

Regarding the classification white paper recently released in relation to the classification in the digital era of films, computer games and publications I am of the belief that there is a need for a broader scope of available classifications under the Classification Acts, Code and Guidelines for the classification of films, computer games and publications.

There should be a doubling from 7 to a total of 14 classifications for films and have categories G, P, C, G-4, G-6, PG-8, PG-13, M, MA15+, R16+, R18+, X18+, XLP 18+ and RC for films and the same classifications for computer games except for an X18+ classification for adult genre sexually explicit films only, with 13 categories for computer games of G, P, C, G-4, G-6, PG-8, PG-13, M, MA15+, R16+, R18+, XLP18+ and RC. For digital content some material requires appropriate parental controls particularly for age restricted classifications as such there needs to be some consistency between platforms. Foxtel has always required a pin by default for R18+ classifications but MA15+ is not automatically locked, while games consoles and Netflix have to be manually set, there is not consistent with free to air TV can only go up to the MA15+ classification, absent of a modern uniform locking technology to prevent children getting easy access to restricted content.

As for publications the current five categories should become seven, with an introduction of an R16+ Restricted to 16 and over classification as the new category 1, while the present category 1 is category 2, category 2 becomes category 3 restricted and a new XLP18+ classification level should sit above category 3 below RC should be restricted category 4.

A key change suggested to the next set of guidelines in relation to impact levels is for them to typically be accessed to fall within two classifications, rather than one for each impact level so that if classifiable elements are justified by context they would get passed at the lower classification level while classifiable elements not justified by context would require the next highest classification level.

Under the present G classification there are some will not have any classifiable elements in them, not needing consumer advice such as a documentary or historical piece such as *Amazing Grace*, that captures work of Aretha Franklin, which is one of only three G films I have seen at the cinema in the last year that included *Apollo 11* and *Little Woman*, I have seen five films with an R18+ classification in the last year which was a record as only 2 to 3 would be released in Brisbane, with newer cinemas being constructed in the last two years, creating wider competition for films that have a more limited release. The middle classifications of PG, M and MA15+ make up for the majority of releases at cinemas overall but according to the classification annual report for 2018-2019, the advisory G, PG and M classifications are more common than the restricted MA15+ and R18+ classifications.

There should be variations of the G classifications such as with G (-4) where consumer advice would be “some scare scenes” or “some scenes may scare very young children” found for example in *Princess and the Frog* or *Toy Story 4*. Current guidelines should be slightly changed to address issues the film *Happy Feet* caused with young children attracting 7 complaints. The current G guidelines for the classifiable element of themes should be updated to say: *the treatment of themes should generally have a very low sense of threat, peril or menace that is not prolonged or sustained and is justified by context*. Aside from that, the current G guidelines for the other classifiable elements should not require any changes although in the updated guidelines should raise a classification from G to PG where very mild content is not justified by context or is a threat, peril or menace that is sustained or prolonged.

A recent G film that was released during the recent school holidays Little Woman, was an example of a G film at the upper end of very mild impact, a number of other countries have given the film a PG type of classification, this would be example of a film that should be classified under a new system as (G) (-6) recommending it as more suitable for children 6 years and over.

Many G computer games are sporting in character and are for those of all ages while others involve puzzle and animation characters that will have particular interest to children. For G (general) classified content that is specifically made for children or specifically pre school aged children, the G classification should use a C or P symbol while still retaining the green background and triangle, the C and P type classifications have been used on TV for this purpose but it should be expanded to all films and computer games to be consist to whether it is a digital or physical copy of the film or game, in addition to placing (-4) or (-6) age markers on some G classifications where appropriate to use caution with children of preschool or early school age. To clarify that C or P classifications should be used to pinpoint appeal to children or pre school aged children while (-4) and (-6) markings added to some of the G classification marking should be taken to be a general statement about the suitability of the content to children of younger ages.

Computer games involving gambling apart from those which are subtle and not likely to present a copying or imitating behaviour should have a minimum PG classification, with the theme requires parental or adult guidance as to their addictive and negative effect on people not acting responsibly. A very mild gambling theme such as "Slot Machine" should result in a G (-6) classification.

A PG (-8) classification similar to the old G8+ that existing for computer games, but merged into the PG should be for mild impact content, but guidelines should be updated slightly to accommodate a higher PG-13 classification, that may allow some content currently classified at the lower end of the MA15+ to be accommodated at M such as strong psychological or sustained threat (suspense), occasional strong violence or coarse language, brief strong sex scene(s), infrequent strong sex references, brief strong drug use/references or nudity with a stronger advisory on M material that it would not be suitable for pre teens.

Current PG guidelines for themes are that: **The treatment of themes should generally have a low sense of threat or menace and be justified by context.** It should be updated to say *the treatment of themes should generally have a low sense of threat or menace that is not prolonged or sustained and is justified by context or have a very low sense of threat or menace if prolonged or sustained or is not justified by context.*

Current PG guidelines for both violence and language say that these elements should be mild and infrequent and justified by context but to add to that it should allow for very mild violence or coarse language that exceeds the G guidelines due to frequency or lacking contextual justification, to be raised up by one classification level. Similarly mild content that is not justified by context or otherwise only marginally exceeds the PG guidelines should be accommodated in a new PG-13 category.

Under the current film classification guidelines sexual violence is not permitted in G and PG films and that should continue to be the case, but that sexual violence and associated references should be accessed on a different impact hierarchy structure to other classifications and to fall within a low (PG-13 to M), medium (M to MA15+), high (R16+ to R18+) or very high/extreme impact (R18+ to XLP18+ or RC) classification level. The computer game classifications should get significant changes, some R18+ classifications have resulted from plainly references to sexual violence or assault, with that in perspective in New Zealand some of those classified as R18+ in Australia have been given an R13 restricted classification, a five year age difference in allowing sale to those 13 years and over.

The lowest age restriction of R13 used in New Zealand for films and computer games has caused issues due to some cinemas or retailers requiring photo ID rather than a parent or guardian to be there to vouch for a teenagers age as parental consent for a child underage to access restricted content is not accepted under New Zealand law, but is not so much of an issue with older teenagers with drivers licences and other photographic identification becoming available.

There is consensus that there is a need for a PG-13 classification for films and computer games to cater for content that has an impact beyond mild or have violence or coarse language for example that is too frequent to meet PG guidelines, but the content is such that it does not require a mature perspective. The violence in the film Stormbreaker was considered mild but the frequency of the action violence meant it had to be classified M and the Classification Review Board confirmed the M classification on review.

It is suggested that the new PG-13 carries a pentagon shape and maroon or magenta colour classification markings and that it should be allowed to screen on free to air TV without time restrictions that apply to M and MA15+. Just recently in Channel 7's coverage of the Oscars, contained a single f word expletive uttered out by Actress Sandra Oh, while in one of the lyrics in Channel 7's coverage of the Fire Fight Australia concert contained an f word within the default PG classifications applied to the live programs. An exemption from classification only applies to news, sport or current affairs and both live programs should now have been PG-13 by default with an advisory of some coarse language and mature themes. Also due to the M time zone not starting until 7:30pm, some blockbuster movies shown on commercial free to air TV channels are unnecessarily edited to allow them to be shown at 7pm immediate after the 6pm news, that could be fixed with the addition of a PG-13 classification.

In general films with prolonged or sustained threat, peril or menace be given at least a PG-13 classification unless very mild (ie raised to PG exceeding G guidelines) and allow for themes under the PG-13 to have to low to moderate sense of threat or menace if justified by context. Commonly fantasy or supernatural sequences that contain prolonged or sustained threat, peril or menace that can upset younger children like some of the Harry Potter films that go beyond the PG category from the 4<sup>th</sup> films onwards.

However something that is more of a suspense type thriller or horror such as Alien or Prometheus, Happy Death Day or its sequel Happy Death Day 2U, Escape Room, some of the Hunger Games film series which in the first film had cuts in the UK to remove a gory sequence to get a 12A in cinemas, The Maze Runner Trilogy and the 47 Metres Down films should be in the stronger M category. However something like Avatar, Transformers or Bumblebee should be accommodated at the middle to upper end of PG-13.

Realistic depictions of violence with a low impact, that was reflected in the consumer advice for M classifications in the 1990s to early 2000's by consumer advice of Low level violence) or moderate stylised violence should be permissible at PG-13 and only verbal references to sexual violence of low impact should be allowed if justified by context.

The PG-13 should allow for infrequent use of expletive "fuck and variations" and or milder coarse language goes beyond infrequent and not allowed under PG guidelines. There are a number of other words such as slut, wanker, twat or whore that are a bit more impactful than mild, but should be readily accommodated at a PG-13 classification level along with various expressions for example where a sexual reference is added and results in overall impact being raised.

PG-13 should allow sexual activity to be briefly and discreetly implied where justified by context and to permit low to moderate impact sex references but be limited in detail when presented in a crude nature or humour context.

PG-13 should allow soft drug use such as cannabis where justified by an appropriate context, however not in an interactive way in the case of computer games. Scenes of harder drug use such as heroin, cocaine, MDMA or Ice should be accommodated at a minimum classification of M, but verbal references to hard drugs should be permitted at PG-13 in an appropriate context provided they are not glamorised. Consumer advice such as low impact themes, low impact violence or low impact coarse language, low impact sex scenes, low impact drug use or low impact nudity are examples of what consumer advice should be under a PG-13 classification.

The revised M classification should be designated for medium impact content that can be strong to a degree if there is mitigating context that reduces the impact of relevant classifiable elements.

Themes of a medium degree of sense, peril or menace if justified by context should be accommodated in M films and computer games and are such as to require a mature perspective. Sustained strong psychological horror, that does not focus on significant gory injury detail or acts of sadism should be accommodated at M and is noted the 3<sup>rd</sup> ring film called Rings, Annabelle Comes Home and Scary Stories To Tell In The Dark were accommodated at this level within the M classification. Blade Runner 2049 and Terminator Genesis, which are sequels of films previously classified M, but these have some strong violence sequences that are not frequent and the impact on younger audiences is mitigated due science fiction setting and the violence stylised so would be ok for an M classification with an advisory of Medium impact science fiction violence instead of MA15+ with consumer advice of strong violence.

As for computer games, some of the Xbox One Halo games, like Halo Combat Evolved, Halo 2 and Halo Reach (Prequel to Halo Combat Evolved) and Halo The Master Chief Collection that contain the first 2 are MA15+ for strong violence and should more appropriately be accommodated at M with consumer advice of “Medium impact science fiction violence”. Halo 3, Halo 3 ODST, Halo 4 and Halo 5 Guardians were classified M containing science fiction themes and violence, some degree of blood and gore that is stylised and has a similar feel to Destiny, made by Bungie who is the company that did the first three Halo games, unlike Halo which is Xbox One and Windows PC only, Destiny is multi-platform game.

The King (2019) which had a limited release last year before being released earlier than usual on Netflix contained a single beheading execution scene in a historical context although the impact was mitigated under current guidelines meant it could not be given lower than a legally restricted MA15+ which limits its being able to be shown in schools, while the battle sequences were of lesser impact. Under revision of guidelines (M) with the consumer advice “Medium impact battle violence gory scenes and injury detail, execution scene”.

Parasite is one where the violence at the end of the film is significantly gory and brutal and would be considered to be strong and realistic violence and does not have a mitigating context such as historical or science fiction and content like that should remain at MA15+. Similarly recent war films Hacksaw Ridge, They Shall Not Grow Old, Danger Close The Battle of Long Tan and 1917 depict graphic and realistic war scenes and the injury detail with regards to themes and violence are too strong and realistic to have unrestricted access allowed and should remain at MA15+.

There is difference between the guidelines for the classification of films to the guidelines for the classification of computer games in relation to sexual violence that does not make much sense under film classification guidelines for M sexual violence should be very limited and justified by context or MA15+ sexual violence may be implied if justified by context. I have an old Xbox 360, Game of Thrones game that was classified under the former guidelines and includes sexual violence in the consumer advice.

Prior to the introduction of an R18+ classification for computer, where films and computer games used the same guidelines there could be verbal references to sexual violence or depictions of sexual violence in non-interactive cutscenes at M and MA15+, if the impact was no more than moderate to strong respectively, but any reference to sexual violence is only allowed at R18+ while even a non-interactive visual depiction isn't even allowed to be implied at R18+ even if it is justified by context. This highlights there was an overprotectiveness when the first computer game guidelines were introduced with the introduction of an R18+ classification for computer games to be able to reach agreement between all the relevant Commonwealth and State and Territory ministers. I could not see a game publisher even thinking of creating a game with interactive sexual violence in it as it would never be accepted under community standards, but is not understood why a non-interactive cut scene should be treated differently to films containing implied sexual violence. It is partly because of the approach taken by ministers when the guidelines were released that has resulted in games such as This War of Mine Little Ones being made R18+ in Australia while it is only R13 in New Zealand, though Escape Dead Island was R18+ with the Board deeming violence high impact but R13 in NZ, an R18+ classification does not impact sales of games like it does for cinema release films, so a review to try and get an MA15+ wasn't sort.

Any form of sexual violence whether a verbal reference or visual depiction is rightly prohibited in G and PG classification guidelines, while the new PG-13 classification for both films and computer games should be the minimum classification where the mildest verbal references to sexual violence should be contained if justified by context, such as for example a crime drama film or computer game that has an incidental reference to sexual assault incidentally and is of a low impact. At an M, the current guideline used for films for sexual violence at M saying sexual violence should be very limited and justified by context should be replaced for both film and computer games and for it to say: Sexual violence may be briefly and discreetly implied if justified by context. And further say, sexual violence must not be related to incentives or rewards (or interactive in the case of computer games), for M, MA15+, R16+ or R18+ which depending on the context should result in either a partial ban under a new XLP18+ classification or a total ban under the existing RC classification.

With a recommendation that an R16+ classification introduced for films and computer games to allow older teenagers of 16 and 17 to access strong to high impact content that can either be classified R18+ and a too restrictive decision given or can be classified too low at MA15+ in some occasions and to bring more detailed sexual content than can be accommodated more in line with the average age of consent in Australia, material containing realistic simulation of sexual activity that may include full nudity and detailed thrusting should be permitted where justified by context.

Only South Australia and Tasmania have 17 as the age of consent, but it is not technically illegal in either state for two teenagers of 16 years old to be engaged in sexual intercourse, although sexting between two 16 years olds is illegal in all Australian jurisdictions under Commonwealth law with the definition of child exploitation material being under 18.

MA15+ should be amended to say Sexual violence may be discreetly implied, if justified by context. *Boy Erased* I found was ok as the strong scene or sexual violence was discreetly implied, but I found that a colonial set Australian film *The Nightingale* was too leniently classified MA15+ in relation to the graphic scenes of rape of a woman and brutal murder of her baby but a restriction to adults would have been too harsh due to the film's significant educational and artistic merit in capturing the brutal reality of Australia's colonial past.

An R16+ guidelines should sexual violence to be implied if justified by context and R18+ sexual violence may be realistically simulated if justified by context and a heavily restricted XLP18+ classification apply where realistically simulated sexual violence is not justified by context such as in the film *Baise-Moi* that had a gratuitous and very high impact rape scene and despite the film having considerable artistic and cultural merit could not override the classification guidelines to be accommodated at R18+ and the Review Board had to classify the film RC after initially being given an R18+ classif. The RC (Refused Classification) should automatically apply in the event of footage of actual sexual violence which would typically be submitted by law enforcement authorities where illegal footage of an actual rape case had been recorded or potentially live-streamed or posted online and was required to be submitted for classification to progress an investigation or prosecution case. In the 1980s the guidelines under the R18+ classification, which was simply known as R back then, did allow sexual violence in film to go beyond implied to the minimum extent necessary to be relevant to storyline or narrative, but in the 1990's the film classification guidelines got tightened and sexual violence could only be implied rather than realistically simulated at R18+.

An unusual anomaly can occur within the Australian classification system where the Classification Board may pass something as R18+ and gets a cinema release or sale or hire, but can be Refused Classification upon review if the Minister seeks to review a contentious classification some time down the track with the there being no time limit in these cases to apply to the Review Board, I had this experience twice in 2011.

In 2011, when I was then 19, there was a heavily cut version of A Serbian Film which had a number of cuts made after twice prior being Refused Classification, making it similar to the version the UK passed with an 18 certificate after cuts was temporarily available for rental from the local video store and was about 3 weeks released under an R18+ classification that the Classification Board regarded as being in the upper limits of the R18+ classification which could be rented from late August 2011, before this 3<sup>rd</sup> cut of the film was (RC) Refused Classification a few weeks later by the Review Board on 19/09/11. Where there is a metaphorical use of sexual violence, child abuse material, incest or necrophilia then it cannot fall to be justified by the context of the piece and would raise issues being offensive to reasonable adults. With that being said it was acknowledged in the original RC classification decision of the Classification Board, that there was a degree of artistic merit and dramatic intent within the fictitious context of the film. The (BBFC) British Board of Film Classification had looked into the issue and there was reported to have been care was taken in the production of the film to minimise the potential for harm to occur where children were involved in the making of the film.

At R18+ high impact violence is allowed freely and not required to be justified by context such was the case of a film released last year called Slayer The Repentless Killogy, one of five public exhibition films I saw classified R18+ in 2019, that contained several extensive and graphically violent clips that were metaphorical of the theme of the heavy metal genre of music which Slayer is and that theme in combination with the graphic violence requires an adult perspective. On the ABC Rage program they inadvertently played the uncut version of the Slayer track “You Against You” that due to the high impact violence in parts of the clip that was deemed to exceed the MA15+ guidelines and required edits to be aired, that attracted a complaint to be upheld on the basis of human error.

As a 20 year old in 2011 at the now closed Tribal Theatre, that was also formerly Brisbane’s original 2 screen Dendy Cinema in George St in Brisbane, with the original R18+ classification I saw The Human Centipede 2 Full Sequence before the decision was made by the Classification Review Board to change it to (RC) Refuse Classification to the uncut version of the film, a modified which I’ve looked through on Netflix doesn’t quite feel the same as the original film. I personally found that The Human Centipede 2 Full Sequence was easier to sit through than some of the Saw and Hostel films which vary in classification from MA15+ to R18+, which included graphic scenes of sadistic torture and violent injury detail, compared to what the Review Board described as an abhorrent fantasy and gritty realism and the understanding of that decision was not any room to be able to apply discretion given the current classification code and guidelines for the classification of films due to the offensive context of the combinations of violence, sex, cruelty and sexual violence content within the classifiable elements. A 2017 French horror film called Raw which was classified R18+ due to gory cannibalism caused greater discomfort than The Human Centipede 2 Full Sequence, so too the film Hannibal that was controversially originally classified MA15+ before, it was least temporarily classified R18+ on review in cinemas but was reclassified MA15+ on DVD.

A new XLP18+ classification that is heavily restricted should be added in between the current R18+ and X18+ (film only) classifications and Refused Classification, that acts as a partial ban only, by not allowing mainstream cinema release or regular retail sale in any format, but for film festivals and specially licensed cinemas or film societies to be allowed to screen this type of content as special interest material and higher education with special permission that could authorised TAFE's or Universities to obtain films with the classification, where a film has an educational merit to be used in tertiary level studies and the screening is restricted to adults, also it should allow viewing under special permission where the subject matter is such to be educational in the context of viewing for a professional purpose.

As a step up from R18+ may be offensive to some sections of the adult community may cause offence, XLP18+ may be offensive to significant sections of the adult community, with stricter regulatory controls on screenings or access to the material. Whilst the RC (Refused Classification) should get changed to become more of a way of flagging material containing patently illegal content that is harmful and not to be shared within the community, rather than as a measure of the degree of offensiveness material causes between adults in the community.

Older films that should attract XLP18+ Baise-Moi, Ken Park, Welcome to Greensborough, The Gore Gore Girls, Tras El Crystal (In a Glass Cage), Bardens O, Caligula, Faces of Death 2, 3 or 4. Salo 120 Days of Sodom, when screened without the additional material legally required to accommodate the film in the R18+ classification, should also be XLP18+ requiring a special license or permit to screen the film on its own. Films in more recent years in the late 2000's to early 2010's that should be classified under XLP18+, could include the uncut version of The Human Centipede II Full Sequence, A Serbian Film, LA Zombie, Found, Hanger and the uncut version of the Fathers Day.

When I went to see film critic David Stratton give a book launch in April 2008 at the Dendy Cinemas at Portside in Brisbane, he explained what had happened with the film Ken Park, because it had been submitted for classification for general release, the exemption that would have allowed the film to screen to an 18+ audience at the Sydney Film Festival could not be used due to the film being Refused Classification. It is situations like this that support for an additional category above R18+ to allow film festivals to be able to screen under special licensing or permit conditions.

As for further elaboration on potential new guidelines for classifying films and computer games. Under the revised M guidelines there should be allowance for frequent use of coarse language such as fuck and variations, unless it is aggressively used more than infrequently without contextual justification that would raise the classification to MA15+ but should allow for infrequent use of stronger expletives such as motherfucker, cocksucker and cunt and derivatives where infrequent and justified by context. While MA15+ can handle frequent strong and aggressive coarse language, very strong coarse language should need to be infrequent and contextually justified and have very limited restrictions on coarse language at R16+.



A recent film *The Gentlemen* released in cinemas early this year had an extraordinary number of c expletives, for an MA15+ classification, it was restricted to adults in the UK, While New Zealand and Ireland gave it R16 or 16 classifications respectively. A number of UK crime dramas, all restricted to adults in the UK do have a lot of c expletives, but vary a bit in Australia between MA15+ and R18+, some are R18+ for coarse language alone, but others also have graphic violence, drug or sex content that have contributed to the classification also these are *Rise of the Footsoldier*, *Bonded By Blood* and *Essex Boys* series. Standalone films in recent years to be classified R18+ include for high impact coarse language include *Ill Manors* and *Swearnet*.

Frequent and very strong and aggressive coarse language generally should be classified R16+ rather than R18+ classification in line with an approach taken in New Zealand and Ireland, that restricted to persons 16 and over should be the highest classification used where solely due to the impact of language used in the film and apart from rare exceptions when combined with very crude sexual content or taboo sexual theme, the material should not require a restriction to adults with a respective 18 or R18 type classification, unless it is something like the 2005 stand up comedy film *The Aristocrats* which has consumer advice of “High impact sexual humour and themes, coarse language”. In that case it’s not language alone but a combination of three classifiable elements that resulted in a high impact and was excessively crude at times.

An R16+ classification identified with a purple background and black RESTRICTED marking and the R placed in a octagon, to cater for some high impact content that is justified by context and at the lower end of the R18+ or in some instances where an MA15+ classification has been too low. In recent years films such as *T2 Trainspotting* in 2017, *Death Wish* or *Overlord* from 2018 and *Hellboy* and *Midsommar* from 2019 were excessively restricted to adults in the absence of an intermediate classification above MA15+. The Dendy (Icon) exclusive film *Dragged Across Concrete* release last year could have been R16+ or R18+, it was quite a borderline film, but if *Once Upon A Time In Hollywood* was more appropriate as a R16+, than MA15+, then it could allow *Dragged Across Concrete* to pass at the upper limits of an R16+ classification. *Rambo V* and *Slayer the Repentless Killogy* from 2019 were too violent for any lower classification than R18+, at times with the material not being justified by context and was the violent content was very brutal.

The guidelines should be stricter on computer games due to the added impact caused by the material being interactive. Overall the guidelines do work well to cater for such a wide variety of content in both films and computer games but there have been notable issues that have come up in recent years. In May 2003 there was first major change within the new millennium that sought to simplify the classification guidelines and tried to make film and computer games classifications all the same except for lacking an R18+ not being able to get all the relevant ministers to agree on the change and did not have high impact computer games for almost another decade. 2012 was the last time computer game guidelines were revised with the film classification guidelines remaining the same since 2003. It has now been more than 7 years since the R18+ classification came into effect in 2013. An issue that needs to be considered for computer games is that currently drug use related to incentives or rewards is not allowed even at R18+, regardless of the impact or level of detail.

The MA15+, does well to handle of wide scope of strong impact content in films and computer games but a new R16+ classification should be introduced between the existing MA15+ and R18+ categories. In the 1990's to early 2000s the R18+ classification applied to *The Devil's Advocate*, *Se7en*, *Eyes Wide Shut*, *Fight Club*, *Kill Bill Volume 1*, *City of God* and *Monsters Ball* were too heavily restricted having regard to their content and could have done with a lower R16+ classifications.

There was also some 2005 decisions on classifying films R18+ due to high impact themes. *Palindromes* had abortion and paedophile themes that also contained implied sexual activity involving a minor that had high impact although justified by context exceeded what could be accommodated at the MA15+ but had a R16+ existed it was a film that ought to have been available for older teenagers and dealt with abortion. The R18+ classification was upheld on review to the Classification Review Board. *Me and You and Everyone We Know* also had themes and implied sexual content between teens that was high impact and had disturbing chat rooms scenes between minors and an adult but was lacking anything particularly explicit to warrant restriction to adults and an R16+ classification would have been more appropriate.

*Mysterious Skin* had child sexual abuse and paedophile themes and sexual violence that was high in impact but the R18+ meant it missed part of its target audience of older teenagers, not have an intermediate classification between MA15+ and R18+.

The Australian film *Wolf Creek* had very realistic violence that resulted in a cumulative high impact, in its uncut form had to be restricted to adults, but a workable edited version could have been made with minor edits to some scenes throughout the film and classified R16+ for cinema release. Quite a bit of integrity of the film was lost to be able to get a workable edited version to be released on channel 9 in 2009 under an AV15+ classification, which is now merged into MA15+ and a whole section where Christy was running to try and escape from Mick along an outback highway had to be taken out, as it was a high impact theme that needed to be removed also, along with a lot of the violence. *Wolf Creek 2* had a different tone but was edited to MA15+ for cinema release in 2014 and the uncut version released on blu ray under the R18+ classification. The uncut version of *Wolf Creek 2* doesn't have the same gritty and ultra-realistic tone of the original film although it is a bit more gory in parts compared to the original, as such *Wolf Creek 2* could have fitted into an R16+ classification uncut. In 2006 an Australian film *2:37* was controversially restricted to adults, given an R18+ classification with the consumer advice of high impact themes, suicide scene due to its graphic suicide scene but it also contained a rape sequence and lacked consumer advice for the implied sexual violence.

*The Hills Have Eyes* (2006), *Texas Chainsaw Massacre The Beginning* (2006), *Smoking Aces*, *The Hitcher* 2007, *Turistas*, *Shoot Em Up*, *Eastern Promises*, *Halloween*, *Choke*, *My Bloody Valentine*, *Zack and Miri Make A Porno*, *Trade* *Friday the 13<sup>th</sup>* (2009) are some examples, that could be considered for R16+. *Saw 3D* or *Saw 7* was the only cinema release in the series that got released in cinemas under an R18+ classification, *Saw 4* and *Jigsaw* (*Saw 8*) were originally classified R18+ but were both downgraded to MA15+ on review to the Classification Review Board. An R16+ category would ideally suit all the *Saw* films. I have outlined some suggested guidelines for classifications of R16+ and higher below. I had hoped to go into detail on the issue of drug use related to incentives and rewards in games, but I have had to only cover the issue essentially to meet this submission deadline.

**R16+**

**The treatment of high impact themes should be justified by context.**

**Strong and realistic violence is permitted, but depictions of a high impact should be justified by context and not be unduly relished or cruel. High impact violence may be stylised if justified by context. (film only).**

**Strong and realistic violence is permitted, but depictions of a high impact should be infrequent, justified by context and not be unduly relished or cruel. High impact violence may be stylised if justified by context. (computer games only)**

**Sexual violence may be implied if justified by context. Sexual violence must not be related to incentives or rewards.**

**Sexual violence must not be interactive (computer games only).**

**Aggressive or very strong coarse language may be used but in a sexual context should be infrequent and justified by context**

**Implied sexual activity or sexual references may have a high impact. Sexual activity may be realistically simulated, if justified by context. Actual sexual activity is not permitted**

**High impact drug use should be justified by context but should not be presented in an instructional detail and or be promote or encourage the misuse of proscribed drugs.**

**Interactive drug use that is related to incentives or rewards should be allowed to be realistic in some detail, but not allowed in the context of misuse of proscribed drugs (computer games only).**

**In the case of Fallout 3 the reference to morphine should have been allowed as it wasn't a misuse of the drug and had a medical context, similarly the game Day Z more recently with cannabis was disallowed. There should be more discretion given to the Board in being able to classify computer games for drug use.**

**Nudity is permitted, but in a sexual context containing detail should be justified by context.**

## **R18+**

**There are virtually no restrictions on the treatment of themes but those with a very high degree of should be justified by context**

**High impact violence is permitted but with a very high impact should be justified by context.**

**Violence that is in context frequently gratuitous, exploitative and offensive to a reasonable adult will not be permitted (computer games only).**

**Sexual violence may be realistically simulated if justified by context.**

**Sexual activity may be realistically simulated. Actual sexual activity may be permitted if justified by context**

**There are virtually no restrictions on coarse language**

**Drug use is permitted, but should not be presented in an instructional detail and or be promote or encourage the misuse of proscribed drugs. Interactive drug use that is related to incentives or rewards should be allowed to be realistic in more explicit detail than allowed under R16+, but not allowed in the context of misuse of proscribed drugs (computer games only).**

**Nudity is permitted**

## **XLP18+**

**All other content than what is automatically declared to be illegal content under the RC classification, but does not meet guidelines for classification under either R18+ or X18+ and may be offensive to significant sections of the adult community.**

**Material whether in a film, computer game or publication that should automatically be deemed RC or Refused Classification should be: Actual sexual violence and or actual child sexual abuse or exploitation material, material giving instructional detail and or promoting crime or violence, such as instructions on manufacturing illegal drugs or firearms or bomb making instructions, advocating or supporting terrorism, such as propaganda or live stream of terrorist attacks.**

To abridge the gap between Unrestricted, Unrestricted (M) not recommended for readers under 15 and the current restricted categories, there would be some publications that contain content that while impactful and could not be classified as an unrestricted publication, may not warrant a restriction to adults, but would be ok for senior high school students to have access to the material for educational purposes. As such Publications should add an additional restricted category to have a new restricted category lower than 18 years with a revised category 1 as (R16) Restricted to Persons 16 years and over, while the existing categories move up into 2 and 3, plus a 4<sup>th</sup> level of restriction should be added for material subject to the highest level of restriction and regulation short of being banned or refused classification. The PG and MA15+ classifications which apply to films and computer game classification should not be required in the case of publications, with only submittable publications legally requiring classification whether they are a physical book or magazine or released in an e-book or other electronic format online and as such the classification of publications should be more stream lined while easy to understand.

The current five classification structure for the classification of publications should be updated to include seven classifications.

- Unrestricted
- Unrestricted (M) Mature, not recommended for readers under 15
- Restricted Category 1 (R16) Not available to persons under 16 years
- Restricted Category 2 (R18) Not available to persons under 18 years
- Restricted Category 3 (R18) Not available to persons under 18 years, to be sold only in premises restricted to adults and sealed packaging.
- Restricted Category 4 (XLP18) Restricted only available under strict licencing or permit conditions for a specific purpose(s) or class or classes of persons and in all cases restricted to adults.
- Refused Classification