experts who are to give evidence or who have produced reports to meet for the purpose of identifying and addressing the issues not agreed between them with a view to reaching agreement where this is possible ("**conference of experts**"). In an appropriate case, the Court may appoint a registrar of the Court or some other suitably qualified person ("**Conference Facilitator**") to act as a facilitator at the conference of experts.

- 7.3 It is expected that where expert evidence may be relied on in any proceeding, at the earliest opportunity, parties will discuss and then inform the Court whether a conference of experts and/or a joint-report by the experts may be desirable to assist with or simplify the giving of expert evidence in the proceeding. The parties should discuss the necessary arrangements for any conference and/or joint-report. The arrangements discussed between the parties should address:
- (a) who should prepare any joint-report;
 - (b) whether a list of issues is needed to assist the experts in the conference and, if so, whether the Court, the parties or the experts should assist in preparing such a list;
 - (c) the agenda for the conference of experts; and
 - (d) arrangements for the provision, to the parties and the Court, of any joint-report or any other report as to the outcomes of the conference ("**conference report**").

Conference of Experts

- 7.4 The purpose of the conference of experts is for the experts to have a comprehensive discussion of issues relating to their field of expertise, with a view to identifying matters and issues in a proceeding about which the experts agree, partly agree or disagree and why. For this reason the conference is attended only by the experts and any Conference Facilitator. Unless the Court orders otherwise, the parties' lawyers will not attend the conference but will be provided with a copy of any conference report.
- 7.5 The Court may order that a conference of experts occur in a variety of circumstances, depending on the views of the judge and the parties and the needs of the case, including:
- (a) while a case is in mediation. When this occurs the Court may also order that the outcome of the conference or any document disclosing or summarising the experts' opinions be confidential to the parties while the mediation is occurring;
 - (b) before the experts have reached a final opinion on a relevant question or the facts involved in a case. When this occurs the Court may order that the parties exchange draft expert reports and that a conference report be prepared for the use of the experts in finalising their reports;
 - (c) after the experts' reports have been provided to the Court but before the hearing of the experts' evidence. When this occurs the Court may also order that a conference report be prepared (jointly or otherwise) to ensure the efficient hearing of the experts' evidence.
- 7.6 Subject to any other order or direction of the Court, the parties and their lawyers must not involve themselves in the conference of experts process. In particular, they must not seek to encourage an expert not to agree with another expert or otherwise seek to influence the outcome of the conference of experts. The experts should raise any queries they may have in relation to the process with the Conference Facilitator (if one has been appointed) or in

accordance with a protocol agreed between the lawyers prior to the conference of experts taking place (if no Conference Facilitator has been appointed).

- 7.7 Any list of issues prepared for the consideration of the experts as part of the conference of experts process should be prepared using non-tendentious language.
- 7.8 The timing and location of the conference of experts will be decided by the judge or a registrar who will take into account the location and availability of the experts and the Court's case management timetable. The conference may take place at the Court and will usually be conducted in-person. However, if not considered a hindrance to the process, the conference may also be conducted with the assistance of visual or audio technology (such as via the internet, video link and/or by telephone).
- 7.9 Experts should prepare for a conference of experts by ensuring that they are familiar with all of the material upon which they base their opinions. Where expert reports in draft or final form have been exchanged prior to the conference, experts should attend the conference familiar with the reports of the other experts. Prior to the conference, experts should also consider where they believe the differences of opinion lie between them and what processes and discussions may assist to identify and refine those areas of difference.

Joint-report

- 7.10 At the conclusion of the conference of experts, unless the Court considers it unnecessary to do so, it is expected that the experts will have narrowed the issues in respect of which they agree, partly agree or disagree in a joint-report. The joint-report should be clear, plain and concise and should summarise the views of the experts on the identified issues, including a succinct explanation for any differences of opinion, and otherwise be structured in the manner requested by the judge or registrar.
- 7.11 In some cases (and most particularly in some native title cases), depending on the nature, volume and complexity of the expert evidence a judge may direct a registrar to draft part, or all, of a conference report. If so, the registrar will usually provide the draft conference report to the relevant experts and seek their confirmation that the conference report accurately reflects the opinions of the experts expressed at the conference. Once that confirmation has been received the registrar will finalise the conference report and provide it to the intended recipient(s).

8. CONCURRENT EXPERT EVIDENCE

- 8.1 The Court may determine that it is appropriate, depending on the nature of the expert evidence and the proceeding generally, for experts to give some or all of their evidence concurrently at the final (or other) hearing.
- 8.2 Parties should familiarise themselves with the *Concurrent Expert Evidence Guidelines* (attached in Annexure B). The Concurrent Evidence Guidelines are not intended to be exhaustive but indicate the circumstances when the Court might consider it appropriate for

concurrent expert evidence to take place, outline how that process may be undertaken, and assist experts to understand in general terms what the Court expects of them.

- 8.3 If an order is made for concurrent expert evidence to be given at a hearing, any expert to give such evidence should be provided with the Concurrent Evidence Guidelines well in advance of the hearing and should be familiar with those guidelines before giving evidence.

9. FURTHER PRACTICE INFORMATION AND RESOURCES

- 9.1 Further information regarding Expert Evidence and Expert Witnesses is available on the Court's website.
- 9.2 Further information to assist litigants, including a range of helpful guides, is also available on the Court's website. This information may be particularly helpful for litigants who are representing themselves.

J L B ALLSOP
Chief Justice
25 October 2016

Annexure A

HARMONISED EXPERT WITNESS CODE OF CONDUCT²

APPLICATION OF CODE

1. This Code of Conduct applies to any expert witness engaged or appointed:
 - (a) to provide an expert's report for use as evidence in proceedings or proposed proceedings; or
 - (b) to give opinion evidence in proceedings or proposed proceedings.

GENERAL DUTIES TO THE COURT

2. An expert witness is not an advocate for a party and has a paramount duty, overriding any duty to the party to the proceedings or other person retaining the expert witness, to assist the Court impartially on matters relevant to the area of expertise of the witness.

CONTENT OF REPORT

3. Every report prepared by an expert witness for use in Court shall clearly state the opinion or opinions of the expert and shall state, specify or provide:
 - (a) the name and address of the expert;
 - (b) an acknowledgment that the expert has read this code and agrees to be bound by it;
 - (c) the qualifications of the expert to prepare the report;
 - (d) the assumptions and material facts on which each opinion expressed in the report is based [a letter of instructions may be annexed];
 - (e) the reasons for and any literature or other materials utilised in support of such opinion;
 - (f) (if applicable) that a particular question, issue or matter falls outside the expert's field of expertise;
 - (g) any examinations, tests or other investigations on which the expert has relied, identifying the person who carried them out and that person's qualifications;
 - (h) the extent to which any opinion which the expert has expressed involves the acceptance of another person's opinion, the identification of that other person and the opinion expressed by that other person;
 - (i) a declaration that the expert has made all the inquiries which the expert believes are desirable and appropriate (save for any matters identified explicitly in the report), and that no matters of significance which the expert regards as relevant have, to the

² Approved by the Council of Chief Justices' Rules Harmonisation Committee

knowledge of the expert, been withheld from the Court;

- (j) any qualifications on an opinion expressed in the report without which the report is or may be incomplete or inaccurate;
- (k) whether any opinion expressed in the report is not a concluded opinion because of insufficient research or insufficient data or for any other reason; and
- (l) where the report is lengthy or complex, a brief summary of the report at the beginning of the report.

SUPPLEMENTARY REPORT FOLLOWING CHANGE OF OPINION

- 4. Where an expert witness has provided to a party (or that party's legal representative) a report for use in Court, and the expert thereafter changes his or her opinion on a material matter, the expert shall forthwith provide to the party (or that party's legal representative) a supplementary report which shall state, specify or provide the information referred to in paragraphs (a), (d), (e), (g), (h), (i), (j), (k) and (l) of clause 3 of this code and, if applicable, paragraph (f) of that clause.
- 5. In any subsequent report (whether prepared in accordance with clause 4 or not) the expert may refer to material contained in the earlier report without repeating it.

DUTY TO COMPLY WITH THE COURT'S DIRECTIONS

- 6. If directed to do so by the Court, an expert witness shall:
 - (a) confer with any other expert witness;
 - (b) provide the Court with a joint-report specifying (as the case requires) matters agreed and matters not agreed and the reasons for the experts not agreeing; and
 - (c) abide in a timely way by any direction of the Court.

CONFERENCE OF EXPERTS

- 7. Each expert witness shall:
 - (a) exercise his or her independent judgment in relation to every conference in which the expert participates pursuant to a direction of the Court and in relation to each report thereafter provided, and shall not act on any instruction or request to withhold or avoid agreement; and
 - (b) endeavour to reach agreement with the other expert witness (or witnesses) on any issue in dispute between them, or failing agreement, endeavour to identify and clarify the basis of disagreement on the issues which are in dispute.

ANNEXURE B

CONCURRENT EXPERT EVIDENCE GUIDELINES

APPLICATION OF THE COURT'S GUIDELINES

1. The Court's Concurrent Expert Evidence Guidelines ("**Concurrent Evidence Guidelines**") are intended to inform parties, practitioners and experts of the Court's general approach to concurrent expert evidence, the circumstances in which the Court might consider expert witnesses giving evidence concurrently and, if so, the procedures by which their evidence may be taken.

OBJECTIVES OF CONCURRENT EXPERT EVIDENCE TECHNIQUE

2. The use of concurrent evidence for the giving of expert evidence at hearings as a case management technique³ will be utilised by the Court in appropriate circumstances (see r 23.15 of the *Federal Court Rules 2011* (Cth)). Not all cases will suit the process. For instance, in some patent cases, where the entire case revolves around conflicts within fields of expertise, concurrent evidence may not assist a judge. However, patent cases should not be excluded from concurrent expert evidence processes.
3. In many cases the use of concurrent expert evidence is a technique that can reduce the partisan or confrontational nature of conventional hearing processes and minimises the risk that experts become "opposing experts" rather than independent experts assisting the Court. It can elicit more precise and accurate expert evidence with greater input and assistance from the experts themselves.
4. When properly and flexibly applied, with efficiency and discipline during the hearing process, the technique may also allow the experts to more effectively focus on the critical points of disagreement between them, identify or resolve those issues more quickly, and narrow the issues in dispute. This can also allow for the key evidence to be given at the same time (rather than being spread across many days of hearing); permit the judge to assess an expert more readily, whilst allowing each party a genuine opportunity to put and test expert evidence. This can reduce the chance of the experts, lawyers and the judge misunderstanding the opinions being expressed by the experts.
5. It is essential that such a process has the full cooperation and support of all of the individuals involved, including the experts and counsel involved in the questioning process. Without that cooperation and support the process may fail in its objectives and even hinder the case management process.

³ Also known as the "hot tub" or as "expert panels".

CASE MANAGEMENT

6. Parties should expect that, the Court will give careful consideration to whether concurrent evidence is appropriate in circumstances where there is more than one expert witness having the same expertise who is to give evidence on the same or related topics. Whether experts should give evidence concurrently is a matter for the Court, and will depend on the circumstances of each individual case, including the character of the proceeding, the nature of the expert evidence, and the views of the parties.
7. Although this consideration may take place at any time, including the commencement of the hearing, if not raised earlier, parties should raise the issue of concurrent evidence at the first appropriate case management hearing, and no later than any pre-trial case management hearing, so that orders can be made in advance, if necessary. To that end, prior to the hearing at which expert evidence may be given concurrently, parties and their lawyers should confer and give general consideration as to:
 - (a) the agenda;
 - (b) the order and manner in which questions will be asked; and
 - (c) whether cross-examination will take place within the context of the concurrent evidence or after its conclusion.
8. At the same time, and before any hearing date is fixed, the identity of all experts proposed to be called and their areas of expertise is to be notified to the Court by all parties.
9. The lack of any concurrent evidence orders does not mean that the Court will not consider using concurrent evidence without prior notice to the parties, if appropriate.

CONFERENCE OF EXPERTS & JOINT-REPORT OR LIST OF ISSUES

10. The process of giving concurrent evidence at hearings may be assisted by the preparation of a joint-report or list of issues prepared as part of a conference of experts.
11. Parties should expect that, where concurrent evidence is appropriate, the Court may make orders requiring a conference of experts to take place or for documents such as a joint-report to be prepared to facilitate the concurrent expert evidence process at a hearing (see Part 7 of the Expert Evidence Practice Note).

PROCEDURE AT HEARING

12. Concurrent expert evidence may be taken at any convenient time during the hearing, although it will often occur at the conclusion of both parties' lay evidence.
13. At the hearing itself, the way in which concurrent expert evidence is taken must be applied flexibly and having regard to the characteristics of the case and the nature of the evidence to be given.
14. Without intending to be prescriptive of the procedure, parties should expect that, when evidence is given by experts in concurrent session:

- (a) the judge will explain to the experts the procedure that will be followed and that the nature of the process may be different to their previous experiences of giving expert evidence;
 - (b) the experts will be grouped and called to give evidence together in their respective fields of expertise;
 - (c) the experts will take the oath or affirmation together, as appropriate;
 - (d) the experts will sit together with convenient access to their materials for their ease of reference, either in the witness box or in some other location in the courtroom, including (if necessary) at the bar table;
 - (e) each expert may be given the opportunity to provide a summary overview of their current opinions and explain what they consider to be the principal issues of disagreement between the experts, as they see them, in their own words;
 - (f) the judge will guide the process by which evidence is given, including, where appropriate:
 - (i) using any joint-report or list of issues as a guide for all the experts to be asked questions by the judge and counsel, about each issue on an issue-by-issue basis;
 - (ii) ensuring that each expert is given an adequate opportunity to deal with each issue and the exposition given by other experts including, where considered appropriate, each expert asking questions of other experts or supplementing the evidence given by other experts;
 - (iii) inviting legal representatives to identify the topics upon which they will cross-examine;
 - (iv) ensuring that legal representatives have an adequate opportunity to ask all experts questions about each issue. Legal representatives may also seek responses or contributions from one or more experts in response to the evidence given by a different expert; and
 - (v) allowing the experts an opportunity to summarise their views at the end of the process where opinions may have been changed or clarifications are needed.
15. The fact that the experts may have been provided with a list of issues for consideration does not confine the scope of any cross-examination of any expert. The process of cross-examination remains subject to the overall control of the judge.
16. The concurrent session should allow for a sensible and orderly series of exchanges between expert and expert, and between expert and lawyer. Where appropriate, the judge may allow for more traditional cross-examination to be pursued by a legal representative on a particular issue exclusively with one expert. Where that occurs, other experts may be asked to comment on the evidence given.
17. Where any issue involves only one expert, the party wishing to ask questions about that issue should let the judge know in advance so that consideration can be given to whether

arrangements should be made for that issue to be dealt with after the completion of the concurrent session. Otherwise, as far as practicable, questions (including in the form of cross-examination) will usually be dealt with in the concurrent session.

18. Throughout the concurrent evidence process the judge will ensure that the process is fair and effective (for the parties and the experts), balanced (including not permitting one expert to overwhelm or overshadow any other expert), and does not become a protracted or inefficient process.

ANNEXURE SC-2 -CURRICULUM VITAE



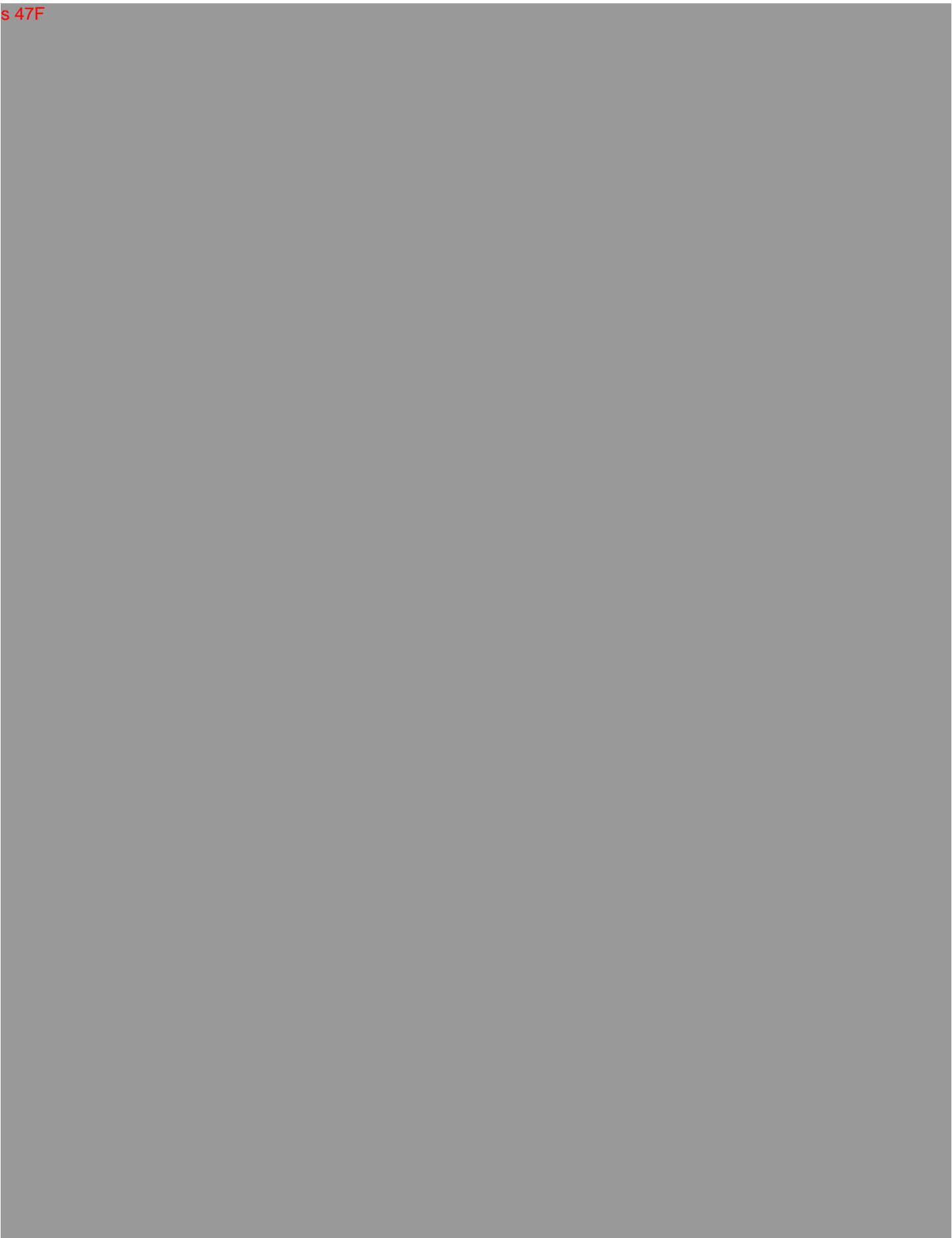




















SUBMISSIONS TO THE AUSTRALIAN CLASSIFICATION REVIEW BOARD

RIMWORLD

A. Australian Classification Board's decision must be revised

1. On 27 February 2022, the Australian Classification Board decided that the game *Rimworld* would be Refused Classification (**RC**) in Australia. As a consequence, *Rimworld* cannot be sold, advertised or legally imported in Australia.
2. On behalf of the Applicant, Double Eleven, we submit that the decision of the Classification Board should be reviewed and revised to a classification of R 18+ or lower.
3. The Media statement of the Classification Board dated 10 March 2022 states the following:

In the Board's view this game warrants an 'RC' classification in accordance with item 1(a) of the computer games table of the Code:

1. 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;" will be Refused Classification.

Computer games that exceed the R18+ classification category will be Refused Classification. Computer Games will be Refused Classification if they include or contain "drug use related to incentives or rewards".

4. The Classification Board pointed to examples of content which caused it concern and concluded the following:

In the Board's opinion, the items described above clearly reference a group of proscribed drugs in appearance and effect and their use is associated with rewards and incentives during gameplay. Therefore, under the Guidelines, the game must be Refused Classification for "illicit or proscribed drug use related to incentives or rewards".
5. We respectfully submit that the Classification Board's decision was incorrect and fell into error in interpreting the Code.
6. It is submitted the Review Board must consider the following:
 - (a) It is a simplistic and erroneous assumption to conclude that the game incentivises or rewards drug use. *Rimworld* is structured in such a way that success is more likely for the player if their colonists do not consume the substances available to them. The game provides incentives in order to simulate circumstances of the real world where there can seemingly be attractive short-term benefits from drug taking, but long-term harm and damage.
 - (b) *Rimworld* has been available to download from online platforms in Australia since on or around November 2013, with its official full release on or around 17 October 2018. It has been a highly successful game that has been downloaded by many game players across Australia, and the world, over this time period. Streaming platforms such as Twitch also enable interactive game play and YouTube hosts many videos of and about the game. The broad dissemination of *Rimworld* may prompt the Review Board to consider how widely the refusal of classification will impact the gaming community and industry.
 - (c) The Review Board should also take into account the right to freedom of expression in which every person has the freedom to seek, receive and impart information and ideas of

all kinds.¹ The rights of game creators, as artists, to publish their work in Australia must be balanced against the concerns the Classification Board may have regarding the content. A 'Refused Classification' rating should only be imposed upon the most abhorrent and offensive of games. We submit that *Rimworld* is not an example of such a game and the absolute restriction on the creator's artistic freedom to make the game available in Australia is a disproportionate response and should be revised.

- (d) While the classification approach taken by other comparable jurisdictions is in no way binding on the Review Board, it is relevant to note that *Rimworld* has not been banned elsewhere. Other jurisdictions have generally classified the game at the 'mature' or '18+' level.

B. About Rimworld

7. *Rimworld* is a management simulation game where the player controls a group of survivors from a crashed spaceship as they build a fledgling colony in a hostile environment. The ultimate goal of *Rimworld* is to get the colonists off-world by either gathering sufficient resources to build a new spaceship, or to gather enough resources to undertake a journey across the planet to find a new spaceship.
8. Most importantly in the context of the Classification Board's decision, *Rimworld* is a game focussed on "emergent storytelling". While the player does have the ultimate goal of their colony leaving the planet, there is no right way in which to go about this. Rather, the game randomly generates a vast range of planets, scenarios, disasters and more which work together to allow different players to face different unique situations in which they can experience unique stories.
9. *Rimworld* has been critically acclaimed for the connection it manages to create between players and their colony. In a review published on popular video game site *RockPaperShotgun*, Brendan Caldwell stated the following with regard to this connection:

Basically, it's our tendency to make a story out of random, unconnected events. Every human has a little seamstress inside them, sewing a tapestry, throwing away characters or incidents which don't quite fit while sewing and weaving together the most poetic mishaps or kind deeds.

and concluding

... it doesn't take long to realise that this is something special. A management game that feels like you're in charge of people – beautiful, flawed people – instead of a handful of impersonal bots. And it's those little people who will keep you going.²

10. In 2019, the year following its full release *Rimworld* was nominated for Strategy/Simulation Game of the Year at the Academy of Interactive Arts & Sciences' D.I.C.E Awards,³ widely considered to be the video game industry's equivalent to the Academy of Motion Picture Artists Awards.⁴

C. In playing Rimworld, abstention from proscribed substances is rewarded

11. Drugs and medicine are present in *Rimworld* as one of the many in-game systems players can engage with which provide opportunities for emergent storytelling. *Rimworld's* approach to in-game drug use is to realistically present both the temptations of these substances and their many detrimental effects.

¹ International Covenant on Civil and Political Rights, opened for signature 19 December 1996, 999 UNTS 171 (entered into force 23 March 1976) art 19 (ratified by Australia in 1980); see also domestic protections of freedom of expression such as, Charter Of Human Rights And Responsibilities Act 2006 (Vic) s 15; Human Rights Act 2019 (ACT) s 16; Human Rights Act 2019 (Qld) s 21.

² <https://www.rockpapershotgun.com/rimworld-review>

³ https://www.interactive.org/awards/award_category_details.asp?idAward=2019&idGameAwardType=129

⁴ <https://venturebeat.com/2017/02/21/a-look-back-at-20-years-of-the-video-game-academy-and-its-dice-awards/>

12. Analogues to real world proscribed drugs in *Rimworld* are manufactured at the 'Drug lab' building. The same building is also used to manufacture medical drugs for colonists and serves a dual purpose. Medical drugs are required to prevent and treat disease amongst the colonists. For example, the 'Penoxycycline' medicine is manufactured at a drug lab and prevents malaria, sleeping sickness and plague among colonists.



Figure 1: In-game information regarding the medical drug Penoxycycline.

13. There are various analogues to real-world proscribed substances in *Rimworld*. Substances noted by the Classification Board in its review decision include:
 - (a) 'Yayo' – which the Classification board describes as "a reference to cocaine that is depicted as a line of white powder";
 - (b) 'Flake' – which the Classification board describes as "a crack cocaine-like substance that is depicted as a pipe"; and
 - (c) 'Smokeleaf' – which the Classification board describes as "a cannabis-like product depicted as a hand-rolled cigarette".
14. The Classification Board has correctly noted that when consumed by colonists, these analogues to real-world proscribed substances provide immediate short-term positive stat modifications. However, the use of certain analogues also results in immediate *negative* stat modifications. For example:
 - (a) Colonists who use smokeleaf receive a 30% reduction to their consciousness stat and a 10% reduction to their movement stat for 12 in-game hours. If the colonist's consciousness stat is below 30% when they consume smokeleaf, this stat reduction can result in the colonist's death.



Figure 2: the colonist has died after receiving negative effects to their movement and consciousness as a consequence of having consumed smokeleaf.⁵

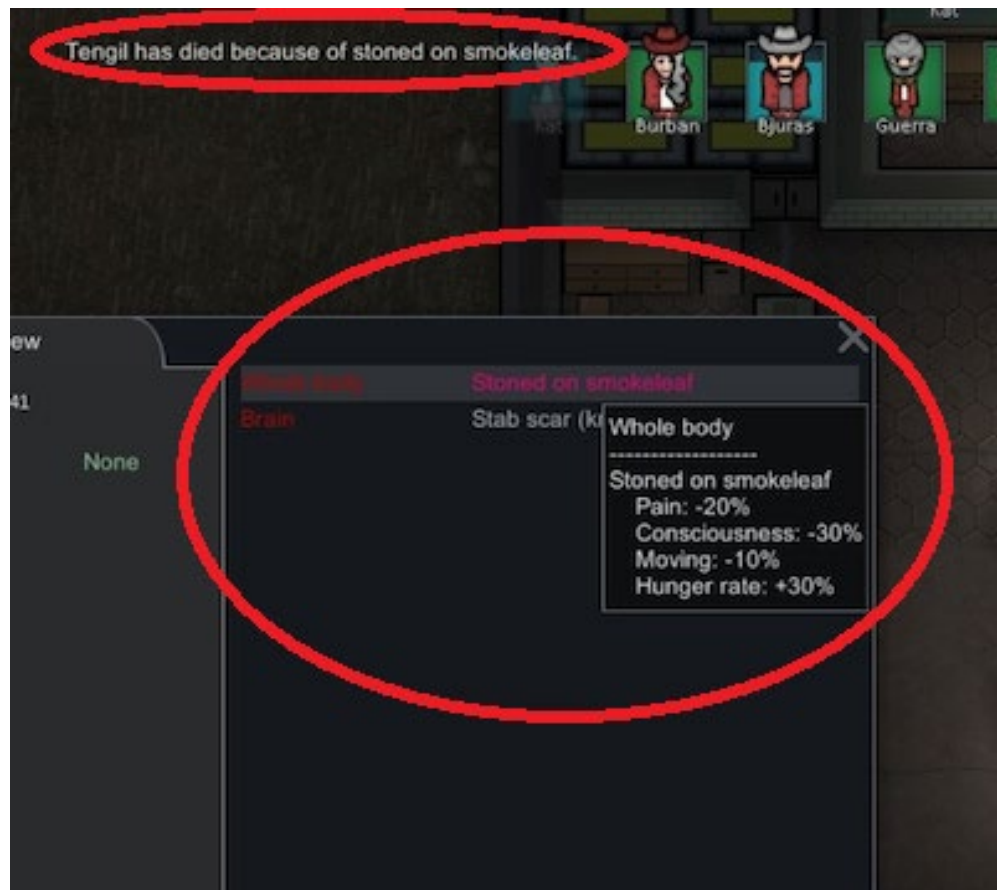


Figure 3: zoomed in screenshot of Figure 2

15. In *Rimworld*, all substance use has potential negative effects for colonists, including beer.⁶ Whilst the other two analogues noted by the Classification Board do not provide the same immediate negative stat modifications, they carry unavoidable risks for the colonists who use them. The Classification Board notes in its report that "repeated use of drugs can result in addiction and associated negative effects including overdose death". This is correct. However, analogues to

⁵ Image taken from Reddit thread at URL

https://www.reddit.com/r/RimWorld/comments/7wrofz/this_was_how_i_learned_a_lack_of_consciousness/

⁶ Though we note that under the Classification Rules, the consumption of alcohol is permitted.

real world proscribed substances also carry an immediate risk of addiction or overdose every time they are consumed by colonists, regardless of how many occasions they have been consumed previously.

16. With respect to the analogues noted by the Classification Board in its Report, Flake and Yayo carry a 5% and 1% chance of addiction per use respectively. Once addicted, colonists require a regular dose of these drugs to prevent withdrawal, which results in severe negative stat modifications. For example:

- (a) Flake and Yayo withdrawal causes a 35% reduction in colonists' mood stat, and a 20% reduction to their consciousness, moving and manipulation stats.

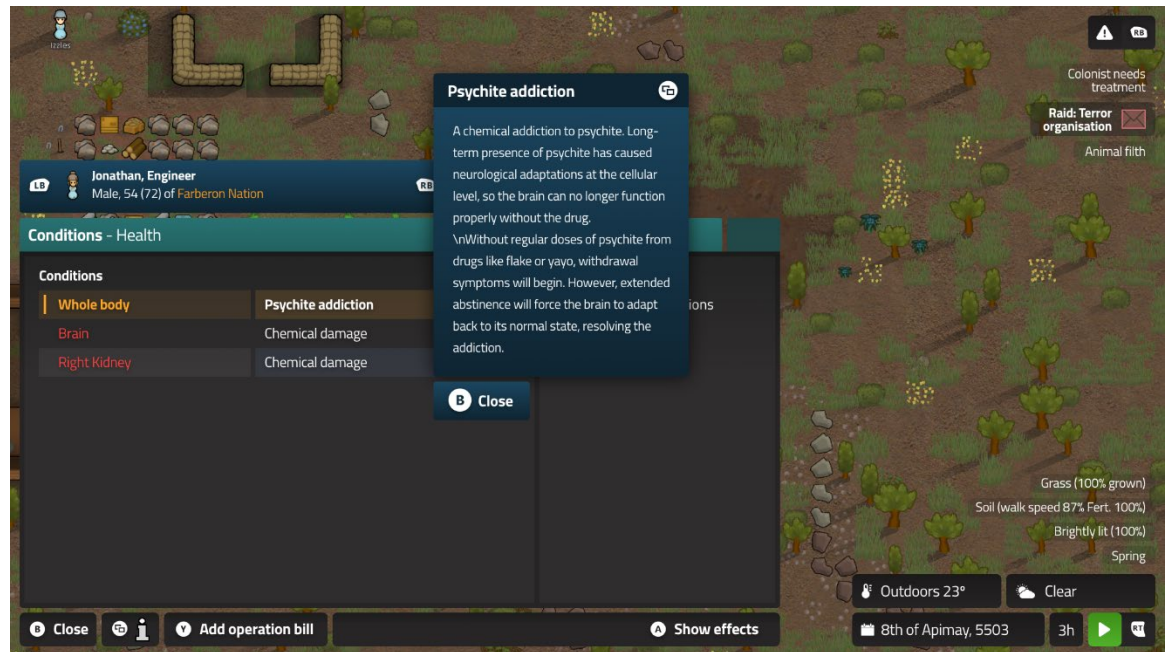


Figure 3: the colonist has developed an addiction to psychite.

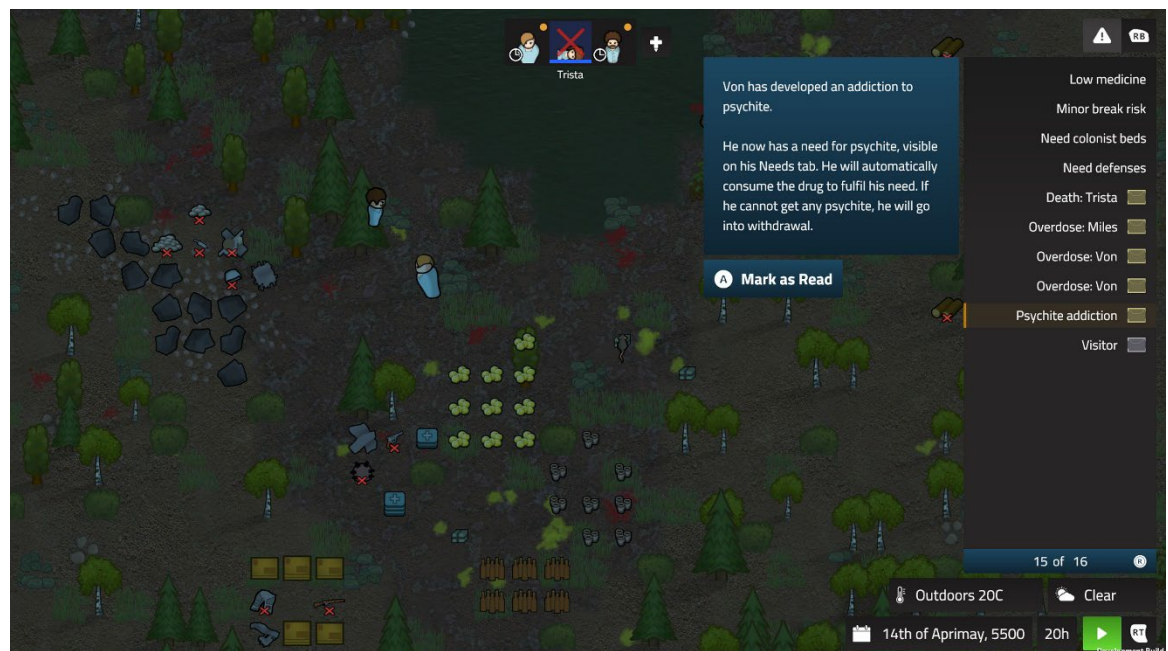


Figure 4: the colonist cannot moderate his behaviour as a consequence of his psychite addiction.

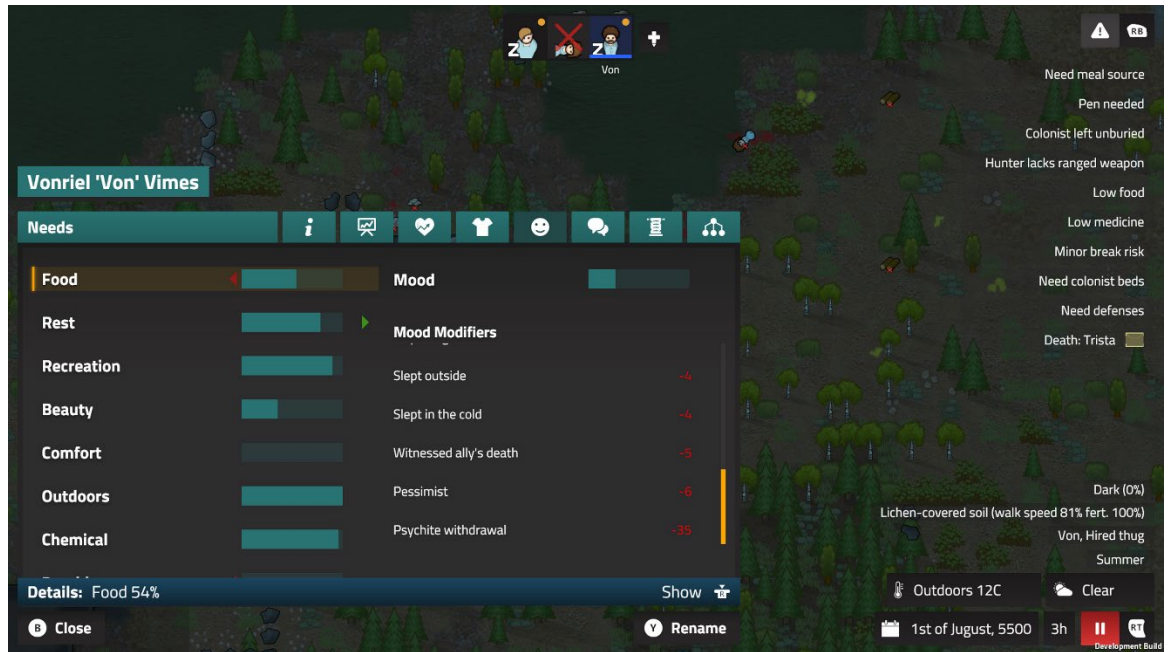


Figure 5: the colonist has a negative stat modification to his mood as a result of psychite withdrawal.

17. In addition to the negative stat modifications of addiction and withdrawal which can occur immediately on consumption, Flake and Yayo carry an inherent chance of major overdose each time they are consumed by colonists. When a colonists suffers a major overdose, there is approximately a 5.90% chance of a permanent reduction in the colonist's stats and a 5.44% chance of death.⁷ The chance of a major overdose for Flake and Yayo is approximately 1.5% and 1.0% per use respectively, regardless of if any drugs have been consumed by that colonist previously.⁸

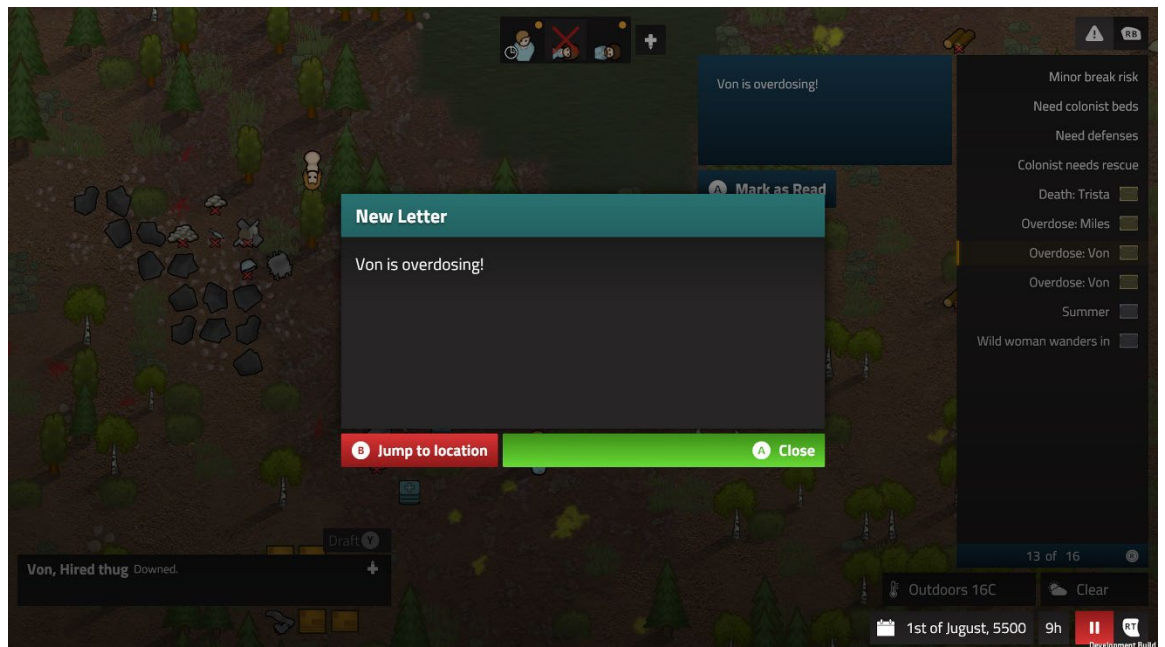


Figure 6: the colonist is suffering from an overdose.

18. Aside from the underlying unavoidable risk of overdose for colonists who use the substances referred to by the Classification Board, colonists also gain tolerance to the substances for each

⁷ Statistics taken from <https://rimworldwiki.com/wiki/Overdose>

⁸ Statistics taken from <https://rimworldwiki.com/wiki/Flake>; <https://rimworldwiki.com/wiki/Yayo>

use, resulting in a corresponding drop in efficacy and a need to consume more of the substance for the same effect. The tolerance gain rate for both Flake and Yayo in colonists is 4% per day.⁹

19. Additionally, colonists with a tolerance to Flake or Yayo will also develop chemical damage to their kidneys in a mean time of 120 in-game days, resulting in a permanent negative stat modification.¹⁰ This in-game time period translates to approximately 33.5 real-world hours. We note that the median time spent in-game by PC players is 52 hours and 26 minutes, with 50% of the PC player base spending over 50 hours playing *Rimworld*. Based on such play-time the majority will experience detrimental effects should they choose for their colonists to engage in drug use,

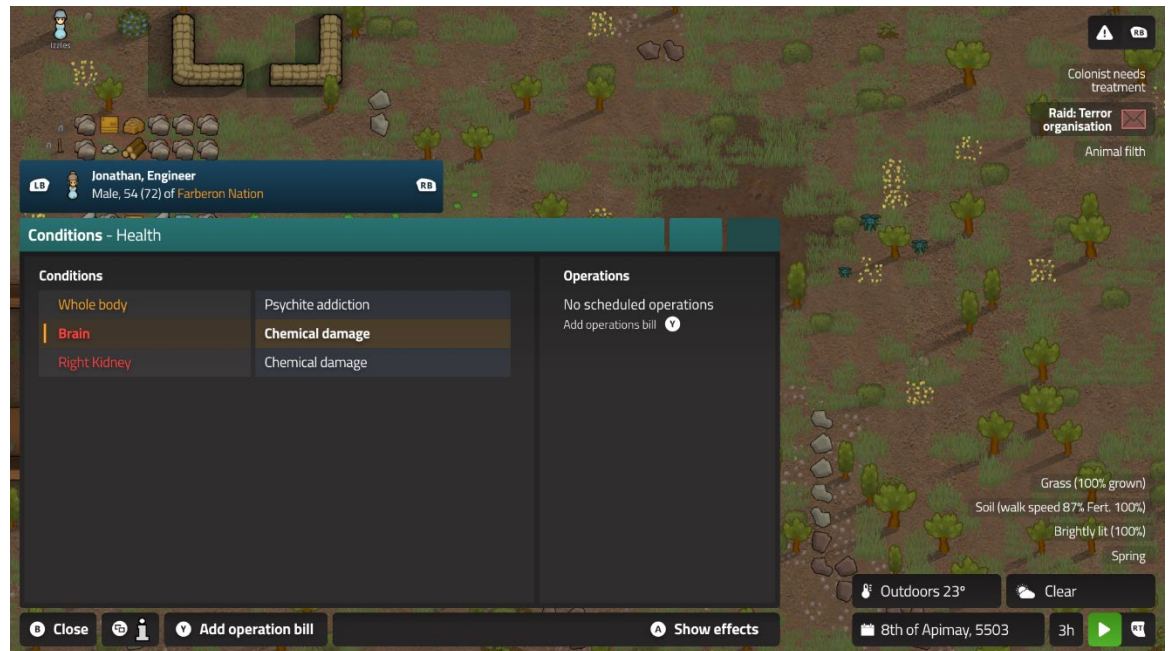


Figure 7: the colonist has suffered from chemical damage as a consequence of his psychite addiction.

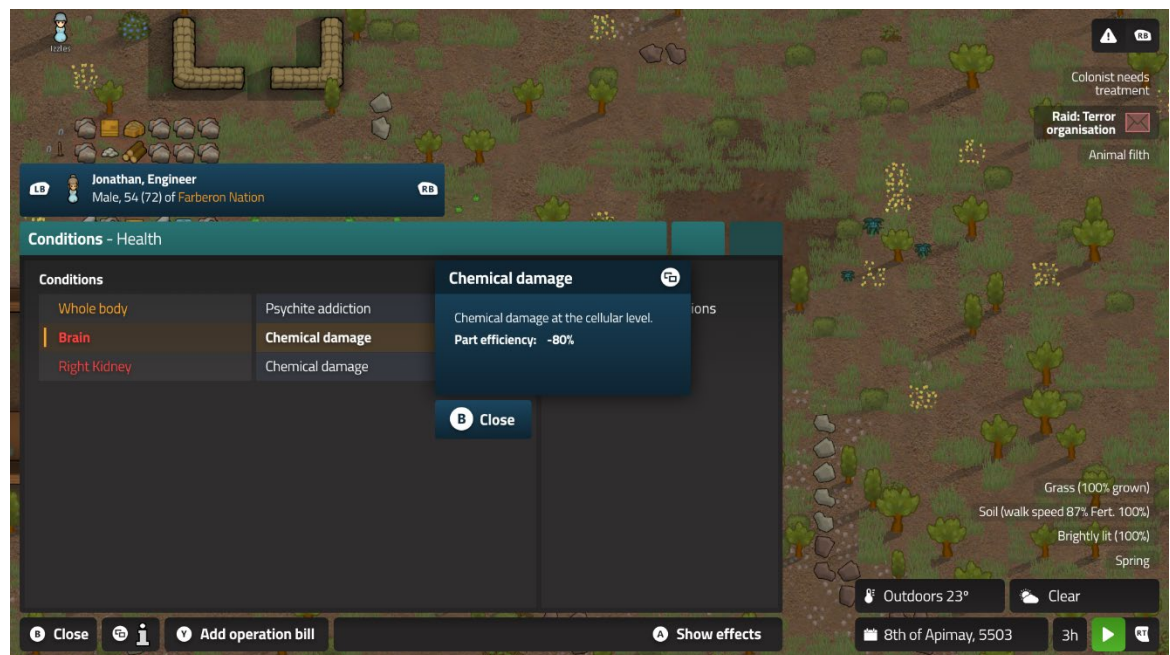


Figure 8: negative stat modifications as a consequence of the colonist's chemical damage.

⁹ Statistics taken from https://rimworldwiki.com/wiki/Drugs#Addiction_and_Tolerance

¹⁰ Statistics taken from <https://rimworldwiki.com/wiki/Flake>

20. Whilst the in-game analogues to real world drugs provide stat modifications to colonists who use them, the in-game mechanics of addiction, withdrawal, overdose and tolerance development mean that any short-term positive effects are coupled with unavoidable negative stat modifications or the significant risk of serious permanent negative stat modifications and death of colonists who use these substances. In *Rimworld*, the benefits of abstention significantly outweigh the risks of consumption.
21. We note that we are currently are awaiting the receipt of further material in support of these submissions and will provide it in the form of annexures to the submissions on their receipt.
22. It is critical to the intellectual and artistic integrity of *Rimworld* that it presents the temptations of drug use in an honest light, because it makes the decision to abstain from its short-term benefits into a genuinely difficult (but ultimately rewarding) experience for the player. It is an erroneous conclusion to say that the game incentivises or rewards drug use.

D. Conclusion

23. *Rimworld* is a video game that forces the player to make difficult decisions on how their colony will interact and engage with a hostile planet. A component of this difficult decision making is the short-term benefits of drug consumption weighed against the associated unavoidable risks of serious permanent harm or death to their colonists. We submit that the risks outweigh any benefits on an objective assessment of the two, and that it is an erroneous interpretation of the game to find that it incentivises or rewards the use of proscribed substances. Abstention is rewarded by long-term stability in colonists. As we have illustrated above, it not only disincentivises drug consumption in the game, but is also not considered to reward drug use by its players.
24. We submit that reasonable adults, particularly those that play the game, understand the nuance and complexity of choice that the game presents. Game players, as reasonable adults, are able to observe how harmful the consumption of drugs can be for their colonists, including leading to their addiction and death, and that the associated risks with this consumption outweigh any short-term benefit to their colonists.
25. We understand that this is not the forum to debate the underlying principles of the classification system, but submit that a 'Refused Classification' rating should only be imposed upon the most abhorrent and offensive of games. We consider that *Rimworld* is not an example of such a game and the absolute restriction on the creator's artistic freedom to make the game available in Australia is a disproportionate response and should be revised.
26. We submit that *Rimworld* should be available for people in Australia to choose to experience, and in light of the above evidence, the Review Board should allow the game to be classified and legally available.



Australian Government

Classification Review Board

Application for review (Classification Act) form

Instructions for completing the Application for review (Classification Act) form

1. Decision

The attached form is the approved form to apply to the Classification Review Board (the Review Board) for a review of a decision of the Classification Board made under the *Classification (Publications, Films and Computer Games) Act 1995* (the Classification Act).

To apply to the Review Board for a review of a Classification Board decision made under the *Broadcasting Services Act 1992*, please use the Application for review (Broadcasting Services Act) form.

Time limit

An application by the Minister may be made at any time.

For any other application, if this form is lodged more than 30 days after the applicant received notice of the Classification Board's decision, please attach a letter explaining why the Review Board should hear your application out of time.

Part 1—Decision to be reviewed

Type of decision

The Review Board can review decisions of the Classification Board. Decisions are defined in section 5 of the Classification Act. The most common type of decision reviewed is the classification given to a publication, film or computer game.

Part 2—Applicant for review

The following persons may apply to the Review Board for a review of a decision:

- (a) the Minister
- (b) the original applicant
- (c) the publisher of the material, or
- (d) a person aggrieved by the decision.

A person aggrieved

If you apply for a review as 'a person aggrieved by the decision', please attach to the form a letter explaining why you are 'a person aggrieved' within the meaning of section 42 of the Classification Act.

Part 3—Prescribed fee—\$10,000

The prescribed fee for a review of a Classification Board decision is \$10,000. The prescribed fee must accompany your application for review, unless you are applying for a fee waiver.

Fee waiver

You may apply in writing to the Minister for a waiver of the prescribed fee. For information on what to include in a fee waiver application, see section 91 of the Classification Act and the Classification (Waiver of Fees) Guidelines 2014. Attach your application to this form.

Lodging your application

When lodging your application, please ensure that you:

- ☐ complete all relevant parts of the form
- ☐ pay the prescribed fee or attach an application for a fee waiver
- ☐ if applicable, attach your out of time explanation
- ☐ if applicable, attach a written explanation of why you are 'a person aggrieved'.

You may wish to contact the Secretary to confirm receipt of your application.

Enquiries

For further information, including details on review procedures, please visit www.classification.gov.au or call the Review Board Secretary on 02 9289 7100.

Application for review (Classification Act) form

This is the approved form to apply to the Classification Review Board for a review of a decision of the Classification Board under the *Classification (Publications, Films and Computer Games) Act 1995*.

Part 1—Decision to be reviewed

Title	RIMWORLD
Type	<input type="checkbox"/> film <input checked="" type="checkbox"/> computer game <input type="checkbox"/> publication
Type of decision	<input checked="" type="checkbox"/> classification <input type="checkbox"/> other (please name in the next field)
If you ticked other in the field above, please advise the type of decision	
Date of decision	27/02/2022

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Lodge form and payment

By post Convenor, Classification Review Board, Locked Bag 3, Haymarket NSW 2010
By fax 02 9289 7101
By email crb@classification.gov.au
In person Level 6, 23–33 Mary Street, Surry Hills NSW 2010
Further information: www.classification.gov.au or call the Review Board Secretary on (02) 9289 7100

Office use only

Classification file number _____

Date received _____

Privacy Notice—Privacy Act 1988

The Department of Infrastructure, Transport, Regional Development and Communications is collecting personal information on this form to process an application for review of a decision of the Classification Board. This is authorised by s 43(1) of the *Classification (Publications, Films and Computer Games) Act 1995*.

If the personal information of the applicant and/or individual is not provided, the department may not be able to process the application.

The department places some or all of this information on the National Classification Database and gives some or all of this information to the Classification Board and, on review, to the Classification Review Board. Under s 43(4) of the Act, the department on behalf of the Convenor must notify the original applicant (including if that person is located overseas) of this application. The department also notifies the Minister with responsibility for classification and state and territory government agencies with classification responsibilities.

For more information about the department's privacy practices, including how to correct your personal information or make a complaint, see the privacy policy at www.classification.gov.au or contact our Privacy Officer:

Privacy Officer
Department of Infrastructure, Transport, Regional Development and Communications
GPO Box 594
CANBERRA ACT 2601

Email: privacy@infrastructure.gov.au



File No: T22/0320

Australian Government
Classification Board

Decision Report

Classification decisions are made in accordance with the *Classification (Publications, Films and Computer Games) Act 1995* (the Act), the National Classification Code and the Classification Guidelines.

Production Details:

Title:	RIMWORLD
Alternate titles:	
Publisher:	DOUBLE ELEVEN LTD.
Programmer:	LUDEON STUDIOS / DOUBLE ELEVEN LTD.
Production Company:	
Year of Production:	2022
Duration:	VARIABLE
Version:	ORIGINAL
Country/ies of origin:	UK
Language/s:	Chinese, Dutch, EFIGS, Japanese, Korean, POLISH, PORTUGUESE, RUSSIAN, SWEDISH
Application type:	CG2
Applicant:	DOUBLE ELEVEN LIMITED

Dates:

Date application received by the Classification Board: 07 February 2022

Date of decision: 27 February 2022

Decision:

Classification:	RC
Consumer advice:	

Synopsis:

Rimworld is a single-player, science fiction colony simulator game driven by an intelligent AI storyteller that generates stories by simulating a vast array of details including psychology, ecology, combat, climate, biomes, diplomacy, medicine, trade, and interpersonal relationships. The game does not include any online interactivity.

Reasons for the Decision:

In making this decision, the Classification Board has applied the Classification (Publications, Films and Computer Games) Act 1995 (the Classification Act), the National Classification Code (the Code) and the Guidelines for the Classification of Computer Games 2012 (the Guidelines).

In the Board's view this game warrants an 'RC' classification in accordance with item 1(a) of the computer games table of the Code:

"1. 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;" will be Refused Classification.

Computer games that exceed the R18+ classification category will be Refused Classification. Computer Games will be Refused Classification if they include or contain "drug use related to incentives or rewards".

The examples described below do not represent an exhaustive list of the content that caused the computer game to be refused classification.

Rimworld is a single-player, science fiction, colony simulator game with gameplay depicted in a distant, top-down view of a map as player expands and makes improvements to the colony. At the beginning of the game, the player chooses three starting colonists, each with randomly generated personalities and ability statistics.

Once the colonists have been chosen, the aim of the game is to build up a colony, assigning priorities to the colonists' work schedules in order for them to complete tasks such as base building, farming and research while surviving random events created by the game's AI system. Successful colony management requires players to balance and regulate the health, moods, and needs of the colonists while increasing their abilities in various tasks such as combat, building, crafting and farming.

Colonists are able to manufacture and consume a variety of drugs in the game including several that are analogous to real world proscribed drugs, as specified in Schedule 4 of the Customs (Prohibited Imports) Regulations. This includes 'yayo', a reference to cocaine that is depicted as a line of white powder; 'flake', a crack cocaine-like substance that is depicted as a pipe; and 'smokeleaf', a cannabis-like product depicted as a hand-rolled cigarette.

In order to use a drug, the player is able to direct a colonist to an icon representing the item. For example, the player can select an icon depicting a joint and the colonist avatar then picks it up, holding it to its mouth as smoke appears accompanied by a caption noting that the colonist is 'smoking smokeleaf joint'. The 'mood modifier' statistics for the colonist are then updated to note a positive increase alongside with a note that they are 'high on smokeleaf'.

Similarly, when a colonist is directed by the player to use flake, the colonist picks up a pipe and the sound of a lighter sparking is heard before smoke appears around the colonist's head. The 'mood modifier' statistics for the colonist are then updated to note a positive increase alongside a note that they are 'high on flake'. Colonists can also be directed to 'snort yayo' and sniffing sounds are heard as the colonist implicitly ingests the drug.

In addition to the positive enhancement to the colonist's mood statistics, drug use has other positive effects including reduced damage and increased focus when working on tasks around the base. However, repeated use of drugs can result in addiction and associated negative effects including overdose death.

Colonists using drugs are able to build up a tolerance, which is inversely proportional to body size. This means that smaller colonists, including teenagers, gain more tolerance with use.

Colonists can become addicted to a drug once they cross a certain tolerance threshold. When this tolerance is achieved, the effect of each dose of the drug will decrease by a fixed amount, resulting in a decrease to the time period that the effects remain and an increase in the amount of the drug that a colonist will need to consume in order to replicate the initial effects.

Addiction acts in a similar fashion, requiring the colonist to get a regular dose of the drug in order to prevent withdrawal symptoms and associated negative effects on the colonist's mood statistics. Drug addictions can be managed by the player by limiting or regulating access to the drug in the colonist's assigned schedule, which, after a period of time, can result in the addiction weakening and eventually disappearing from the game.

In the Board's opinion, the items described above clearly reference a group of proscribed drugs in appearance and effect and their use is associated with rewards and incentives during gameplay. Therefore, under the Guidelines, the game must be Refused Classification for "illicit or proscribed drug use related to incentives or rewards".

Decision:

This game is Refused Classification.

Classification Board use only

Names of panel members constituted for decision:

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A large grey rectangular box redacting the names of the panel members.

Details of opinions (including minority views):

Unanimous

A senior panellist has confirmed that the application considered was valid under the Act.

A senior panellist has confirmed that all members constituting the Board for this decision have considered the application and that this Decision Report is a true and accurate reflection of the Board's decision and any minority opinions.

Decision signed off by a senior panellist.

Decision signed off by DirectorDate/...../.....

(required for all enforcement applications, commercial RC decisions and non-ISP ACMA RC decisions)