

SUMMARY OF REASONS FOR DECISION

Under the Films, Videos, and Publications Classification Act 1993 (FVPC Act)

HEADNOTE

Title of publication:	Call of Duty: Modern Warfare
Other known title(s):	Not stated
OFLC ref:	1900430.000
Medium:	Console Game
Classification:	Objectionable except if the availability of the publication is restricted to persons who have attained the age of 16 years.
Descriptive note:	Graphic violence, offensive language and cruelty
Display conditions:	None

Call of Duty: Modern Warfare is the latest instalment of the popular *Call of Duty* franchise. It contains a single player campaign and a suite of multiplayer modes for competitive and co-operative play. This time around the story revolves around a group of Special Forces operatives working to take down a primarily Russian terrorist cell who attacked London, and to help remove their foothold in the Russian-occupied country of Urzikstan. The game was examined on the PlayStation 4 family of consoles, and is also set for release on the Xbox One platform and PC.

The game deals with a high extent of combat violence, with occasional scenes of cruelty and violence, and horror. Highly offensive language is also used in the story to emphasise and exclaim in stressful scenarios. This is mainly the expletive "████" and its variations. Such language is unsuitable for younger audiences, and has the potential to cause them social harms if imitated.

Considering the main element of combat violence, the game requires players to shoot human combatants in modern military situations, as well as during competitive online play. This has players shooting people with a variety of pistols, machine guns, shotguns, and rifles, as well as being able to use grenades, rocket launchers and guided drone missiles to take down their numerous foes. Each bullet impact elicits a spurt of blood, while shooting more distant enemies causes a brief blood burst. Blood decals can be seen on some corpses from gunfire. Blood splatters the nearby environment, and bodies are hurled about by explosives. If gasoline barrels and similarly explosive items are detonated, these can set enemies on fire. They briefly flail with a few screams before collapsing and dying. Their corpses are left charred, which is a somewhat horrific death. Those shot and killed generally collapse to the floor, but sometimes a dying animation is shown, where an enemy falls to their knees clutching themselves before slumping in death. While players can shoot these corpses and cause further blood spray, there is no reason to do so and simply wastes ammunition. However the game does include graphic decapitation and dismemberment with the use of an armour-piercing sniper rifle. The bullet impact will explode heads, or blast arms and legs off, depending on the impact point. Shots to the torso have fleshy bits fly out with the large blood burst, but are not detailed. While this is rather gory, it also instantly kills enemies so there is no sense of suffering to the deaths. The resulting wounds are

shown as meaty stumps, but given the constant stream of enemies to fight in the levels this rifle is available in, there is little time to dwell on the gore.

Alongside the frequent combat violence described above, are numerous sequences of cruelty, violence and horror. The most immediately impactful is a level taking place during a terrorist attack on London. It opens with a car bomb decimating a crowded street, and leads to a gunfight with heavily armed terrorists looking to kill as many people as they can. This whole level is meticulously detailed and horrifying, with terrified people fleeing from gunfire and being mercilessly gunned down, as the player and metropolitan police fight to stop the terrorists and save the wounded. While this is a confronting scenario, with a cacophony of screams from fleeing people, and bloodied bodies scattered all over, unlike the infamous airport massacre of *Call of Duty: Modern Warfare 2* (R18, OFLC Ref. 0901343) which allowed players to massacre hundreds of civilians in a brutal and horrifying sequence, this positions the player as a special forces soldier engaged in fighting the terrorists and stopping their vicious rampage. Should players shoot a civilian here, the game ends with a warning not to shoot civilians, and the player restarts the game from the previous checkpoint.

However this is not always the case. During some night-time raids on terrorist residences, players must make swift judgements on who to shoot. How this seems to work is that the game is set up in such a way that certain non-player characters (NPCs) will at first be unarmed, but will try to get a weapon, and can thus be shot and killed. In practice, this means the player can just go ahead and gun down some unarmed people, with evidence found in the surrounding environment justifying the killings after the fact. The censure against this is very limited, with the player character uttering a "[REDACTED]", or the player receiving a slightly lower "collateral" score on the main menu. This allowed the Classification Office's examiner to check a room, be confronted by a hostage situation, and resolve it by lobbing a grenade inside and killing them both. Another sequence in an attic has a frightened woman backing away with her hands up, telling the player not to shoot. Instead, the examiner opted to gun her down, and only later discovered she was moving towards an explosive detonator. The intent here appears to be to address how military operations can be difficult to navigate, with only split second decisions marking the difference between the death of a combatant, or a non-combatant. While *Modern Warfare* fails to deal with any of the consequences of killing these not-yet-combatants, a mature audience is likely to recognise what the game is attempting to deal with, somewhat reducing the impact of what is clearly a war crime. This is more evident should players choose to shoot any cowering NPCs who clearly aren't intended to be attackers, as the game ends with a warning not to kill civilians, and the player must replay these sequences from the previous checkpoint.

Further sequences of cruelty and violence include a terrorist known as the Butcher executing a man and his boy. Separated by bullet proof glass, the woman cries for help as the Butcher shoots her husband in the head, and then threatens the same to her son. The boy manages to run away, but is shot as he flees into some thick smoke – mercifully obscuring his death. Later in the game, players manage to catch the Butcher, and after escorting his wife and son to the room where he is being questioned, the player is given the chance to walk away by Captain Price. If the player chooses to proceed, they enter the room and Price threatens the safety of the Butcher's family unless he tells them the location of the chemical weapons. Both the wife and boy are clearly frightened, and the Butcher is concerned. As the scene proceeds, Price gives the player a revolver to shoot them. However the gun simply clicks as the chambers are empty. With the Butcher realising the situation is no simple threat, Price gives the player bullets to load the gun. The Butcher then gives up his information to save his family.

The following sequence can play out in several ways. If the player shoots the Butchers' family it instantly ends the game with a warning not to kill civilians – but it also plays some distraught dialogue as the Butcher is shocked at the killing of his family. So while the game doesn't show their deaths, they still briefly indicate the potential outcome, which is rather cruel. The player can presumably just leave with Price and the other soldier, as they are waiting outside the door. However the Classification Office's examiner chose to cruelly shoot him in both knees, resulting in bullet wounds on his legs as he slumps over in pain. While a third shot to a foot unrealistically killed him, players could presumably leave him wounded, or execute the Butcher with a shot to the head or chest. In this way, *Modern Warfare* supports a series of somewhat open-ended situations which allow players to act as a vindictive and cruel character. Somewhat mitigating this whole sequence is the following cutscene, where the player's character tells Price he is not okay with threatening civilians. This is a narrative disconnect between a player's potential actions and game's canonical events, and undermines the lasting impact of how a player chose to act. As a result, this lays bare the underlying systems of how the sequence was built, and further 'gamifies' the events in the player's experience by making it less realistic – a reading which is likely to be instantly recognised by regular game players.

Further set pieces of dramatic cruelty include a flashback to freedom fighter Farah's childhood where her town is attacked by Russians. As people flee, the soldiers start gunning them down, and then drop chlorine gas. This leads to a sequence where a young Farah and her brother Hadir work to stab and then kill a Russian soldier in their house. This is a tense and bloody sequence as a knife is repeatedly plunged into the soldier's torso, leaving bloody wounds. As the children flee the town (having gathered gas masks) they walk past corpses of animals, men, women and children who were killed by the gas, in a horrifying depiction of war crimes.

All things considered, *Call of Duty: Modern Warfare* presents a gritty, and meticulously presented, military tale with a cinematic level of realism. It deals with confronting scenes of terrorism, war crimes and cruel violence, which alongside the frequently bloody combat violence is likely to shock and disturb most players, particularly younger audiences. The repetitive violence also poses a risk of inuring impressionable audiences to violence in general. As a result, the unrestricted availability of the publication is likely to be injurious to the public good. However, despite the confrontational nature of the game's stronger content, it is well contextualised within a larger story of counter-terrorism. Older teenagers have the maturity to deal with this stronger content, and are unlikely to be seriously harmed by exposure to this content. Balancing these harms against the right to freedom of expression as set out in the New Zealand Bill of Rights Act 1990, a restriction on the availability of the publication to older teenagers and adults is the lowest reasonable restriction which can be applied in order to prevent injury to the public good. Therefore *Call of Duty: Modern Warfare* is classified as objectionable unless its availability is restricted to persons who have attained the age of 16 years.

Note:

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Date 4 Sept 2019

OFLC Ref 1900430

Title Call of Duty: Modern Warfare

Other Known title(s)

Medium Console Game

Director (s) —

Producer (s) —

Country (ies) USA

Language (s) English

Terrorist who in saen. about fighting for cause. SV. figure walks into street - face

24h prev. backdrop.

Roman Barkov. Ukraine. Got under air strike shoot through: Russian base.

"like today's headlines"

car flips - RGR. x gunfire. "Who the [redacted] is that?"

Soldier urgent shouts soldier. player recognizes OS. & they fall.

blood spray & blood splatter.

ops as

LONDON. 25 Oct 2019. explosion from van. may cause death. blood fear. & gunman firing motorcyclists

In dept store, hooded hostages. Several moral bomb vests.

piece plus handle

Soldier Man angry about rules of engagement.

feather cutting.

> Uzbekistan.

concern on Russian occupation.

CIA.

Alex (PC)

USAF McLibra

Erach & Hatt. & Taroni & square Hadir

Haidir tased

PO of water boarding. ^{stay conscious} ~~Survive~~ to save person (chose not to → executed
pistol to head).

St Petersburg.

Butcher captured, gets pushed in fire repeatedly, tried to chair.
can shoot him (not his wife or son).

Powerful sniper → final level - decap/dism as prev.

~~2~~

Publication Outline for Call of Duty: Modern Warfare

URGENCY MET
 1909400.000
 Call of Duty: Modern Warfare

Print Summary Add Recon

Publication Number: 1909400.000
 Publication Title: Call of Duty: Modern Warfare
 Other Known Titles:

Submission Channel: s12(1)
 Medium: Console Game

Is Associated Advertising:
 Language: English

Country of Origin: United States

Film Festival Names: Add

CR#: Date of Court Order:
 Publication Status: Complete Assigned To:
 Examination Transcript No: 753, p7 ISBN:
 Record Source: CDA Result of Urgency: Met

File Notes
 Fee Details
 Corrigendum Details
 Upload Document

is Associated Advertising:

Language: Add >> Remove <<

Country of Origin: Add >> Remove <<

Film Festival Name: Add

CIN: Date of Court Order:

Publication Status: Assigned To:

Examination Transcript No: ISBN:

Record Source: Result of Urgency:

File Notes: Remove Print Add

Select Date: Created By: File Note:

Fee Details: Base Fee (\$): 1431.10
 Plus (+)
 Less (-)
 Urgency Amount (\$): 715.55
 Recovery (\$):

Corrigendum Details: Add Remove * Type: * Status:

Date Created: Created By:

Upload Document: Call of Duty fact sheet.pdf Publish Document?

Reset

OFFICE OF PIRM & INFORMATION CLASSIFICATION

WELCOME

UICK EARGH

Work Items = 50

Menu

- Publication Search Screen > Publication

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Requests for Call of Duty: Modern Warfare

Request No.	Request Type	Status	Status Date	Applicant
RI 900376	Urgency	Granted	16/08/2019	Film & Video Labelling Body

1900430.000 Console Game

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1900430.000 Console Game
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- Film & Video Labelling Body Applicant
- Total Interactive Applicant to Labeling Body, Distributor

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Work Items = 50

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1900430.000 Console Game

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2015-2016

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Publication Versions for Call of Duty: Modern Warfare

1900430.000 Console Game

Version 1

Publication Copied: Date Copied:

* Type Game

* Description

Call of Duty: Modern warfare

Running Time Remove

Altit Remove

Sexs Remove

Total Running Time

Add Exclusion Add Component Remove

Create Document

Select Document:

Add Version

Add Exclusion

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Decision for Call of Duty: Modern Warfare
 1900430.000 Console Game

Standard Customised Publication Status: Complete
 OFLC Version Number: 1
 Rf6
 Graphic violence, offensive language and cruelty
 Not applicable
 Date Decision Registered: 05/09/2019
 Additional Information:

Display Conditions
 s27(5) Display Conditions on any flip poster: Add
 Add

CLASSIFICATION DATABASE APPLICATION

OFFICE OF NAVAL & MARITIME CLASSIFICATION

s9(2)(a)

Work Items: 38

Publication SearchScreen > Publication

1900430,000 Console Game

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Status History

Complete

Decision Registered

Classified & Signed

Decision Affirmed

Draft Complete

Drafting Decision

Examined

Examining

Queued

Logged

User Name

s9(2)(a)

Date

01/10/2019

05/09/2019

05/09/2019

05/09/2019

05/09/2019

04/09/2019

04/09/2019

04/09/2019

14/08/2019

Publication Movements

Pub Received

Final Docs Dispatched

Disposal Action Destroy

User Name

s9(2)(a)

Date

04/09/2019

06/09/2019

06/09/2019

[Add](#)

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Kirsten Drysdale

From: s9(2)(a)
Sent: Monday, 11 November 2019 6:31 PM
To: s9(2)(a)
Subject: FW: CALL OF DUTY 2019

And this

From: Jared Mullen
Sent: Tuesday, 13 August 2019 11:30 AM
To: Sharon <sharon@fvlb.org.nz>; Jared Mullen <Jared.Mullen@classificationoffice.govt.nz>

s9(2)(a)

Subject: Re: CALL OF DUTY 2019

Yes this should be fine.

I think Thursday would be better just in case there are any issues.

Regards

Jared

----- Original message -----

From: Sharon <sharon@fvlb.org.nz>
Date: 13/08/19 09:51 (GMT+12:00)
To: Jared Mullen <Jared.Mullen@classificationoffice.govt.nz>

s9(2)(a)

Subject: RE: CALL OF DUTY 2019

Good morning

Have you had a chance to check?

Cheers
Sharon

From: Jared Mullen <Jared.Mullen@classificationoffice.govt.nz>
Sent: Thursday, 8 August 2019 10:52 AM
To: Sharon <sharon@fvlb.org.nz>

s9(2)(a)

Subject: RE: CALL OF DUTY 2019

Righto

I will check on our expert availability and get back to you.

How exciting.



Jared Mullen | Deputy Chief Censor
Office of Film and Literature Classification
Te Tari Whakarōpū Tukuata, Tuhihuinga
 0508 236 767 | Mobile 027 490 6627
www.classificationoffice.govt.nz

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From: Sharon [<mailto:sharon@fvlb.org.nz>]
Sent: Thursday, 8 August 2019 10:46 a.m.
To: Jared Mullen <Jared.Mullen@classificationoffice.govt.nz>
Subject: CALL OF DUTY 2019

Hi Jared

Total Interactive have requested an examination date of either Thursday 22nd or Friday 23rd for the above game.

Can you please advise if this is convenient.

Regards
 Sharon

Sharon Walling
 General Manager

****Effective Friday 24th May 2019 our new address is: Site 3, 30 St Benedict's Street, Newton, Auckland 1010****



**Film & Video
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Wed 14/08/2019 11:24 a.m.
 Sharon <sharon@fvfb.org.nz>
 CALL OF DUTY: MODERN WARFARE
 To: Submissions, Jared Muller

s9(2)
(a)

s9(2)(a)

You forwarded this message on 14/08/2019 2:32 p.m.
 Message: Urgency Request Form CALL OF DUTY.pdf (14 KB)

Bring Maps Action Items + Get more apps

Good morning

I have updated the status and google doc with the above game. Urgency request attached.

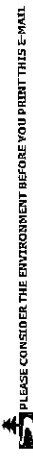
Regards
Sharon

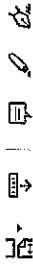
Sharon Walling
General Manager

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Date: 14 August 2019

URGENCY REQUEST
(Pursuant to Regulation 4, Films, Videos, And Publications
Classification (Fees) Regulations 1994)

Jared Mullen
Deputy Chief Censor of Film and Literature
Office of Film and Literature Classification
PO Box 1999
WELLINGTON

The following titles below are the preferred urgent titles for examination listed in order of priority.

WEEK COMMENCING	TITLE	MEDIUM	RUNNING TIME	APPLICANT
1 19 th AUGUST	CALL OF DUTY MODERN WARFARE	GAME		TOTAL INTERACTIVE
2				
3				
4				
5				
6				
7				
8				
9				
10				
11				
12				
13				
14				
15				
16				

FILE MESSAGE

Ignore
 Delete
 Reply
 Forward
 Meeting
 More

Junk
 Reply & Delete

Move to Manager
 Done
 Create New

Rules
 Mark
 Categorize
 Follow
 Up

Tags
 Unread
 Editing

Find
 Related
 Select
 Zoom

Quick Steps
 Respond

Wed 14/08/2019 2:23 p.m.

Submissions

FW: CALL OF DUTY: MODERN WARFARE

To Games

Message Call of Duty fact sheet.pdf (439 KB)

Bing Maps

Hi Games,
 This game hasn't arrived yet but some Ra fact sheet attached here. I have uploaded it on to outline page of the Pub and Printed it off and will put it on the file.
 Just to let you know.

From: Sharon [mailto:sharon@fvb.org.nz]
 Sent: Wednesday, 14 August 2019 11:24 AM
 To: Submissions <submissions@classificationoffice.govt.nz>; Jared Mullen <jared.mullen@classificationoffice.govt.nz>
 Subject: CALL OF DUTY: MODERN WARFARE


Good morning

I have updated the status and google doc with the above game. Urgency request attached.

Regards
Sharon

Sharon Wolling
General Manager

** Effective Friday 24th May 2019 our new address is: Site 3, 30 St Benedict's Street, Newton, Auckland 1010 **



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PLEASE CONSIDER THE ENVIRONMENT BEFORE YOU PRINT THIS E-MAIL

Submissions RE: YAKITZA.3

FILE MESSAGE

Ignore Delete Reply Forward Meeting More
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Move Rules Mark Unread Mark Read Categorize Transliterate Find Related Select Zoom

Quick Steps Tags Editing Zoom

Thu 5/09/2019 3:31 p.m.

Call of Duty: Modern Warfare

To: 'Sharon'

Cc: Submissions

Message: [DOC090919-05092019147856.pdf \(17 KB\)](#)

Hi Sharon

Please find attached a copy of the Classification Decision for Call of Duty: Modern Warfare. The Classification Office directs the Film & Video Labelling Body under s 36 of the Films, Videos, and Publications Classification Act 1993 to issue a label for this publication.

Regards

sg(2)

Kirsten Drysdale - New note

3:21 p.m. 5/11/2019

CLASSIFICATION OFFICE DECISION

Title of publication: Call of Duty: Modern Warfare

Other known title(s): Not stated

OFLC ref: 1900430.000

Medium: Console Game

Distributor: Total Interactive

FVLB Applicant: Total Interactive

Country of origin: United States

Language: English

Applicant: Film & Video Labelling Body

Classification:	Objectionable except if the availability of the publication is restricted to persons who have attained the age of 16 years.
------------------------	---

Excisions: No excisions recommended

Descriptive note: Graphic violence, offensive language and cruelty

Display conditions: None

Date of entry in Register: 05 September 2019

Date of direction to issue a label: No direction to issue a label has been issued

Date of notice of decision: No notice of decision has been issued

	Components	Running time
Game:	Call of Duty: Modern Warfare	
Total running time:		

Summary of reasons for decision:

Not applicable

✉ Email

From: s9(2)(a)
To: [Redacted]
Subject: FW: Call of Duty

Sent: 8/20/2019 4:12:04 PM



Attachments may contain viruses that are harmful to your computer. Attachments may not display correctly.

image001.png (1Kb)

Hi mate,

9:30am call for Thursday's build delivery.

Thanks!

s9(2)(a)

From: Sharon [mailto:sharon@fvlb.org.nz]
Sent: Tuesday, 20 August 2019 3:38 PM
To: s9(2)(a)
Subject: RE: Call of Duty

Hi

s9(2)(a) has just advised that he will be at the office by 9.30am

Cheers
Sharon

From: s9(2)(a)
Sent: Tuesday, 20 August 2019 12:25 PM
To: Sharon <sharon@fvlb.org.nz>
Cc: Nicola Denney <nicola@fvlb.org.nz>
Subject: RE: Call of Duty

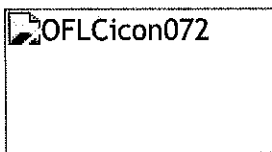
Hi Sharon,

Are you able to give me an ETA for delivery of CoD build Thurs morn? s9(2)(a) is unable to examine it, so s9(2)(a) will be coming in extra early to do it (he lives outside Wellington). Good to give him a solid time if at all poss, just so he's not here waiting around / or late!

Thanks,

s9(2)(a)

s9(2)(a) | Senior Advisor | Film & Media
Analyst
Office of Film and Literature Classification
Te Tari Whakarōpū Tukuata, Tuhituhinga
DDI +64 4 4716785 | MOB +64 27 515 2555
www.classificationoffice.govt.nz



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☑ Email

From: s9(2)(a)
To: [REDACTED]
CC: Sharon ; Games ; s9(2)(a)
Subject: RE: CoD:MW Connection Issues - New Zealand Classification

Sent: 8/22/2019 11:47:43 AM



Thanks for the clarification s9(2)(a)

We're currently working on some firewall changes, which will hopefully solve this issue. Re. PSN names - we've only used the auto-generated test ones in the past so I don't have a nickname at this time.

Cheers,

s9(2)(a)

From: s9(2)(a)
Sent: Thursday, 22 August 2019 11:34 a.m.
To: s9(2)(a)
Cc: 'Sharon' <sharon@fvlb.org.nz>; Games <Games@classificationoffice.govt.nz>; s9(2)(a)
Subject: RE: CoD:MW Connection Issues - New Zealand Classification

Hello -

The source of this looks like your connection problem trying to reach PSN. Once you're able to sign in to the PS Network I would expect the Whitelist error while attempting to run the game to stop occurring.

On our end s9(2)(b) was already fully whitelisted and ready to go - but if you can't connect to PSN you also won't be able to connect to our services. Without being able to make that connection, the game's whitelisting will prevent you from playing.

I will check in with our back end team to see if they are receiving any traffic from s9(2)(b) just to be sure. Could I have your PSN name as well?

Thanks,

s9(2)(a)

From: s9(2)(a)
Sent: Wednesday, August 21, 2019 4:18 PM
To: s9(2)(a)
Cc: 'Sharon' <sharon@fvlb.org.nz>; Games <Games@classificationoffice.govt.nz>; s9(2)(a)
Subject: CoD:MW Connection Issues - New Zealand Classification

Hello,

I'm here with s9(2)(a) trying to get Modern Warfare working for classification in New Zealand, and we're running into some problems with playing the game. We've tried the game on a PS4 and PS4 Pro testkit, but receive the same whitelist error (as attached).

s9(2) was able to briefly test it at his work and it ran, but here we are getting the attached whitelist error, alongside a connection issue CE-38704-2 when attempting to connect to the PS Network. For reference I've also attached a dump of the settings on the PS4 Pro, in case there are any incorrect settings for the game. Both PS4 consoles are on firmware 6.72 as advised.

Any help in getting this working is greatly appreciated.

Thanks,

s9(2)(a)

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✉ Email

From: Sharon
To: Jared Mullen
Subject: Re: Next Week's List

Sent: 8/30/2019 12:14:22 PM



Hi Jared

I have just heard from s9(2)(a) and he has got the game working so would like s9(2)(a) to come up and examine.

Not ideal I know. When would he be available?

Cheers
Sharon

Sent from my iPhone

On 30/08/2019, at 9:58 AM, Jared Mullen <Jared.Mullen@classificationoffice.govt.nz> wrote:

Hi Colleagues

Next week's list is attached.

Out of scope

I've kept Call of Duty on the schedule - although I understand that s9(2)(a) hasn't been able to get it running at their office either. Nevertheless - we will proceed to classify it urgently if it becomes available - prioritising it over s9(2)(a) for this week.

Kind regards as always

Jared

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<ScheduleList 2 September - 6 September 2019.xlsx>

✉ Email

From: Sharon
To: Jared Mullen
Subject: RE: Next Week's List

Sent: 8/23/2019 3:07:51 PM



Thanks Jared.

Have a great weekend.

From: Jared Mullen <Jared.Mullen@classificationoffice.govt.nz>
Sent: Friday, 23 August 2019 1:40 PM
To: Sharon <sharon@fvlb.org.nz>; Nicola Denney <nicola@fvlb.org.nz>
Cc: __SCAs <__SCAs@classificationoffice.govt.nz>
Subject: Next Week's List

Hi Colleagues

I've highlighted Call of Duty in Red. After we failed to get the game running yesterday, the Distributor agreed to try and source either a PC or an X-box One version. We are still waiting to hear about this. If another build cannot be found – s9(2)(a) will have to fly to Auckland to examine the game at the distributor's premises – which is far from ideal for many reasons.

We are expecting an important upgrade to our game internet connection next week which SHOULD (hopefully) allow Playstation games to be reliably examined at last.

out of scope

Anyway. Have a great weekend and a calm week ahead.

Kind regards as always.

Jared

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