



Australian Government
Classification Board
Classification Review Board

**Classification
Board and Classification
Review Board
Annual Reports 2022–23**

© Commonwealth of Australia 2023

ISSN: 1327–6182 (Print)

ISSN: 2981–8869 (Online)

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This report can be viewed online at www.classification.gov.au

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Introduction

This report includes the Annual Reports of the Classification Board and the Classification Review Board. A copy of this report is available online at **www.classification.gov.au** as are Annual Reports from previous years.

Information about the Classification Board and the Classification Review Board is also available on the Australian Classification website at **www.classification.gov.au**

The Classification Branch of the Department of Infrastructure, Transport, Regional Development, Communications and the Arts (the department) provides administrative support to both the Classification Board and the Classification Review Board. Further information about the Classification Branch is available in the department's Annual Report 2022–23 at **www.infrastructure.gov.au**

Overview of the National Classification Scheme

The National Classification Scheme (the **Scheme**) is a co-operative scheme established and maintained by agreement between the Commonwealth and state and territory governments. The Intergovernmental Agreement on Censorship, which was executed in 1995, underpins the Scheme.

Commonwealth

Classification (Publications, Films and Computer Games) Act 1995 (Cth)

The *Classification (Publications, Films and Computer Games) Act 1995 (Cth)* (the **Classification Act**) provides for a *National Classification Code* (the **Code**), Classification Guidelines for films, computer games and publications (the **Guidelines**), and establishes the Classification Board and the Classification Review Board (collectively, the **Boards**).

The Classification Board (the **Board**) makes decisions about films, computer games and certain publications. The Board is independent from government. The Classification Review Board (the **Review Board**) is a separate independent statutory body responsible for reviewing certain decisions of the Board.

The Classification Act requires that, in appointing members of the Boards, regard is to be had to the desirability of ensuring that membership of the Boards is broadly representative of the Australian community.

The Classification Act also sets out:

- ▶ powers and functions of the Boards
- ▶ criteria for review of classification decisions
- ▶ powers of the Minister responsible for the administration of the Classification Act to approve classification tools
- ▶ schemes that enable industry to assess content and submit classification recommendations to the Board
- ▶ requirements for applications for classification
- ▶ rules regarding exemption from classification for certain films, computer games and publications
- ▶ requirements for advertising of films, computer games and publications
- ▶ provisions for reclassification

- ▶ provisions for handling prohibited material in prohibited material areas
- ▶ some offence provisions, including offences regarding the unlawful use of markings in relation to goods other than films, computer games or publications.

The Classification Act is available online at www.legislation.gov.au. There are also a range of determinations, instruments and principles made under the Classification Act available online at www.classification.gov.au or www.legislation.gov.au

National Classification Code

The Boards must make classification decisions in accordance with the Code, which broadly describes the classification categories. The Code is agreed to by Commonwealth, state and territory ministers with responsibility for classification. The Code is available in Appendix A under "National Classification Code" on page 94.

Classification Guidelines

The Guidelines are used by the Boards to assist them in applying the criteria in the Code, by describing the classification types and setting out the scope and limits of material suitable for each classification type. The Guidelines are approved by all ministers with responsibility for classification. There are separate guidelines for publications (the *Guidelines for the Classification of Publications 2005*), films (the *Guidelines for the Classification of Films 2012*), and computer games (the *Guidelines for the Classification of Computer Games 2012*).

States and territories

States and territories are responsible for regulating the sale, exhibition and advertising of classifiable content. Each state and territory has its own Classification Act which sets out how films, publications and computer games shall be sold, hired, exhibited, advertised and demonstrated in that jurisdiction. State and territory Classification Acts also prescribe penalties for classification offences and are enforced by police or law enforcement bodies.

Tasmania has reserved the power to re-classify publications, films and computer games already classified by the Classification Board under s 41A of the *Classification (Publications, Films and Computer Games) Enforcement Act 1995* (Tas).

Corporate overview

Administrative arrangements

The department is responsible for the financial management of the operations of the Boards.

The Classification Branch in the department undertakes the following functions:

- ▶ processing applications for the consideration of the Boards
- ▶ providing policy and operational advice on classification issues to the Minister for Communications
- ▶ providing secretariat services to the Review Board
- ▶ providing classification education and training for Australian Border Force personnel and industry
- ▶ administration and monitoring of approved classification tools.

Liaison with the department

The Boards maintain effective liaison with the department through both formal and informal meetings and contacts.

Stakeholder liaison

The department maintains effective liaison arrangements with officials with responsibility for classification, peak industry body and university representatives, international classification colleagues, community members and interest groups, and other classification stakeholders.

The Board provides information about its decisions to interested parties as well as advice to industry assessors to promote professional development on classification issues.

The Review Board provides information about its decisions to interested parties.

Financial management, accountability and reporting

Classification is carried out largely on a cost-recovery basis with fees for classification set out in the *Classification (Publications, Films and Computer Games) Regulations 2005* (the **2005 Regulations**). Fees for the review of a decision are based on partial cost-recovery to enable access to reviews of a classification decision, while discouraging vexatious or frivolous applicants. The classification application revenue from 1 July 2022 to 30 June 2023 was **\$2,915,910**, which is a decrease of \$124,380 (4.1%) when compared with the previous year, which totalled \$3,040,290.

The funding for the classification service is included in the appropriation for the department.

Risk management

Management of risk is undertaken in accordance with the department's risk management framework and fraud control plan and procedures.

Website

The Australian Classification website is **www.classification.gov.au**. Information is tailored to user groups including the public, industry and law enforcement agencies. The website contains a public access database, the National Classification Database (**NCD**) of decisions made by the Boards as well as the Netflix and Spherex film classification Tools and the International Age Rating Coalition (**IARC**) computer games classification Tool. Information on the NCD incorporates classification ratings and consumer advice in the search results, including a classification matrix which shows the level of impact of material for each of the six classifiable elements in a film or computer game. It incorporates additional information for public exhibition and other major films, and for computer games, which describes some of the content of the material. The NCD also includes classification decisions for submittable publications.

There have been 969,312 visits to the website in the reporting year.

External accountability

The Boards work within an accountability framework which includes parliamentary scrutiny, the *Crimes Act 1914*, the *Freedom of Information Act 1982*, the *Privacy Act 1988* and the *Ombudsman Act 1976*.

Freedom of Information

In accordance with section 8 of the *Freedom of Information Act 1982* (the **FOI Act**), this section of the report contains information about FOI procedures and access to documents.

Thirty-four applications were received for access to Classification Board or Review Board documents under the FOI Act during the reporting period.

Applicants seeking access to documents under the FOI Act should contact:

The FOI Officer
 Department of Infrastructure, Transport,
 Regional Development, Communications
 and the Arts
 GPO Box 2154
 Canberra ACT 2601
 Tel: +61 2 6274 7111
 Email: foi@infrastructure.gov.au

Categories of documents

The following categories of documents are maintained by the department on behalf of the Boards:

- ▶ applications under the Classification Act
- ▶ documents relating to decisions of the Boards.

Reasons for decisions of the Review Board are available on the Australian Classification website at www.classification.gov.au

The following categories of documents are publicly available at www.classification.gov.au

- ▶ the Classification Act, the Code, the Guidelines and the 2005 Regulations
- ▶ the Determinations, Principles and other instruments made under the Classification Act
- ▶ Annual Reports
- ▶ application forms for classification and review.

Privacy

The Australian Privacy Principles in the *Privacy Act 1988* set out the requirements for agencies in handling personal information. The relevant privacy policy is at www.classification.gov.au. It outlines how responsibilities in relation to records containing personal information held by the department in administratively supporting the work of the Boards are met. For more information please contact the department's Privacy Officer:

Privacy Officer
 Department of Infrastructure, Transport,
 Regional Development, Communications
 and the Arts
 GPO Box 594
 Canberra ACT 2601
 Tel: +61 2 6274 6495
 Email: privacy@infrastructure.gov.au

Reports by the Auditor-General

There were no reports on the operation of the Boards by the Auditor-General in the reporting period.

Changes to the National Classification Scheme

In March 2023 the Government released the *2020 Review of Australian Classification Regulation* by Mr Neville Stevens, and the Minister for Communications, the Hon Michelle Rowland MP announced intended reforms to the National Classification Scheme (the **Scheme**). A Bill to enact a first stage of reforms was introduced in June 2023 and at the time of writing is yet to pass through Parliament.

The proposed first stage of reform includes an accreditation scheme for classifiers, so that films and computer games can be classified by either accredited persons, the Board or approved classification tools. This change is intended to improve the capacity of the Scheme to deal with significant volumes of online content requiring classification. The Board will have input into the training of accredited classifiers and be responsible for monitoring and quality assurance of the work of assessors, and if necessary it will be able to revoke incorrect classifications, building on the work the Board currently undertakes in relation to classification tools and authorised assessor schemes. Other changes include expanding exemptions from classification for low risk cultural content, including for certain films in languages other than English distributed through public libraries, and enabling

classification ratings of television programs to be carried over when programs are released on streaming services or DVD. A later stage of reform will involve broader regulatory reforms to the Scheme.

The Government also proposes to introduce mandatory classifications for computer games containing simulated gambling or paid loot boxes, subject to agreement from state and territory ministers as partners in the cooperative Scheme.

Commonwealth Ombudsman

No matters involving the Boards were dealt with by the Commonwealth Ombudsman in the reporting period.



Annual Report
2022–23

**Classification
Board
Annual Report
2022–23**



Australian Government
Classification Board

The Hon Michelle Rowland MP
Minister for Communications
Parliament House
CANBERRA ACT 2600

Dear Minister

In accordance with subsection 67(1) of the *Classification (Publications, Films and Computer Games) Act 1995*, I am pleased to submit a report on the management of the administrative affairs of the Classification Board for the period 1 July 2022 to 30 June 2023.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Fiona Jolly'.

Fiona Jolly
Director

28 September 2023

Director's overview



The nature of the Classification Board's role is evolving and this year has demonstrated a significant shift—expanding into quality control, standard setting and monitoring of classification decisions made by third parties.

Evolving to meet the changing media landscape

Recognising the changing role of the Board, in her Statement of Expectations to the Board of May 2023, the Minister asked that 'the Board play a constructive role and actively engage in any measures developed or implemented to modernise the National Classification Scheme (the Scheme). In particular, I expect the Board to work collaboratively with the department as the responsible policy agency to support any future changes to the Scheme. The Board has an important role in supporting

the successful implementation of any future changes to the Scheme, particularly in maintaining the integrity of the Board's statutory responsibilities during transition.'

The Board's role is to classify publications, films and computer games for the Australian community as part of the Scheme. I advised the Minister that the Board is committed to undertaking its role and meeting its objectives as prescribed by the Act, and to the extent possible while meeting its statutory deadlines, to assist in the overall effectiveness of the Australian classification system.

I also advised the Minister that, noting the statutory deadlines imposed on the Board by the Act, and the inability to predict the volume of classification applications, the Board will work to ensure:

- ▶ its decision making is underpinned by processes focused on continuous improvement
- ▶ its decisions and reasoning are transparent
- ▶ it takes a risk-based approach to resource allocation, without compromising the quality of decision making or compromising information available to consumers
- ▶ it takes into account research undertaken by the department or other agencies and third parties which provide information about consumer concerns and attitudes towards classification and media content

- ▶ it meets statutory deadlines.

Both the Minister's Statement of Expectations and my Statement of Intent in response are available on the website at www.classification.gov.au/about-us/media-and-news/news/minister-issues-statement-expectations

Legislative deadlines

The Board works to tight assessment deadlines, some of which are statutory and some of which are by agreement with industry. All applications are required to be completed within 20 days (section 87A of the Act), however applicants are able to have their material classified within a five day turn around with payment of a priority processing fee. In addition, the Board and the department have agreed with industry that films intended for public exhibition will be assessed in a three-day turn around.

During 2022–23 the Board did not meet these deadlines on four occasions due to processing anomalies during transition from the former applications management system to the new system. Certificates were provided within 24 hours of the statutory deadline. Importantly, when a statutory deadline is not met, applicants are refunded their application fee.

The Classification Applications team are to be commended for their support of the Board in meeting statutory deadlines, and during this year the Applications team and the Board have demonstrated collaborative efforts in delivery of our joint goal of delivering classification services.

Monitoring and checking self-classification decisions

Proposed changes to the Classification Act continue the move towards greater industry self-classification. The proposed changes would increase the ability of industry to get new content into market and will reduce the need for material which has been classified for television to be reclassified for release online.

As self-classification options increase, the Board's role continues to evolve. The Board's expertise in setting classification standards is a key part of ensuring self-classification is in line with Australian community standards. The Board's role will increasingly be to monitor and check decisions of approved classification tools, and once implemented, accredited classifiers.

Therefore during 2022–23 the Board worked with the Classification Branch to clarify the situations when the Board will review tool decisions, and also set statistically valid targets for checking the quality of decisions generated by tools.

In addition, the Board met each quarter with Netflix and Spherex to discuss ongoing and emerging operational issues with the goal of ensuring that tool decisions evolve to reflect community standards as reflected through decisions of the Classification Board.

A number of Board members spent considerable time during the reporting period working with the Operational Policy team to review and update the classification tool framework so that it can be provided to other interested industry participants. Thank you to Thomas Mann and Iain Humphrey for their considerable work on this important task.

Consumer advice review

With the scheduled departure of long-standing Board members during late 2022–23, the Board took considerable time to reflect on and consolidate consumer advice standards and practices while we refreshed the Board with new members. The aim was to acknowledge changing concerns and attitudes revealed in recent community research, to provide clarity for the Board, Australian consumers and industry, and to set clear and consistent standards for classification tools and authorised assessors.

Key community concerns addressed by the consumer advice review included self-harm, suicide, sexual violence, mental health themes, child abuse, child sexual abuse and family violence, with the Board undertaking to include these in consumer advice when at the classification level and also if present at the upper limit, one level lower than the classification level. The Board also reviewed its consumer advice specifically related to computer games, clarifying its definitions and application of advice of 'online interactivity', 'online interactivity and chat', 'in-game purchases', 'chance based in-game purchases' (including loot boxes) and 'simulated gambling'.

Improving classification service delivery

During 2022–23 the Board and Classification Branch improved our joint processes and outcomes to improve the delivery of the objects of the Act. Two key elements in these improvements were through improving technology and improving our internal collaboration.

The Board worked closely with the Department during 2022 to finalise the build of a new customer relationship system, which manages the application process from receipt of an application to delivery of the final classification certificate. The Board's processes form an integral part of this system, and much thanks go to Board member Ellenor Nixon for ensuring the new system met the needs of the Board.

Improved collaboration

In December 2022 all members of the Board, the Classification Review Board and the Classification Branch convened for an afternoon to workshop our joint roles and responsibilities. This session has promoted a sense of joint responsibility for classification decisions and customer service and created a more efficient team across the various areas of the department responsible for classification and the Board.

Board Support Officer

An important initiative implemented during this reporting period was the recommencement of a Board support officer to support the Board's daily work. We were fortunate to welcome former Board member Jen Fowler into this role, along with Donna Hogan. Jen and Donna performed a valuable role in onboarding all new Board members, and provide daily IT and operational support to Board members. This role has been important to helping the Board keep on top of its timeframes and workload and Jen and Donna provide an important link between the Board and the Branch.

Stakeholder liaison

An additional role of the Board, particularly as we increase the move to industry self-classification, is to maintain effective relationships with our key industry stakeholders. During the current year, the Board held:

- ▶ quarterly meetings with Netflix
- ▶ quarterly meetings with Spherex

Following the Board's move to provide more informative consumer advice, we also met with the Interactive Games and Entertainment Association (IGEA) and the Motion Pictures Distributors Association of Australia (MPDAA) to discuss implementation of the new arrangements.

The Board and I also met with Consent Labs during 2022-23 to discuss their proposal to improve information to consumers about films depicting lack of consent. Our discussions on this issue continue.

A number of Board members were delighted to spend time at the PAX Aus computer gaming convention in Melbourne in October 2022. PAX Aus is Australia's biggest gaming industry event with panels and exhibitors presenting the latest in game releases, technology and culture. It was an important opportunity to meet and engage with the industry, as well as understand current trends and issues directly from the industry itself, to ensure the Board's computer games classification work is relevant and of value to both consumers and industry alike.

Tristan Sharp, Deputy Director, met with international colleagues from the Korean Media Rating Board in October 2022 to share information on protecting children and families from harmful content and met with the Singaporean Ministry of Communications, Information Policy Division regarding online safety and classification of computer games online.

▼ The Classification Board

Left to right – Ms Jennifer Marvello, Ms Tamara Markus, Mr Dominique Irlinger, Mr Trent Bartfeld, Ms Fiona Jolly (Director), Mr Tristan Sharp (Deputy Director), Ms Asma Wang, Ms Gayle Peres da Costa, Ms Hellen Perko, Mr Raphael Richards, Ms Maria Cosmidis, Mr Iain Humphrey, Ms Denise Alexander
*Absent – Paul Tenison



In April the Board and I instigated a classifiers networking and practice sharing event with colleagues from the free to air and streaming television sectors to discuss Board standards including the recent review of consumer advice and how key community concerns were to be addressed. Over fifty people attended with presentations by me and Tristan Sharp, Deputy Director, as well as time for the entire Board to introduce themes and discuss common challenges. This was the first event of its type in over ten years with enthusiastic agreement for it to become a regular event.

Board composition

This year was a significant year for the membership of the Board. Unfortunately, seven of the Board's members reached the maximum seven year statutory term limit for appointment.

During this year I participated in recruitment for new members of the Board. A significant field of applicants was received and we are pleased that the Minister has appointed new members who are proving very successful.

Such a significant changeover in membership provided a challenge to the remaining Board members, with the need to continue our core business and process applications within statutory deadlines while also training new starters. Our Deputy Director delivered a significant induction and training program for new members. My thanks to Tristan, our Board support officers Jen and Donna, and Alison and Jarrah from the Classification Branch who all worked together to deliver significant training and on-boarding.

Finally, my sincere thanks to the Board members who finished their terms on the Board during the year—Ellenor Nixon, Thomas Mann, Lora Pechovska, Felix Hubble, Jen Fowler, Jen Burke and Damien Carr. Seven years classifying films, computer games and publications is an important contribution to the community and we all wish you well in your next careers.

Fiona Jolly

Director
Classification Board



Membership of the Classification Board

The Classification Board

The Board is an independent statutory body established under the Classification Act which comprises a Director, a Deputy Director and other members.

The Board classifies films, computer games and certain submittable publications (all of which are defined in the Classification Act).

Membership of the Board

Appointments to the Board are made by the Governor-General, following a recommendation by the Minister. Before making a recommendation, the Classification Act requires that the Minister consult with state and territory ministers with responsibility for classification

about the proposed recommendations. Appointments are made for fixed terms of up to five years and members are eligible for reappointment to serve a statutory maximum term of seven years.

Under section 50 of the Classification Act, the Minister may appoint temporary members of the Board if it is necessary to do so for the efficient dispatch of the Board's business. The Minister has authorised the Director to perform this function for members that have initially been appointed by the Minister.

Section 66 provides that the Minister may appoint a person to act as a member during a vacancy on the respective Boards.

Section 49 of the Act provides that the Director and Deputy Director must be appointed as full-time members.

Table 1: Classification Board size

Classification Board size	2018-19	2019-20	2020-21	2021-22	2022-23
Full time Board FTE	5.4	6.7	4.7	5.3	3.8
Temp member days	480	528	649	905	724

Current Board members



Fiona Jolly

Director

APPOINTED: 6 December 2021

APPOINTMENT EXPIRES: 5 December 2024

Ms Fiona Jolly was Chief Executive Officer of Ad Standards Australia for 15 years, following an extensive and diverse career with a number of Australian Commonwealth Government departments. She holds a Master of Laws from the University of Melbourne, a Bachelor of Arts and Laws from the Australian National University, and is a graduate of the Australian Institute of Company Directors.

Ms Jolly formerly held the position of Convenor on the Classification Review Board from 2011 to 2019. She holds a number of Non-Executive Director and advisory positions in the private and not-for-profit sectors including as Board Director of CHOICE (the Australian Consumers Association).

Ms Jolly has four boys who are active in various sports around the ACT and she is extensively engaged with her local community.



Tristan Sharp

Deputy Director

APPOINTED: 2 May 2022

APPOINTMENT EXPIRES: 1 May 2025

Mr Tristan Sharp, 51, was most recently Director of the consultancy firm Kingfisher and Co for over three years. His previous roles have included senior leadership positions in the arts and finance sectors including Director, Programs and Engagement at the Museum of Applied Arts and Sciences. He is currently a member of the Art Gallery of New South Wales Society Council and Create NSW's Museums and History Artform Board.

Mr Sharp's qualifications include a Master of Art Administration from the College of Fine Arts, University of New South Wales, a Diploma of Education (Visual Art) with Merit, from the University of Newcastle, and a Bachelor of Arts (Fine Arts, Psychology, Film Studies and Production) from the University of Sydney and the University of California, Los Angeles.

Mr Sharp is married with two children and a cat named Rufus. He is active in his community of Umina Beach as a volunteer under 10s soccer coach and primary school learning support parent, and when time permits he enjoys riding his classic Vespa Scooter.



Iain Humphrey

Full time Board member

APPOINTED: 4 April 2022

APPOINTMENT EXPIRES: 3 April 2025

Mr Iain Humphrey, 50, holds a Bachelor of Arts in French from the University of Hull, UK. After graduation, he worked for a major brand consultancy as an operational specialist, before migrating to Australia in 2007.

In Australia, Mr Humphrey worked for Red Bee Media for 12 years, one of the leading providers of access services for blind and hearing-impaired audiences. During this time, he worked extensively with broadcasters and content creators in support of the hearing-impaired and blind communities and also voluntarily participated in a Sydney-based program for people affected by HIV/AIDS.

Mr Humphrey has strong computer skills, with extensive experience of captioning and audio description software, and has been a hobby console gamer since his undergraduate days. He presents a weekly book discussion on a NSW community radio station and is a passionate reader and music enthusiast. He is also an avid cinema-goer and has been widely exposed to the classification process in Australia and Europe in both a professional and personal capacity.



Jennifer Marvello

Part-time Board member

APPOINTED: 4 April 2022

APPOINTMENT EXPIRES: 3 April 2024

Ms Jennifer Marvello, 59, now retired from full-time employment, lives in the south-western suburbs of Sydney. She holds a Certificate IV Training & Assessment and Certificate IV Government Administration and has trained Customs Officers in drug detection technologies, interpretation of x-ray images, and identification of prohibited imports and exports, particularly films and publications which had been, or were likely to be, Refused Classification.

Ms Marvello enjoyed many years in human resources, particularly rehabilitation and case management. She has previously worked intensively with students in a one-on-one remedial reading program in infants and primary schools.

Subsequently, Ms Marvello transferred to the Commonwealth Attorney-General's Department where she developed and delivered training to industry assessors making classification decisions. She spent six years as office manager in a specialist dermatology practice. She has been involved in her community as a long-term fundraising chair at Kingsgrove Public School and the Kingsgrove Cricket Club.

Ms Marvello worked as a temporary Board member from 16 January 2020 until her appointment as a Part-time Board member.



Paul Tenison

Part-time Board member

APPOINTED: 4 April 2022

APPOINTMENT EXPIRES: 3 April 2024

Mr Paul Tenison, 67, resides in the northern districts of Sydney. Mr Tenison was previously a temporary Board member and has re-joined the Board following his retirement from full-time public sector employment with the Classification Branch. His previous work with the Classification Branch included training of industry assessors, and financial and policy management of the classification scheme.

Mr Tenison is married with two adult children and has three grandchildren. He is active socially in his immediate community and through his grandchildren's schooling and sporting activities. Thanks to family, Mr Tenison has travelled extensively through South America, New Zealand, Christmas Island and on the City Rail Network. His interests include motorbike riding, astronomy, current affairs and political science; he is an avid trivia player and is a prized asset in local competitions, as well as being an accomplished 'barbequer' at social gatherings.

Mr Tenison worked as a temporary Board member from 16 January 2020 until his appointment as a Part-time Board member.

Temporary Board members

Under the Classification Act, the Director has been authorised to reappoint a person to be a temporary member of the Classification Board following their initial appointment by the Minister. A register of people suitable for temporary appointments is maintained and drawn on from time-to-time to provide short-term assistance in undertaking the work of the Board. Terms of appointment may be as short as one day and may extend to three months. The statutory term limit of seven years also applies to temporary Board members.



Denise Alexander

DATE OF FIRST APPOINTMENT:
1 August 2022

Ms Denise Alexander has a background in digital health and broadcasting, with her most recent position being Chief People Officer at Healthdirect Australia, a government telehealth organisation that provided public leadership during the COVID-19 pandemic.

Ms Alexander currently works as a people and culture consultant, and she is a volunteer board member at 2RPH community radio in Sydney. Ms Alexander spent over 10 years at the Australian Broadcasting Corporation, including working in the early ABC Online and Innovation divisions. She has also worked as a captioner for a non-profit accessibility provider for hearing impaired television audiences.

Ms Alexander has a Master of Business in Management and she is an accredited coach.

Ms Alexander worked 55 days as a temporary Board member during 2022-23.



Maria Cosmidis

DATE OF FIRST APPOINTMENT:
1 August 2022

Ms Maria Cosmidis is an Independent Decision Maker for the National Redress Scheme. Ms Cosmidis sits on the NSW Board of the Nursing and Midwifery Board of Australia, and the Medical Council of NSW as a community representative.

Ms Cosmidis is from a non-English speaking background and previously served on the SBS Community Advisory Committee and the Advertising Standards Board. Ms Cosmidis holds a Masters of Management from the University of Technology Sydney, and a Bachelor of Social Work and Bachelor of Arts from the University of Sydney.

Ms Cosmidis worked 64 days as a temporary Board member during 2022-23.



Hellen Perko

DATE OF FIRST APPOINTMENT:
23 March 2023

Ms Hellen Perko is a Fine Art and Heritage Specialist and Valuer, with broad career experience in the arts sector including leadership positions at auction houses and art galleries. She has a Masters of Art Administration (UNSW) and a Bachelor of Arts (The University of Sydney). She is a fluent Serbo-Croatian speaker and brings a culturally-diverse awareness and connection to non-English speaking communities.

Ms Perko worked 52 days as a temporary Board member during 2022–23.



Trent Bartfeld

DATE OF FIRST APPOINTMENT:
23 March 2023

Mr Trent Bartfeld is an Educator and freelance writer/content maker for varied corporate, public, community, educational, and film industry producers and entities. He has tertiary-level Arts and Education qualifications. He has taught primary and

secondary schooling, and has lectured across tertiary and open programs in technical and creative filmmaking and screenwriting.

Mr Bartfeld is active in the amateur tennis community, and passionate about Australia’s origins, regularly working as a history guide for international visitors. He has two young daughters, who share his love of storytelling and history.

Mr Bartfeld worked 34 days as a temporary Board member during 2022–23.



Dominique Irlinger

DATE OF FIRST APPOINTMENT:
23 March 2023

Mr Dominique Irlinger is the former CEO and Operations Manager of IMAX Sydney, and former National Programming Manager of Dendy Cinemas. He has also worked in the cinema industry as a general manager and is a volunteer film programmer of foreign films for Hunar. He studied in France for his Masters of International Relations and Bachelor of Arts in history and literature, and has taught French in a Chinese University.

Mr Irlinger worked 37 days as a temporary Board member during 2022–23.



Gayle Peres da Costa

DATE OF FIRST APPOINTMENT:
23 March 2023

Ms Gayle Peres da Costa has practised as a lawyer for over 20 years, primarily in the area of medical defence law. She is semi-retired and spends some of her time doing voluntary work. Ms Peres da Costa migrated to Australia from India as a child, and has a diverse cultural background. She has three adult daughters and one son, who have led her to a strong involvement in her local community.

Ms Peres da Costa worked 26 days as a temporary Board member during 2022-23.



Tamara Markus

DATE OF FIRST APPOINTMENT:
23 March 2023

Ms Tamara Markus is a paralegal at a theatre production company and is in the final year of a law degree at the University of NSW. She has previously worked in broadcast television and documentary film making, in sales, commissioning and development, and has experience in content analysis.

Ms Markus worked 9 days as a temporary Board member during 2022-23.



Asma Wang

DATE OF FIRST APPOINTMENT:
23 March 2023

Ms Asma Wang has a diverse cultural background and is involved in local community groups which have strong cultural and linguistically diverse participants. She has worked across a range of not-for-profit and government organisations in research assistant, project management, community development and liaison roles, and is currently working as a teacher at TAFE NSW.

Ms Wang worked 13 days as a temporary Board member during 2022–23.



Raphael Richards

DATE OF FIRST APPOINTMENT:
18 April 2016

Mr Raphael Richards is based in Melbourne and has a background in primary school teaching. Mr Richards holds a Graduate Diploma of Education (Primary) from RMIT, a Graduate Diploma of Education (Secondary) from Melbourne University, and a Bachelor of Arts in Media Studies from La Trobe University. Mr Richards has previous experience working on the Board.

Mr Richards worked 128 days as a temporary Board member during 2022–23.

Board members who left the Classification Board in 2022-23

Ellenor Nixon

Board Member

APPOINTED: 1 June 2016

APPOINTMENT EXPIRED: 31 May 2023

Thomas Mann

Board Member

APPOINTED: 1 June 2016

APPOINTMENT EXPIRED: 31 May 2023

Felix Hubble

Mr Hubble worked 132 days as a temporary Board member during 2022-23 and completed his maximum term of seven years in April 2023.

Lora Pechovska

Ms Pechovska worked 125 days as a temporary Board member during 2022-23 and completed her maximum term of seven years in April 2023.

Jenny Burke

Ms Burke worked 14 days as a temporary Board member during 2022-23 and completed her maximum term of seven years on 16 August 2022.

Jenny Fowler

Ms Fowler worked 31 days as a temporary Board member during 2022-23 and completed her maximum term of seven years on 16 August 2022.

Damien Carr

Mr Carr worked 24 days as a temporary Board member during 2022-23 and completed his maximum term of seven years on 16 August 2022.

Psychologist and wellbeing

The Board views a diverse range of material including that which has high impact or content that is unsuitable for public viewing. Board members have on-call access to the department's Employee Assistance Program, and also have dedicated sessions with a psychologist. Comprising quarterly one-on-one sessions and an annual group session, Board members have an opportunity to discuss issues and mechanisms for protecting their mental and physical wellbeing whilst undertaking this role.

Conditions

The Remuneration Tribunal determines the entitlements of the members of the Board in relation to remuneration, annual leave and official travel. These determinations are available on the Remuneration Tribunal website at www.remtribunal.gov.au.

Conflict of interest and outside employment

The Classification Act makes provision for the disclosure of potential conflicts of interest by members of the Board.

The Classification Act provides that full-time members of the Board must not engage in outside employment without the consent of the Minister. This requirement does not apply to service in the Australian Defence Force. Temporary Board members may undertake other paid employment elsewhere, and these Board members disclose such work to the Director who ensures that there is no perceived or actual conflict of interest when temporary Board members are engaged to classify material.

Improving classification decisions

The Classification Board employs a number of practices and procedures to ensure quality of decision making:

- ▶ regular internal meetings are held to ensure issues on current standards are communicated, debated and discussed
- ▶ all draft classification decisions are reviewed by the Deputy Director to promote consistency in standards and approaches to decision making
- ▶ the new eLearning modules for films and computer games include contemporary examples of Board decisions and have replaced outmoded training material
- ▶ two professional development days are held each year, attended by all members
- ▶ there are standardised internal procedures for managing applications.

Whole Board meetings

The Board as a whole meet twice per month. During 2022–23 the Board held 21 meetings. These meetings are an opportunity for the Board to discuss recent applications and decisions and to identify unusual elements of content, why and when a particular consumer advice was given and whether this is a precedent to follow.

The Board also received a presentation from Consent Labs who raised the concept of declaring 'lack of consent' as part of the classification or consumer advice for films, including where this might be an element at a lower classification.

During 2022–23, the practice of programming all full time and temporary Board members to work on Board meeting days, has led to a greater sense of team work among the Board which ultimately leads to better and more consistent decision making.

Board development days

During 2022–23, the Board held one development day. Development days enable the Board to spend in-depth time discussing particular elements of the Code or Guidelines that are challenging the Board. Board members are encouraged to identify areas of concern or elements of classification that they wish to discuss further.

At our meeting in October 2022, we discussed the element of sexual violence within content and its classification across depictions of varying impact and consideration of different audiences, in particular, women.

Our second development day was unfortunately delayed until August 2023 due to delays in the appointment of new Board members, and the continuing impact of COVID illnesses. Priorities for discussion at this meeting are setting standards for the new Board and its way of working, reviewing the Code of Conduct and APS Values in our daily work, a workshop on classification of sex and reviewing report writing structures.

Work of the Classification Board

Overview

The primary work of the Board and the Review Board is to classify films, computer games and publications on application and according to the instruments described below. While the Review Board only convenes in response to an application for Review, the Board works daily. This work is undertaken by the Board, through viewing, playing and reading content submitted as part of an application for classification from industry.

Under the Classification Act, the Director is responsible for ensuring that the business of the Board is conducted in an orderly and efficient way and, for that purpose, the Director may give directions as to the arrangement of the business of the Board.

The Director of the Board has a range of statutory functions under the Classification Act which include:

- ▶ convening and presiding at Board meetings
- ▶ determining the constitution of the Board for classifying particular products
- ▶ determining how decisions are recorded
- ▶ calling in publications, films and computer games for classification
- ▶ determining procedures for the Board
- ▶ providing the Minister with the Board's Annual Report.

In addition to the Director's powers in relation to the Board, the Classification Act and a number of determinations made pursuant to the Act confer additional functions and powers on the Director which include, but are not limited to:

- ▶ approving forms for the purpose of the Classification Act
- ▶ providing certificates and notices of decisions, including evidentiary certificates and certificates for content that is classified by the operation of an approved classification tool
- ▶ authorising industry assessors
- ▶ approving training for industry assessors
- ▶ modifying, on application, the operation of provisions relating to conditional cultural exemptions.

The Director and Deputy Director of the Board are authorised to grant permission to import or export prohibited or potentially prohibited goods in accordance with the *Customs (Prohibited Imports) Regulations 1956* (the Prohibited Imports Regulations) and *Customs (Prohibited Exports) Regulations 1958* (the Prohibited Exports Regulations).

Applications for classification of films, computer games and certain publications

The Classification Act requires that, subject to the exemption set out in section 9A, publications, films and computer games are to be classified in accordance with the Code and the Guidelines.

Classifications of publications, films and computer games are to be made by the Board in writing on application.

The Act enables the Board to make a broad range of classification decisions. All decisions are made in accordance with the Classification Act, the Code and the three statutory Guidelines:

Section 11 of the Classification Act:

11. Matters to be considered in classification

The matters to be taken into account in making a decision on the classification of a publication, a film or a computer game include:

- (a) the standards of morality, decency and propriety generally accepted by reasonable adults; and
- (b) the literary, artistic or educational merit (if any) of the publication, film or computer game; and
- (c) the general character of the publication, film or computer game, including whether it is of a medical, legal or scientific character; and
- (d) the persons or class of persons to or amongst whom it is published or is intended or likely to be published.

National Classification Code

The Board must make classification decisions in accordance with the Code which broadly describes the classification categories. The Code is agreed to by Commonwealth, state and territory ministers with responsibility for classification. The Code is available in Appendix A under "National Classification Code" on page 94.

Classification Guidelines

The Guidelines are used by the Board to assist with applying the criteria in the Code, by describing the classification types and setting out the scope and limits of material suitable for each classification type. The Guidelines are approved by all ministers with responsibility for classification.

See Statistics (page 33) for details of the volume and type of applications considered by the Board during 2022–2023.

Industry self-classification— Approved classification tools

The Classification Act provides for the Minister to approve classification tools to make classification decisions (s 22CA).

A condition of their approval is that tool decisions are required to be broadly consistent with Board decisions and Australian community standards.

The Board provides advice to tool owners to help them align their tool programming to Board practices.

There are three approved classification tools for use in Australia:

- ▶ the International Age Rating Coalition (IARC) Global Rating Tool (the IARC Tool) which produces classifications for online or mobile computer games
- ▶ the Netflix Classification Tool (the Netflix Tool) which produces classifications for films available on Netflix Australia, and
- ▶ the Spherex Ratings Tool (the Spherex Tool) which produces classifications for films made available by their clients. The Minister approved the Spherex Tool on 18 October 2022, and it became operational on 7 November 2022. The Spherex Tool is in its first year of operation. The Board and the department worked with Spherex to test the Spherex Tool before seeking ministerial approval.

The Classification Act deems decisions made by approved classification tools to be decisions of the Board, and they are published on the NCD (s 22CF). The Board is able to issue an approved classification tool certificate, upon application (s 22CG).

The Board can revoke a tool decision if it is of the opinion that it would have given the material a different classification or consumer advice. If the Board revokes a tool decision, it is required to replace it with a Board decision (s 22CH).

The Board has delegated its powers to revoke an IARC Tool decision and classify the computer game to departmental staff who have received training from the Board (s 59).

The Board and delegates monitor the decisions generated by approved tools to ensure that the classifications and consumer advice generated are broadly consistent with Board decisions and Australian community standards, as reflected in decisions made by the Board. The Board has been working closely with the Classification Branch in 2022–23 to implement more robust monitoring strategies.

Factors which influence whether a tool decision is selected for checking include if it is the subject of a complaint, contains content of concern to the community or is attracting media attention. Tool decisions can also be chosen randomly for checking.

The Board and department regularly liaise with tool owners to discuss operational and governance matters.

Industry assessor schemes

Several schemes have been established that enable authorised industry assessors to submit content for classification.

Under the schemes, the Board is deemed responsible for the decision, which is informed by the assessor's report.

- ▶ The Board approves decisions of authorised assessors after checking that they are broadly consistent with Board decisions and Australian community standards.
- ▶ The Board will check assessor recommendations if:
 - they are inconsistent with previous episodes or seasons of the same series;
 - the content includes community concerns such as suicide, self-harm or sexual violence;
 - the content is high profile and contentious;
 - the content is a first season of a new title;
 - the recommendation is at an upper limit R 18+; or
 - if the assessor has a history of inaccurate recommendations.

Applications for classification may be lodged under the following voluntary assessor schemes:

Authorised Assessor Scheme for Computer Games (AACG)

The Director of the Classification Board may authorise trained persons to recommend the classification for a computer game.

An authorised assessor may submit an application recommending the classification and consumer advice for a computer game, if the computer game is likely to be classified G (General), PG (Parental Guidance) or M (Mature). The Board may accept the recommendation or may vary or reject the recommendation and itself determine the classification rating and consumer advice.

Additional Content Assessor (ACA) Scheme

The Director of the Classification Board may authorise trained persons to assess additional content which accompanies a previously classified or exempt film released for sale or hire. Additional content includes material such as 'making of' documentaries, out-takes, alternative endings and commentaries or interviews with the director or actors, and does not include television programs, series or computer games.

An authorised assessor may submit an application recommending the classification and consumer advice for the additional content for any classification category from G (General) up to and including R 18+ (Restricted). The Board may accept the recommendation or may vary or reject the recommendation and itself determine the classification rating and consumer advice.

Authorised Television Series Assessor (ATSA) Scheme

The Director of the Classification Board may authorise trained persons to assess films that consist of one or more episodes of a television series, as well as any series-related content. At least one episode of the television series must have been broadcast in Australia. The scheme does not apply to films that would be classified X 18+ (Restricted) or RC (Refused Classification). An authorised assessor may submit an application recommending the classification and consumer advice for the series and related additional content for any classification category from G (General) up to and including R 18+ (Restricted). The Board may accept the recommendation or may vary or reject the recommendation and determine the classification rating and consumer advice.

Other functions of the Board

In addition to making classification decisions about films, computer games and certain publications, the Classification Board and its Director perform a number of other functions under the Scheme.

Enforcement agencies

The Board classifies films, publications and computer games submitted by law enforcement agencies. These classification decisions are often used in enforcement proceedings undertaken by the agency involved. During 2022–2023 there was a significant increase in enforcement material provided to the Board.

Cultural Exemption Rules—Exemptions to show unclassified content

Under the Conditional Cultural Exemption Rule in section 6 of the Act, organisers of registered events or approved cultural institutions can self-assess their eligibility for exemption to exhibit certain unclassified films, computer games and certain publications.

For registered events, event organisers can register their event online and are permitted to screen certain films, computer games or publications. The Conditional Cultural Exemptions Rules provide conditions for eligibility as a registered event, including prescribing a limited number of screenings and requiring a notice to be displayed regarding any age restrictions that apply in relation to access to the material being shown.

Some organisations that conduct activities of an educational, cultural or artistic nature and have a sound reputation may be eligible to become an Approved Cultural Institution (ACI). An ACI is not required to register its events but instead undertakes training provided by the Board. Trained persons then assess certain unclassified material for events held under the auspices of the ACI and must ensure compliance with legislative requirements.

Where the prescribed conditions cannot be met for either registered events or ACIs, an organisation may apply to the Director of the Board for a waiver or variation to the exemption rules under section 6H of the Act.

Each year, a variety of film festivals apply for section 6H exemptions, which allow them to screen unclassified films more than four times per state or territory during the course of their event. Since COVID, an increasing number of film festivals seek section 6H exemptions in order to screen their content in both cinemas and online in order to increase accessibility for people unable or reluctant to attend cinema screenings in person.

Advertising of Unclassified Films and Computer Games Scheme

The Advertising of Unclassified Films and Computer Games Scheme (the Advertising Scheme) allows for the advertising of unclassified films and computer games under certain conditions. The conditions are prescribed in the Classification (Advertising of Unclassified Films and Computer Games Scheme) Determination 2009 (the 2009 Determination).

The primary condition is that advertising for unclassified films and computer games must display the message “Check the Classification” (or “CTC” in its shortened form).



For certain forms of advertising, once a film or computer game is classified, the “Check the Classification” or “CTC” message must be replaced with the classification marking.

Prior to classification, however, trailers and advertisements for unclassified films and games may be advertised with films or games that have already been classified, provided that an assessment of the likely classification of the film or game has been made, either by the Classification Board, or by a trained advertising assessor employed by industry. Once this assessment has been made, the ‘commensurate audience’ rule applies. This means that the trailers and advertisements for unclassified films and games may only be advertised with content of the same or higher classification. For example, if there is an advertisement for an unclassified game and it is determined by the Classification Board or an assessor that the game will have a likely classification of M, then the advertisement may only be shown alongside games that already have an M, MA 15+ (Mature Accompanied) or R 18+ classification.

The Advertising Scheme includes a number of safeguards and sanctions. These include the Director of the Classification Board having the power to revoke or suspend an assessor’s authorisation, and to prohibit a distributor from advertising their unclassified products for up to three years, in certain circumstances (Part 4 Sanctions of the 2009 Determination).

Permission to import or export objectionable goods

The Prohibited Imports Regulations prescribe classes of goods that must not be imported into Australia. The Prohibited Exports Regulations prescribe classes of goods that must not be exported from Australia.

The Australian Border Force can detain or seize any material that may contravene regulation 4A of the Prohibited Imports Regulations or regulation 3 of the Prohibited Exports Regulations. The criteria in regulation 4A and regulation 3 accord with the RC (Refused Classification) criteria in both the Code and the Classification Act. The Australian Border Force may apply for classification of items intercepted at the border. Organisations such as the Australian Border Force, various Australian police forces, and public and private art galleries apply to import and export material from time-to-time.

The Director and Deputy Director of the Classification Board are authorised under sub-regulation 4A(2A) of the Prohibited Imports Regulations and sub-regulation 3(3) of the Prohibited Exports Regulations to grant requests for permission to import goods to which the Prohibited Imports Regulations apply, or to export goods to which the Prohibited Exports Regulations apply.

Online content

Under the *Online Safety Act 2021* (Online Safety Act), which commenced on 22 January 2022, the eSafety Commissioner has enforcement powers in relation to Class 1 content (which is, or would be, Refused Classification) and Class 2 content (which is, or would be, classified X 18+ or R 18+). Under the Online Safety Act, the eSafety Commissioner may determine whether material would meet these classification categories without referral to the Board (although the Commissioner may seek the advice of the Board). The eSafety Commissioner did not seek the advice of the Board during 2022–2023. Information about decisions of the eSafety Commissioner are available in the eSafety Commissioner’s annual report at www.esafety.gov.au

Statistics

There are statutory time limits for the making of classification decisions—20 days for standard applications and five days for priority applications. In addition, the Board endeavours to meet a three-day turnaround for public exhibition films.

Key statistics

Statistics for 2022–23 demonstrate some interesting changes in the type of work undertaken by the Board, and reveal some changes coming from industry and in the enforcement sphere.

- ▶ The Classification Board made 2,195 classification decisions in 2022–23, a decrease from 2,479 in the previous year.
- ▶ However, the number of public exhibition films continued its significant increase—18% increase in this financial year, on top of the 32% increase in the prior year. The length of public exhibition films is also increasing, which means more work for classifiers.
- ▶ The increase in public exhibition films alone added approximately 106 days of viewing content last year and in 2022–23 it added 78 days of viewing content.

- ▶ Enforcement applications increased significantly—these files usually involve material which is high impact, and requires viewing by all Board members with a focus on managing their wellbeing.
- ▶ There were four films submitted to classification of more than 2000 minutes. A Board member reviews 300 minutes of material each day, so a 2000 minute file takes seven days—a challenge particularly if the applicant pays for priority five day processing.
- ▶ Four decisions exceeded the statutory time limit of five days for priority applications due to processing anomalies during transition from the former application management system to the new system. Certificates were provided within 24 hours of the statutory deadline and applicants were refunded their priority application fee.
- ▶ There was a decrease in computer games rated R 18+ and an increase in games rated MA 15+.

Statistics on the number of applications do not of themselves reflect the Board's workload. The length of the content and type of application also significantly impact Board resources. Increasingly the Board's work has involved checking tool decisions and other value-add work such as reviewing consumer advice, tool logic standards and providing industry guidance through improvement of training material.

Comparison with last year's application numbers

A breakdown of the Board's workload and comparison of the number of Board decisions on applications this year compared with 2021-22 is shown in Table 2.

Table 2: Board decisions and comparison

Classification decisions	2021-22	2022-23	% Change
Film (public exhibition)	480	566	18%
Film (sale/hire)—DVD/Blu-ray/online	1,461	1072	-27%
Film (sale/hire)—ACA	94	80	-15%
Film (sale/hire)—ATSA	144	117	-19%
Computer games—excluding AACG	204	225	10%
Computer games—AACG	94	85	-10%
Publications	0	1	n/a
Serial publication declarations	0	0	0%
Enforcement	2	49	2350%
Sub-Total	2479	2195	-11%
Other Decisions	2021-22	2022-23	% Change
Advertising assessment of likely classification—film	3	6	100%
Advertising assessment of likely classification—computer games	0	0	0%
Section 87 certificates—Classification Act	2	23	1050%
Conditional cultural exemptions (section 6H—Classification Act)	24	21	-13%
Call ins by Director	1	1	0%
Revocation of classification	0	0	0%
Decline to deal further	0	0	0%
Unclassified	0	0	0%
Title Change—Film	5	3	-40%
Title Change—Game	20	22	10%
Sub-total	55	76	38%
Grand total—all decisions	2,534	2,271	-10%

Comparison with last year's application duration—films

A breakdown of the running times for applications for films this year compared with 2021–22 is shown in Table 3.

Table 3: Comparison of application duration 2021–22 and 2022–23

	2021–22	2022–23	% Difference
Film Other			
0–60 minutes	629	359	-43%
61–120 minutes	578	524	-9%
121–180 minutes	62	51	-18%
181–240 minutes	14	10	-29%
241–300 minutes	94	61	-35%
301–400 minutes	42	40	-5%
401–500 minutes	16	6	-63%
501–600 minutes	12	4	-67%
601–700 minutes	6	4	-33%
701–800 minutes	6	5	-17%
801–900 minutes	0	2	n/a
901–1000 minutes	0	1	n/a
1001–1100 minutes	0	1	n/a
1101–1200 minutes	0	0	0%
1201–1300 minutes	0	0	0%
1301–1400 minutes	0	0	0%
1401–1500 minutes	1	0	n/a
1501–1600 minutes	0	0	0%
1601–1700 minutes	0	0	0%
1701–1800 minutes	0	0	0%
1801–1900 minutes	0	0	0%
1901–2050 minutes	1	4	400%
Total	1461	1072	-27%
Public Exhibition			
0–60 minutes	9	3	-67%
61–120 minutes	285	308	8%
121–180 minutes	185	249	35%
181–240 minutes	1	6	500%
More than 240 Minutes	0	0	0%
Total	480	566	18%

Films classified for public exhibition

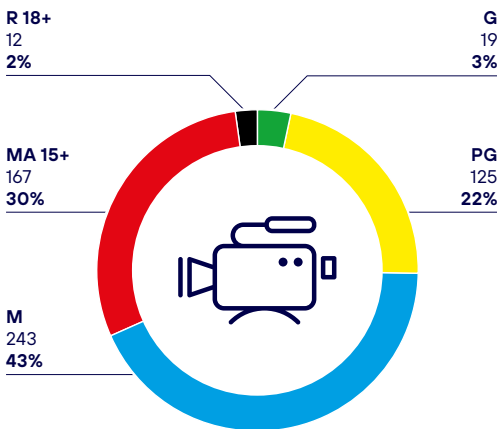
The Board made 566 decisions on applications for the classification of commercial films for public exhibition.

Table 4: Decisions on commercial films classified for public exhibition

	2021-22	2022-23	% Difference
G	17	19	12%
PG	100	125	25%
M	225	243	8%
MA 15+	127	167	31%
R 18+	11	12	9%
RC	0	0	0%
Total	480	566	18%

As indicated in Figure 1, 68% of public exhibition film classifications during the year were in the advisory categories of G, PG and M, with the highest number of individual decisions in the M category.

Figure 1: Decisions on films classified for public exhibition



Films classified for sale/hire

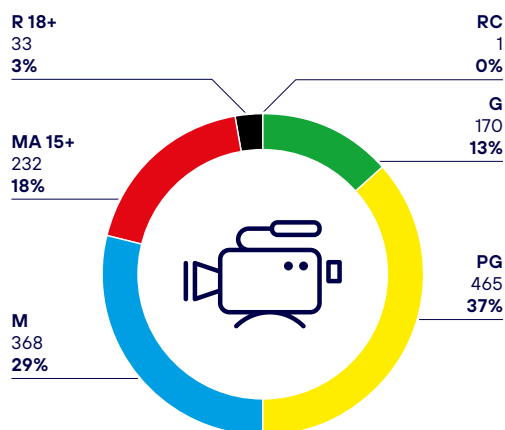
The Board made 1,269 decisions on applications for classification of commercial films for sale/hire, including films submitted as part of the authorised assessor schemes (ACA and ATSA) where the Board is still responsible for the classification of the film, but its decision may be informed by an assessor's report and recommendation of classification rating and consumer advice.

Table 5: Decisions on commercial films classified for sale/hire

	Film Other	ACA	ATSA
G	167	1	2
PG	380	37	48
M	285	26	57
MA 15+	212	14	6
R 18+	27	2	4
RC	1	0	0
Total	1072	80	117

As indicated in Figure 2, approximately 79% of classifications of films for sale/hire during the year were in the advisory categories of G, PG and M, with the highest number of decisions in the PG category.

Figure 2: Decisions on commercial films classified for sale/hire



Computer games

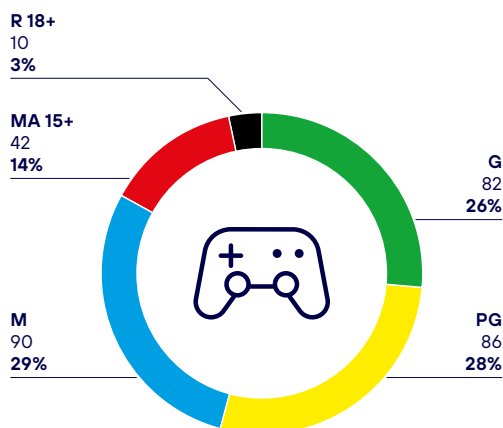
The Board made 310 decisions on applications for computer games. The figures include applications made under the AACG scheme. Under this scheme, authorised assessors can make a recommendation about classification and consumer advice for a game at the G, PG or M classification levels. The Board is still responsible for the classification of the game, but its decision may be informed by an assessor’s report and recommendation of classification rating and consumer advice.

83% of computer game classifications during the year were in the advisory categories of G, PG and M, with the highest number of decisions falling in the M category.

Table 6: Computer games classified by application type

	Level 2 Gameplay	Assessed Computer Games
G	60	22
PG	54	32
M	61	29
MA 15+	40	2
R 18+	10	0
Total	225	85

Figure 3: Computer game classification decisions (including AACG)



Publications

The Board made one decision on a commercial application for the classification of a publication. No serial classification declaration was granted or revoked.

Advertising approvals

The Board did not receive any applications for approval of advertisements under section 29 of the Classification Act.

Advertising assessments

The scheme for advertising of unclassified films and computer games allows advertising subject to conditions set out in the 2009 Determination.

During the reporting period, the Board made six assessments of the likely classification of films and no assessments of the likely classification of computer games.

Table 7: Advertising assessments for films

Likely classification	Number of decisions
G	3
PG	0
M	2
MA 15+	1
R 18+	0
Total	6

Revocations

No decision was made to revoke the classification of a film, computer game, publication or serial declaration under sections 21A, 21AA, 21AB or subsection 13(5) respectively of the Classification Act during this reporting period. Revocations under approved classification tools are discussed in the section Approved classification tools.

Call-ins

Under the Classification Act, the Director may call-in, that is, issue a notice to the publisher to submit an unclassified film (section 23A), computer game (section 24), or a submittable publication (section 23) for classification. Similar call-in provisions apply in relation to certain advertisements.

One call-in notice was issued during the reporting period for the publication *Gender Queer: A Memoir*. This award-winning, US autobiographical, non-fiction graphic memoir, written by Maia Kobabe, explores the author's path to identifying as nonbinary and asexual. This 240-page edition was published in 2020. It had become the subject of complaints in Queensland, demanding the publication be banned and was subsequently removed from the shelves of Logan City local library, gaining considerable media attention. The basis of the complaints were that it was accessible by and inappropriate for children, with accusations, amongst others, that it contained pornographic images that promote paedophilia. A Board panel classified the content of the publication including its front and rear cover, concluding that it warranted a classification of Unrestricted–M, Not recommended for readers under 15 years. An application for review of this decision was made to the Review Board.

Approved classification tools

IARC Tool

The Board and its delegates participate in a global monitoring program for the IARC Tool, along with the other rating authorities who use it. The program uses a risk-based approach to target particular content, including first person shooter games, blood and gore and simulated gambling. This targeted approach results in a higher rate of changed decisions than those randomly selected, and gives Australians greater protection from potentially harmful content.

During the period, the IARC Tool made 300,596 decisions, which were published on the National Classification Database (NCD). Delegates checked 3,875 games, and the Board checked five. Of these, there were 2,690 revocations (70%), and the NCD was updated to reflect the new decisions.

Overall, 81% of revocations resulted in a higher classification rating, 7% resulted in a lower rating, and 12% resulted in a change to the consumer advice only.

Figure 4: IARC Tool decisions

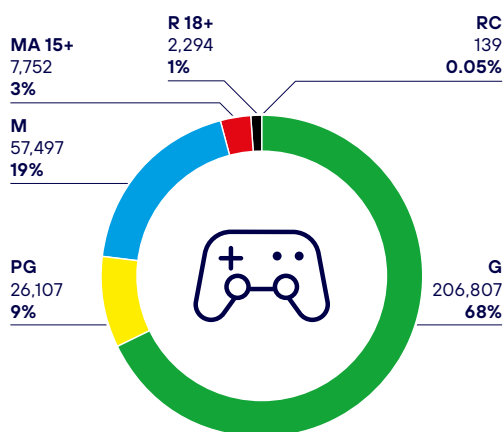


Table 8: IARC Tool decisions by rating

Classification rating	Number of decisions 2021–2022	Number of decisions 2022–2023	Change from last year
G	206,663	206,807	.07%
PG	18,217	26,107	43%
M	42,936	57,497	33%
MA 15+	6,346	7,752	22%
R 18+	941	2,294	144%
RC	56	139	148%
Total	275,159	300,596	9.2%

Netflix Tool

During the period, the Netflix Tool made 1,421 decisions, which were published on the NCD. The Board checked 64 decisions (5%). Of these, the Board revoked 56 (88%), and updated the NCD to reflect the new decisions.

Overall, 21% of revocations resulted in a higher classification rating, 13% resulted in a lower rating, and 66% resulted in a change to the consumer advice only.

Figure 5: Netflix Tool decisions

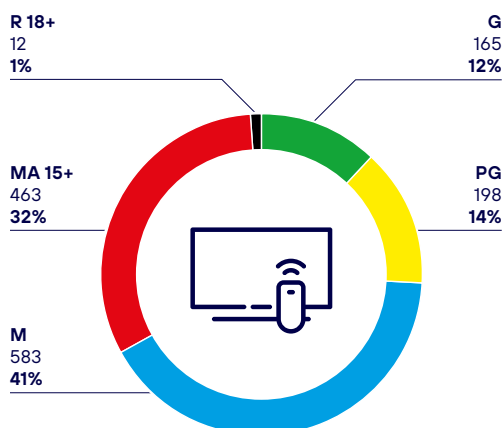


Table 9: Netflix Tool decisions by classification

Classification rating	Number of decisions 2021-2022	Number of decisions 2022-2023	Change from last year
G	130	165	27%
PG	213	198	-7%
M	523	583	11%
MA 15+	412	463	12%
R 18+	12	12	0%
RC	0	0	0%
Total	1290	1,421	10%

Spherex Tool

The Minister approved the Spherex Tool on 18 October 2022, and it became operational on 7 November 2022. The Spherex Tool is in its first year of operation. The Board and the department worked with Spherex to test the Spherex Tool before seeking ministerial approval.

During the period, the Spherex Tool made 441 decisions, which were published on the NCD. The Board checked 15 decisions (3%). Of these, the Board revoked eight (53%) and updated the NCD to reflect the new decisions.

Overall, none of the revocations resulted in a higher classification rating, 12% resulted in a lower classification rating, and 88% resulted in a change to the consumer advice only.

As the Spherex Tool only commenced operation during the 2022-2023 year, prior year data is not available.

Figure 6: Spherex Tool decisions

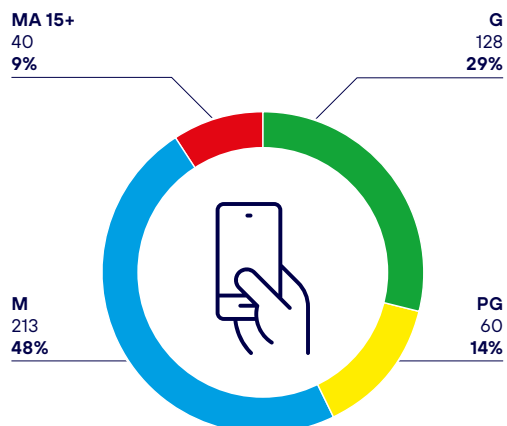


Table 10: Spherex Tool decisions by classification

Classification rating	Number of decisions 2022–23
G	128
PG	60
M	213
MA 15+	40
R 18+	0
RC	0
Total	441

Approved tools—monitoring outcomes

Under section 22CH of the Classification Act, the Board has powers to revoke and replace tool decisions if the Board determines it would have given the content a different classification or consumer advice. The Board monitors tool decisions through checks of targeted and randomly selected tool decisions to ensure they are broadly consistent with Board practices and Australian community standards.

In 2022-23, the Board’s targeted checks were in response to complaints, media commentary, or the consumer advice containing content of concern to the Australian community. The Board focused on suicide, self-harm, mental health, family violence, sexual violence, blood and gore, and simulated gambling.

To assist tools to produce broadly consistent decisions and provide consistent classification information to Australians, the Board updated the consumer advice list for films and provided it to Netflix and Spherex in April 2023. The Board has started updating the consumer advice list for computer games, and will provide it to IARC in the next reporting year. Netflix, Spherex and IARC will reprogram their tools to apply the updated consumer advice in the next reporting year.

It is encouraging to see that approved tools are producing decisions that are broadly consistent with Board decisions. The Board anticipates that tool use of the updated consumer advice list will result in less consumer advice only revocations.

Table 11: Tool checks by duration

	2021-22	2022-23	Change
Netflix	14,265 mins	14,240 mins	-0.1%
Spherex	n/a	726 mins	n/a
IARC	15 min (recorded Board time)	180 min (recorded Board time)	1375%

Table 12: Total tool checks and revocations

	2021-22 Total	2021-22 Number Revoked	2022-23 Total	2022-23 Number Revoked	% Change (total number of checks)
IARC checks (Delegated)	4,653	3,450	3,875	2,687 (12% CA only)	-16.72%
IARC checks (Board)	1	1 (tool rating too high: RC to MA 15+)	5	3 (33% tool rating too high, 67% tool rating too low)	400%
Netflix checks	43	40	64	56 (66% CA only)	48.8%
Spherex checks	n/a	n/a	15	8 (75% CA only)	n/a

Figure 7: Netflix Tool revocations

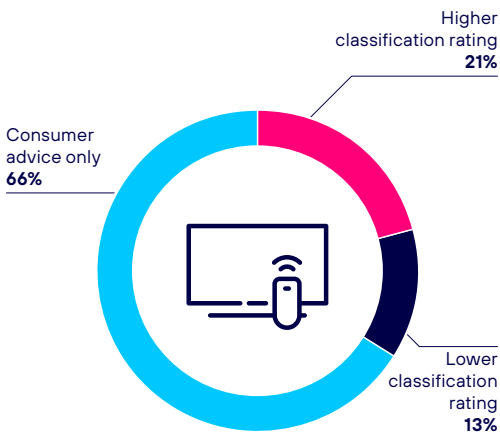


Figure 8: Spherex Tool revocations

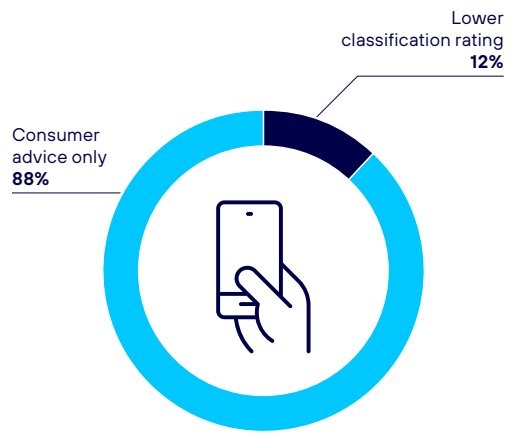
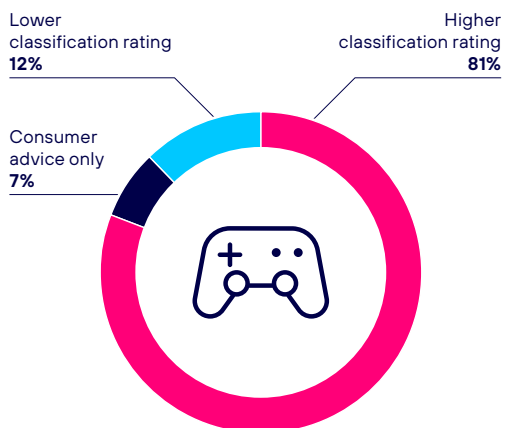


Figure 9: IARC Tool revocations



Other functions

Exemptions to show unclassified content

Under the Conditional Cultural Exemption Rules, organisers for events such as film festivals and computer games expos, and for cultural institutions such as art galleries and museums, self-assess their eligibility for exemption to exhibit unclassified films, computer games and certain publications.

If they comply with the standard conditions, event organisers can register their event online in the classification portal.

During 2022–23, 364 festival events were registered.

During the reporting period, the Director received 20 applications for a waiver or variation to the exemption rules with a further five variations to those exemptions also subsequently granted. Of these, the Director approved all of the applications, with variations in certain circumstances.

Enforcement agencies

There were 49 classification decisions for enforcement applications made in the reporting period. Thirty of these were for publications and 19 were for films. There were no enforcement applications for computer games in 2022–23. Twenty-three of the enforcement applications required an evidentiary certificate to be issued pursuant to section 87 of the Classification Act describing the action taken, or not taken, by the Classification Board in relation to a publication, film or computer game. The total number of documents issued was 72.

Table 13: Enforcement application decisions by agency

Enforcement agency	Publications	Films	Section 87 certificates	Total documents issued
Australian Border Force	20	3	23	46
Department of Justice & Attorney General (QLD)	6	0	0	6
NSW Police	4	0	0	4
WA Police	0	16	0	16
Total	30	19	23	72

Decisions

This section of the Annual Report provides information about classification decisions made by the Board during the reporting period. The decisions referenced are considered noteworthy as they provide examples of borderline decisions or because they provide useful examples of the type of content which is considered acceptable by the Board at a particular classification.

Classification marking

Classified material, and advertisements for classified material, must display classification markings and consumer advice in accordance with the Act.

The following are the different types of classifications for publications in ascending order:

- ▶ **Unrestricted**
- ▶ **Category 1 restricted**
- ▶ **Category 2 restricted**
- ▶ **RC Refused Classification.**

The following are the different types of classifications for films in ascending order:

- ▶ **G** General
- ▶ **PG** Parental Guidance
- ▶ **M** Mature
- ▶ **MA 15+** Mature Accompanied
- ▶ **R 18+** Restricted
- ▶ **X 18+** Restricted
- ▶ **RC** Refused Classification.

The following are the different types of classifications for computer games in ascending order:

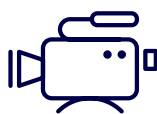
- ▶ **G** General
- ▶ **PG** Parental Guidance
- ▶ **M** Mature
- ▶ **MA 15+** Mature Accompanied
- ▶ **R 18+** Restricted
- ▶ **RC** Refused Classification.

Consumer advice

If a film or computer game is classified by the Board, the Board must determine consumer advice for the classified material. The Board may determine consumer advice for certain publications.

The Board's general practice when providing consumer advice is to indicate the most impactful classifiable element or elements which caused it to receive the designated classification level. The consumer advice is usually preceded by a descriptor to indicate impact or intensity, with this descriptor generally corresponding with the hierarchy of impact stated in the Films Guidelines. The default consumer advice for G-rated films is 'general' where there is no content which, in the Board's opinion, warrants specific mention as consumer advice.

During 2022–23 the Board undertook a comprehensive review of consumer advice and as part of this review decided to initiate the provision of consumer advice for the presence of elements of community concern which are at the upper limit, one level below the classification, and warrant identification. This is the case for consumer advice including self-harm, suicide, sexual violence, mental health themes, child abuse, child sexual abuse and family violence. The Board also reviewed its consumer advice specifically related to computer games, clarifying its definitions and application of 'online interactivity', 'online interactivity and chat', 'in-game purchases', 'chance based in-game purchases' (including loot boxes) and 'simulated gambling' in order to give the consumer greater clarity on the detail of these features.



Films

Decisions for films were made using the **Films Guidelines**.

The Films Guidelines explain the different classification categories and the scope and limits of material suitable for each category. Several principles underlie the use of the Films Guidelines, including the importance of context and assessing the impact of the six classifiable elements (themes, violence, sex, [coarse] language, drug use and nudity).

The following discussions and statistics about films relate solely to those decisions made by the Classification Board and exclude those made by the Netflix Tool and Spherex Tool.



Out of the total of 1835 commercial films classified in 2022–23, 189 were classified G.

The G classification is for a *General* audience and the films range across wide genres. Not all G-rated films are of interest or are suitable for a child or teenager because of, for example storylines or thematic content.

Significant films intended for children classified G during this period include:

► **Cats in the Museum**—*Very mild themes and violence, some scenes may scare very young children*: an animated film in which a cat called Vincent and his mouse friend Maurice end up in the Hermitage Museum. Vincent confronts a blue cat-like ghost that has been accidentally released from the vase that has trapped him for decades. Vincent agrees to help the ghost but the latter, trying to hide from the cat crew, flies into Vincent's body, which turns glowing blue. Cleopatra, his friend, screams in horror that Vincent is possessed. Vincent resists the ghost, jumping and leaping around the room, before speaking with the ghost's voice. The scene is mitigated with crude humour. For instance, one of the cats pins Maurice down. He then grabs Maurice by the tail, shakes him, throwing him side-to-side and flicks him up in the air. The next shot shows Maurice high above the ground with the cat underneath him. Maurice screams, "Help me," as the cat opens his mouth wide, ready to eat Maurice who's about to fall in. Vincent catches Maurice in slow motion just above the cat's wide-open mouth.

► **Argonauts**—*Very mild animated violence and crude humour*: an animated children's film following the adventures of Pattie, a mouse seeking to emulate her heroes, Jason and the Argonauts. The film contains themes that have a very low sense of threat and menace. The film contains several examples of crude humour. In one scene, Argo is accosted by a baby Kraken. The Kraken is portrayed with a drop of mucus running from its nose as it babbles to itself, grabbing and playing with the Argo as if it were a bath toy. When an argonaut

accidentally shoots an arrow at the Kraken, it sneezes loudly and forcefully, covering the ship and its inhabitants in green slime. In another, the team battle a hydra guarding the forge. As they continue to battle, a slapstick tone is maintained, until the hydra becomes one large ball of heads and rolls away harmlessly.

► **My Fairy Troublemaker**—*Very mild themes and coarse language*: an animated film in which an unsuccessful tooth fairy named Violetta crosses into the human world and befriends a young girl, Maxie. The film features scuffles between Maxie's family and Rick and his men. In one scene, Rick's goon aims a weed-killer sprayer at the family. Tarek places his skateboard on the ground and rides it directly at the goon, colliding with him and knocking him to the ground.

G films can be equally attractive to adult audiences. Significant films directed towards older audiences during the year included:

► **Embrace Kids**—*Very mild coarse language and references to bullying and discrimination*: an Australian documentary film that encourages body positivity, acceptance of diversity and gender identity for children in the age of social media, influencers and unachievable, unrealistic concepts of beauty. The film explores the relationship children (generally aged between 10 and 14 years old) have with their bodies, with particular attention on diversity, body positivity, gender identity and self-acceptance. The discussions are largely positive and up-beat, with the film intended as an educational tool to assist the audience with navigating ingrained societal expectations surrounding 'beauty', as well as gender identity. Sarah, who is 14, talks

about seeing her body type represented for the first time in a 'before' image and that when she read the comments on the post she was upset to discover that other young women also saw themselves as the 'before' image and were "so unhappy about it." Chris talks with a young girl with autism and asks her, "What are some things that make you sad?" The girl replies, "When people bully me". She elaborates and says, "People have spit at me". Due to the educational value of the film and its overwhelming message about positivity, self-acceptance and inclusivity, the impact of the content relating to bullying and discrimination does not exceed very mild.

- ▶ **From Stress to Happiness**—*General*: an Argentinian documentary that follows filmmaker Alejandro De Grazia's transformative journey of discovery to Patagonia with a pair of monks, Brother David and Benedictine monk Matthieu Ricard, who is known as 'the happiest man in the world'. They share their insights into attaining happiness and purpose through self-acceptance and self-compassion.
- ▶ **The Journey: A Music Special from Andrea Bocelli**—*General*: Andrea Bocelli and his wife, Veronica, are followed as they travel on horseback along Italy's Via Francigena. Featured are musical performances in some of Italy's most magnificent venues and majestic locations.
- ▶ **All Roads Lead to Rome**—*Very mild coarse language*: a Lebanese romantic comedy in which Hadi, a famous actor, is shortlisted for the role of the young pope in an international production. It contains use of very mild coarse language in the form of the words 'hell' and 'damned'. For example, Father Mikhayel says that he can hear, "Only the voice of the damned Sister Marie."

Other films classified G during the year worth noting are:

- ▶ **Lyle, Lyle, Crocodile**—*Very mild themes and violence, some scenes may scare very young children*: a live action musical film based on the best-selling children's book of the same name. The Primm family discover a singing crocodile living in their attic. Hector tells the family he will be back in "two shakes of a lamb's tail." A sad expression is depicted on Lyle's face as he realises Hector is about to leave him again, that being the phrase he uses before he leaves. The family hear the sound of emergency vehicles approaching. They realise the authorities have come to take Lyle away. Josh discovers that Hector has disappeared, implying he has betrayed Lyle. Officers converge on the property and surround Lyle, who is backed up against a wall in fear as Josh tries to explain that he is harmless. One wildlife officer zaps Lyle with a cattle prod before the other shoots him with a tranquiliser rifle, causing him to crumple to the ground, unconscious. Josh is visibly upset and crying. The scene is quickly resolved when Lyle is seen awakening amongst other crocodiles in what is revealed to be the local zoo.

This film was originally classified by the Board at *PG*—*Mild themes*, but was resubmitted as a modified film by the applicant, resulting in a G classification with consumer advice of *Very mild themes and violence, some scenes may scare very young children*.

- ▶ **Taz: Quest for Burger**—*Some scenes may scare very young children*: an animated adventure comedy featuring Taz the Tasmanian devil. Taz and Quinn, a young bandicoot, must travel to Tasmania to find the dingo thieves who stole the

Bandicoot Village's winter food stores and kidnapped Quinn's dad. An example of a scene that includes violence with a low sense of threat and menace justifiable by context includes the emergence of a crocodile from the water, revealing its true height and girth to Quinn who steps back fearfully onto what she thinks is another stone. The stone quickly rises, revealing itself to be another very large crocodile. Quinn jumps up and grabs a vine as the crocodiles snap at her from below. Both crocodiles' jaws are wide open, their sharp teeth and red tongues on full display. Just as Quinn begins to lose her grip and falls into the waiting jaws below, Taz quickly comes to her aid but finds himself trapped in the crocodiles' mouths himself. The crocodiles drop into the swampy water and begin to spin in a 'death roll' with Taz between their teeth. Quinn calls out to Taz, "Hold on Taz they're trying to make you dizzy." Suddenly they stop and Taz is depicted spinning both crocodiles in the opposite direction in his own tornado-like version of a death roll. Both crocodiles drop to the bank with a loud thump, their eyes out of focus and limbs still.

► **Śūnyatā**—*General*: an Australian drama in which a woman receives a mysterious visit at her apartment from the man she claims to miss. The film contains themes, including infidelity and bereavement, that have a very low sense of threat and menace and are justified by context within a narrative that follows a couple's extended philosophical conversation about their relationship with each other, motivations and experiences. The verbal references to infidelity and bereavement are very mild in impact, without extensive detail and therefore can be accommodated at a G classification without specific consumer advice.

► **Luck**—*Very mild themes and occasional coarse language*: a dramatic animated family film in which Sam, a perpetually unlucky eighteen-year-old former orphan, discovers an alternate universe that controls the flow of good and bad luck to Earth. In one scene, a leprechaun goes to retrieve a lucky penny from a drone that was previously sent to a sanitation plant to collect the penny. The drone is depicted covered in a brown liquid goo—implicitly processed human waste. Disgusted, the leprechaun leaves the room to put on some gloves. As he returns, the drone is sucked through a vent, exiting the room before the penny is retrieved. As Sam walks through the unlucky division of the alternate universe, she narrates as she passes various labelled departments. One of these departments is labelled 'left home without a poop bag', which she says aloud, before remarking, "It's a wet one... gross." Sam describes her luck, saying it is usual for her to "screw it all up".



Out of the total of 1835 commercial films classified in 2022-23, 590 were classified PG.

The PG classification stands for *Parental Guidance*. Films classified PG range across wide genres. Parental Guidance is recommended for these films as they likely contain material which some children or young people may find confusing or upsetting. It is intended that the viewing of

PG-rated films by persons under 15 years of age is with the guidance of a parent or guardian.

Significant films intended for children classified PG during this period include:

► **The Little Mermaid**—*Mild fantasy themes and violence, some scenes may scare young children:* an American fantasy musical in which a mermaid saves a prince from a shipwreck before entering into a bargain with a sea witch in order to experience life as a human. Ursula wields the glowing trident and becomes enraged, swelling in size as Eric and Ariel swim rapidly to the stormy surface. As waves crash, Ursula is depicted rising from the water, now enormous in size, with Eric and Ariel lifted clear of the water and rising high into the sky on the point of her crown. Urgent music fills the soundtrack as the storm rages through the night sky. Eric and Ariel leap from Ursula's head and down into the churning water as Ursula's huge tentacles are depicted emerging and unfurling from the sea, crashing down in several directions. Ursula waves the glowing trident and yells, "Now I rule the seas!" She places the head of the trident in the water and begins to stir it in a circle, generating a whirlpool that spins and descends. Ursula's stirring becomes increasingly frenzied and the shipwrecks are depicted rising steadily before breaking through the surface. Eric and Ariel are jostled and thrown through the stormy sea. Eric grabs a rope that trails behind one of the shipwrecked boats and manages to hold on as it is tossed through the water. Ursula points the trident at him and shoots a bolt of light which misses him as he is swung sideways on the rope. Ariel is scooped up and out of the water

on the deck of another boat. Ursula looms menacingly overhead and Ariel sees that she is about to attack the boat which Eric is hanging on to. Ariel grabs the wheel and yanks downwards, steering the boat toward Ursula. The long prow of the boat turns toward Ursula. The boat is then seen from behind as it hits Ursula's huge figure and she folds forward over it, implicitly having been impaled. The impact is not explicitly depicted and there is no visible injury as her hand reaches forward in anguish before she extends upwards and backwards, crashing down into the water. Ariel and Eric are then both depicted, alive and safe, before an underwater shot depicts Triton, also alive and rising from the depths.

► **The Super Mario Bros. Movie**—*Mild fantasy themes and animated violence, some scenes may scare young children:* an American and Japanese co-produced animated film based on the Super Mario game franchise. The film follows Mario and Luigi, two plumbers from Brooklyn, who are transported into a fantasy world where they team up with Princess Peach to prevent Bowser from taking over the world. Luigi finds himself alone in a dark, withered forest. A skeletal turtle creature with glowing eyes, known as Dry Bones, runs at him and crashes into him, falling apart into a pile of bones on the ground from the impact. Luigi begins to celebrate his victory when the bones begin to reassemble, reconstituting the Dry Bones which begins to lurch towards Luigi. Multiple Dry Bones with glowing eyes begin to rise from the ground, emerging from the dirt in imagery referencing zombies rising. Luigi runs and the Dry Bones begin to chase after him, jumping at him and grabbing at him. Luigi comes to a river of lava and is forced to jump between rocks to escape the Dry Bones jumping onto him, finally barricading

himself in an abandoned castle. Lightning flashes, illuminating a group of Shy Guys, creatures featuring white ghost-like masks, standing behind Luigi.

► **Spider-Man: Across the Spider-Verse—**

Mild science fiction themes, animated violence and coarse language: an American animated superhero action film focusing on Miles Morales who is catapulted across the Multiverse where he meets other Spider-People who are charged with protecting it. The film contains a frenetic stylised fight scene. Gwen Stacey in her Ghost-Spider persona looks over the city to see police helicopters circling above the Guggenheim Art Museum. As a police officer walks towards the building describing a “guy with a forty-foot wingspan” attacking the building, a fiery explosion occurs throwing people through the air. The police officers pull out their guns pointing it towards the building as the police officers are trapped in Ghost-Spider’s web against a parked car. She is attacked by the supervillain Vulture, a black and white animated, Renaissance style bird-man who has arrived through a portal from another dimension. He throws her across the room, while shooting arrows toward her. Over an extended action sequence, they continue to fight whilst flying through the air, the camera moving frenetically with them and their point of view. During the melee, artworks are smashed to the floor and the building crumbles from the impact of the Ghost-Spider and the Vulture hurtling each other into walls. Comedically, a bystander says, “That’s cool”, at the sight of another broken artwork strewn across the floor amongst the wreckage. The Vulture breathes out a fiery flame and attacks Ghost-Spider with a metal claw, as another Spider-Man from another dimension in the Spider-Verse, Miguel O’Hara, emerges from

the portal, in a blast of flashing light and electricity from the ceiling, immediately entering the fight with the Vulture. A helicopter flying overhead is damaged by hurtling debris from the melee and careens out of control in through the hole in the museum roof. Ghost-Spider catches the helicopter tail with her web and stops the impending crash as an onlooker is heard to say, “I think it’s a Banksy”, a comedic reference to another famous artist artwork. Characters engage in a fight that includes hand to hand combat and taking repeated, heavy blows to the body. There is no blood or injury detail present, and the tone of the dialogue is often light-hearted and comedic.

PG films can be equally attractive to adult audiences. Significant films directed towards older audiences during the year included:

► **Elemental—***Mild themes, some scenes may scare young children:* an American animated romantic comedy set in Element City which is populated by anthropomorphic characters based on the elements of fire, water, land and air. The film follows Ember, a fire element who falls in love with Wade, a water element, despite their differences. In one scene, a large gushing wave of water breaks through a broken dyke that Ember repaired previously, which floods into a canal that leads to Firetown. The pressure of the water causes several buildings near the dyke to crumble including a large tower that collapses to the ground. The wave of water floods through the canal as it overflows and destroys buildings in its wake. Ember is viewed riding her motorcycle towards Firetown yelling, “Flash flood, get to higher ground!” as a

number of anthropomorphised elemental characters scramble to escape the water, yelling and screaming.

► **Bushirt T-shirt**—*Mild themes and coarse language*: an Indian comedy in which an unexpected series of events creates an opportunity for a father and son to finally resolve their differences. The film is in Gujrati and subtitled in English. After Bhupat and his son Harsh have magically switched bodies, Bhupat becomes frustrated while arguing with his son and in exasperation yells, “I will commit suicide by banging my head!”. The film contains mild coarse language in the form of the words ‘shit’ and ‘ass’. The use of this coarse language is infrequent and justified by context.

► **Yesterday Once More**—*Mild themes, violence and coarse language*: a Chinese romantic melodrama in which, after finding a magical way to replay time, Yuxuan Gu attempts to protect his girlfriend Shuyan Han and change their destinies. The film is in Mandarin with English subtitles. Yuxuan is told that Shuyan has been involved in a car accident and he rushes to the site of the crash. As he races to be with Shuyan, a flashback depicts an old man revealing that he is an older version of Yuxuan. The old man tells Yuxuan, “I am a lonely you in later years. I need you to remember the only thing you can do now is to make the most of the rest of your time and cherish whatever you have.” Yuxuan arrives at the scene of the crash and attempts to push through a police barricade. The police officers hold Yuxuan back and a close-up then depicts Shuyan lying motionless in an overturned car with streaks of blood on her forehead and cheeks. The camera pulls back to depict emergency services personnel around the car before Yuxuan

rushes home to light a candle that has the magical power to reset time. The impact of the themes and violence is mitigated by the film’s melodramatic tone and the fantasy context in which events can be undone and is no greater than mild.

► **Watandar My Countryman**—*Mild themes and coarse language*: an Australian documentary which follows Muzafar Ali, a former Afghan refugee who discovers that Afghans have been an integral part of Australia for over 160 years and begins to photograph their descendants in a search to define his own new Afghan–Australian identity. Muzafar talks about his own experiences in Afghanistan and the violence he witnessed there. He says, “My friends were killed because of their beliefs. I saw pieces of my friends on the road. They were killed...They did a suicide attack, killed hundreds and hundreds of people.”

► **Audrey Napanangka**—*Mild themes and occasional coarse language*: an Australian documentary film which tells the story of an elderly Indigenous woman of the same name. Audrey explains, “After I lost my second baby, my husband and I were driving back to Yuendumu and we had an accident, a rollover. My husband passed away. They thought I was dead too. After the accident I didn’t have any more babies. When you have a bad car accident, you can’t have babies. I was only 17 years old. The film contains mild coarse language in the form of the words ‘shit’ and ‘bloody’. The use of this coarse language is infrequent and justified by context.

Some films classified PG during the year are worth noting:

- ▶ **The Bastard's a Genius: The Robert Clifford Story**—*Mild coarse language*: an Australian documentary about the Tasmanian ship builder who went on to become one of the industry's major innovators with his company, Incat. The film contains mild coarse language in the form of the word 'bastard'. The use of this coarse language is infrequent and justified by context.
- ▶ **Oasis: 10 Years Of Noise & Confusion Concert**—*Mild themes*: a film capturing the band's 2001 live performance at Barrowlands in Glasgow. The band performs a cover of 'I Am The Walrus' which includes the lyrics, "Crabalocker fishwife, pornographic priestess, boy you've been a naughty girl, you let your knickers down".



Out of the total of 1835 commercial films classified in 2022-23, 611 films were classified M.

A film classified M is not recommended for persons under the age of 15 years. There are however no legal restrictions on access.

Significant films classified M during this period include:

- ▶ **The Unlikely Pilgrimage of Harold Fry**—*Mature themes, suicide and coarse language*: a British drama in which a retiree impulsively decides to walk across the country to visit a terminally ill friend. In a flashback scene, Harold finds David crouched over on his bedroom floor and helps him to the bed. David has vomit around his mouth that Harold tries to help him clean away. David is viewed through an open door as he implicitly takes pills before swigging from a bottle. Shortly after, a scene of Harold walking across a field in pouring rain is intercut with a flashback in which he discovers that David is not in his bedroom and runs in a panic as he searches for him. Harold runs to a garden shed and opens the door to discover that David has died by suicide and a brief wide shot depicts David hanging from a noose. Harold is then depicted in a phone booth as he speaks with his wife, Maureen, telling her that he can't continue on his journey to the hospice where Queenie is dying. Maureen urges him to continue and reveals that Queenie had visited their house after David's death to tell Harold not to blame himself. Maureen explains, "I couldn't bear for you to have had comfort when I had none."
- ▶ **Because We Have Each Other**—*Mature themes and strong coarse language*: an Australian documentary, filmed over a five-year period, that chronicles the lives of Janet and Buddha and their five adult children, who make up a neurodiverse family on the working-class fringe. Within the narrative of an intimate and candid documentary, the film includes indirect references to sexual abuse and the

resulting trauma in the form of depression, anxiety and suicidal threats. The treatment is almost entirely verbal, with no depictions of suicide or abuse at any time. Janet plays a voice message left on her phone. Jess' voice is heard as the camera focuses on rain running down a street at night. Jess is clearly in emotional distress and through her sobbing says, "This is too much for me. It doesn't stop." Janet calls the emergency services and is then seen in her car implicitly driving to Jess' home. Afterward, Janet says, "How can you stay calm when your daughter's just told you she's gonna kill herself? She's a grown woman but they stole my babies, what can I say? What words are enough?". In addition to infrequent and seldom aggressive use of the word 'f*ck' and derivatives, the film contains a single use of very strong coarse language in the form of the word 'c**t'. Brendan and Dylan walk around a car wrecking yard. They see a sticker on the rear end of a wrecked vehicle. The sticker has a picture of a Buddha sitting in the lotus position, with the text 'Try not to be a c**t, Buddha'. The sticker fills the screen for approximately three seconds. The boys laugh and take a picture of the sticker to show their dad, who is known as 'Buddha'. Brendan asks Dylan if he got the photo. Dylan chuckles as he faintly and very indistinctly appears to say, "Yeah, c**t". In the Board's opinion, this single instance of very strong coarse language is presented briefly and in an entirely humorous context, without aggression and as a fond reference to their father. In the Board's view, this mitigates the impact of the usage to the extent that language does not exceed a moderate impact within the context of this film. It can therefore be accommodated within the M classification with consumer advice of strong coarse language.

► **Women Talking**—*Pervasive themes of abuse, coarse language and frequent references to sexual violence: an American/ Canadian drama film in which a group of women meet to debate the abusive behaviour that is rife within their isolated religious community. The film contains themes, including a focus on sexual, physical and mental abuse, that have a moderate sense of threat and menace and that are justified by context. The film also contains moderate references to violence, including references to sexual violence, that are justified by context. The elements are inextricably linked throughout the film. Women from three families meet to talk about whether the women of the community will stay and fight, or leave. Details of the crimes are gradually revealed. When Salome becomes angry and says, "We know that we've been attacked by men! We know that we were drugged with cow tranquiliser. We know that we are bruised and infected. Or dead. Or pregnant."* As well as verbal references to the sexual abuse, there are several sudden but brief shots which depict women sitting up from their beds, revealing a bloody patch on the sheets below them. In the Board's view, this film has a singular focus on systemic abuse within a restrictive community where the victims have been physically and mentally controlled and assaulted over an extended period. Although there are brief depictions of the evidence of both sexual and physical violence, there are no explicit depictions of the acts themselves. It is the Board's view that although a mature perspective is required and some viewers may find the content confronting, the overall treatment of the material does not exceed a moderate impact. The film can therefore be accommodated within the M classification,

with consumer advice of pervasive themes of abuse and frequent references to sexual violence best describing the most impactful content.

► **Guardians of the Galaxy Vol. 3**—

Intense scenes of violence, science fiction themes and coarse language: an American superhero film which is part of the Marvel Cinematic Universe franchise. The film contains a large-scale fight sequence. The Guardians fight their way through a number of the experimental warriors that have been created by the High Evolutionary. Most of them appear humanoid with some animal-like features, such as an eagle and an octopus. While fighting, Groot grows his arm into a vine, which punches several enemies before shoving into a creature's mouth and exploding out of its back. This attack is accompanied by a spray of green blood-like fluid. Nebula has a sword and a gun as she fights several creatures at once. She is kicked in the head, which makes it snap backwards and dangle awkwardly down her back. She continues to fight as her body fixes itself, her head slithering back into place, without interrupting her combat. One of the Guardians uses a laser-weapon to shoot at enemies. One enemy is struck in the chest, leaving a large hole with cauterised edges. As the camera moves through the scene, it flies through the wound. No blood detail is viewed. Gamora fights a giant octopus-human hybrid, slashing at it with her sword. She cuts off several tentacles before being flung across the room and crashing into a wall. She recovers and attacks again, slashing across the octopus' body several more times. The battle comes to a halt as the octopus appears stunned, before its upper body slides to the side, leaving its mechanical lower body standing in place. The scene quickly moves on and does not linger on the

bodies left behind. In the Board's opinion, the thematic content and the depictions of violence are heightened by the frequency and the use of blood and injury detail, however, these scenes are generally punctuated by moments of comedy and there are no lasting consequences for the main characters when injured. Therefore, the film can be accommodated within the upper limit of the M classification.

A number of films classified M during the year are worth noting:

► **Corsage**—*Mature themes, drug use, nudity, sex and occasional coarse language:* an historical drama set in the 1870s about Empress Elisabeth of Austria and her quest to retain the excitement and purpose of her youth as she faces the reality of life as a 40-year-old royal wife. The film features dialogue in German, French, Hungarian and English, and has English subtitles. The film contains themes that have a moderate sense of threat and are justified by context, including depictions of implied suicide attempts that require a mature perspective. The film also contains drug use that is moderate in impact and justified by context. These elements are, at times, inextricably linked through the feelings of oppression and despair the Queen experiences and the steps she takes to mitigate these, including the use of drugs that were not regarded as illicit substances in the nineteenth century. After an argument with her husband, Elisabeth walks over to a large window and appears to climb out of it. The implication is that she jumps out of the window. A doctor tells her she is lucky to have only fractured her calf bone. Later, Elisabeth says to a man, "I have resolved to die." Elisabeth sees a doctor, as ordered by her husband. The

doctor tells Elisabeth that her age, 40, is the average life expectancy of female subjects in her country. He hands her a box and tells her that it contains a 'semi-synthetic opioid' called heroin that will do her good. Elisabeth takes the box reluctantly. Marie is injecting a needle into Elisabeth's arm, implicitly heroin. The syringe is viewed going into Elisabeth's forearm and she has a tourniquet on her upper arm. Elisabeth lies back and appears drowsy. As Franz Jozef walks into her bedroom, Elisabeth whips off the bedclothes to reveal her fully naked body. The scene is shot from a low angle in the mid distance towards the Queen's bed, depicting her mound of pubic hair and breast nudity. Franz Josef walks over and covers up her body, briefly leaving one breast partially exposed. Elisabeth reaches towards his trousers and starts to move her hand up and down in his groin area before he stops her. She then lays under the bedclothes and moves her hand up and down on her body, implicitly masturbating.

► **Aharen San Wa Hakarenai**—*Mature themes, animated violence and crude sexual humour*: Aharen San Wa Hakarenai is a Japanese anime romantic comedy comprising 12 episodes, in which Raido, a student with an overactive imagination meets a socially awkward classmate, Reina Aharen, during the first year of their high school career. The film contains themes, including a zombie attack and a battle with fantasy creatures that have a moderate sense of threat and menace and are justified by context. The film also contains moderate violence that is justified by context. The themes and violence are, at times, inextricably linked in a narrative about a high school student who has an overactive imagination in which he envisages fantastical scenarios featuring his friend, Aharen and her motivations, often

with a comedic tone. At times, the element of themes is also inextricably linked to sex in the form of crude sexual humour. Raido and Aharen play a Pokémon-style, turn-based game called HokeKo on their phones. Raido imagines a large, green scaled creature that breathes blue fire against Aharen's plushie-like monster. Raido's monster blasts Ahren with a fiery blue bolt of flames from its mouth, causing several large explosions with smoke plumes billowing from the impact of the blast. Aharen's monster attacks Raido's creature with a large gold flame, which makes it scream in pain. The series also contains crude sexual humour, including several depictions of nosebleeds, which in anime culture are synonymous with sexual arousal. Aharen and Raido's teacher, Tobaru, witnesses them working together in class and assumes that they are romantically involved. A student asks if she's okay to which she replies, "I was momentarily overwhelmed by the esteem." In a comedic scene, Tobaru sees that Raido is holding Aharen so that she can see the board clearly. She says to herself, "The kindness, the cordiality, the esteem—it's so poignant!" She holds her hand up to her nose, which begins to spray an excessive amount of blood.



Out of the total of 1835 commercial films classified in 2022–23, 399 were classified MA 15+. MA 15+ films contain strong content and are legally restricted to people over the age of 15.

Significant films classified MA 15+ during this period include:

- ▶ **Scream VI**—*Strong horror violence and coarse language*: a slasher film in which sisters Sam and Tara Carpenter and twins Chad and Mindy Meeks have left Woodsboro behind to try and start a new chapter of their lives in New York City, only to again be plagued by a streak of murders by a new Ghostface killer. The man, speaking in the voice of Ghostface, taunts Jason and asks him to play a game of hot and cold, leading him to search the apartment. Following the prompts of “warmer” and “colder”, Jason eventually moves towards a fridge. He opens the fridge door and discovers Greg’s severed head and bloodied severed limbs. Ghostface appears and repeatedly stabs Jason in the abdomen, causing a large patch of blood to spread over his shirt and blood to pour from his mouth. The film contains use of strong coarse language in the form of the word ‘f*ck’ and derivatives. The use of this coarse language is frequent and occasionally aggressive, and it therefore exceeds what can be accommodated within the M classification.
- ▶ **The Machine**—*Strong violence, coarse language and drug use*: an American comedy in which stand-up comedian Bert Kreischer and his father must reckon with their past when they are kidnapped to Russia and thrust into a mafia war of succession. In an extended fight scene in a train carriage, a gangster, Igor, is depicted in close-up as Irina approaches from behind, reaches around his neck and explicitly slits his throat with a pocketknife. Igor momentarily pauses before a bloody line opens across his neck and blood begins to run freely from the wound. Bert’s fist enters Igor’s gaping neck wound, where it becomes lodged. Bert rag-dolls Igor’s body around in the confined space until it connects with a carriage window and smashes through. As Igor’s head protrudes through the opening, a profile shot depicts a second train approaching on a parallel track. Igor’s body is viewed from above as the train impacts, explicitly decapitating him. His head is removed from his neck with a large burst of blood. Flesh and bone detail are evident in the neck stump. The film also depicts a transition from white jet trails streaking across the sky to two lines of cocaine on a surface. A male character, Sponge, is shown leaning down and sweeping his head forward as he explicitly snorts one of the lines.
- ▶ **The Procurator**—*A strong suicide scene*: a Chinese legal thriller in which police officers called procurators investigate a murder case. Hong slowly raises a gun and Xia Wei stares at him in shock. A close-up depicts Hong placing the gun underneath his chin. After a brief pause, he pulls the trigger. His head jerks back and a splash of blood splatters behind him. In a blurred view of his head an indistinct red patch is seen in his hair before his head falls back and reveals the startled expression on Xia

Wei's face. There is a small, bloodied hole in the underside of his chin and a large splatter of blood is viewed on the white curtains behind him.

Some films classified MA 15+ during the year are worth noting:

► **Miss Kobayashi's Dragon Maid S—Season 2**—*Strong themes and crude sexual humour*: a Japanese anime series comprising 13 episodes. The film concerns Kobayashi, an office worker, who shares her apartment with Tohru, a teenage dragon that transforms into a human being and acts as her housekeeper. The film contains themes and sexual references that are strong in impact and justified by context. At times, the two elements are inextricably linked in frequent examples of sexualised imagery and crude sexual humour. Comedic sexual references, innuendo and prominent depictions of breasts or cleavage are common in the series, although nudity is only ever discreetly implied. Ilulu is working at a candy store when the owner's grandson, Aida, arrives with her uniform. Rather than change in the rear of the store, she changes in front of Aida, who is shocked, and attempts to direct her to the rear. She declares, "I'm 16" and lifts her top, implicitly exposing her breasts to him. Aida's nose bleeds profusely and Ilulu says, "I can't get the buttons done up" as she is depicted in a rear/side shot with her barely covered breasts at Aida's eye level. Her breasts fill the screen, accompanied by comic music, and Aida's nose bleeds again. A child enters and asks, "Why do you have such big breasts?" Aida makes a comment about sexual harassment, saying, "Whoa, an elementary schooler's blazing fastball of innocent sexual harassment!" She asks the child, "Would you like to hold them?"

Aida shouts, "NO!" and rushes toward them, tripping and landing face-first in Ilulu's breasts. His nose bleeds again. (The Board notes that nose bleeds are commonly used in Japanese anime to signify sexual arousal.)

► **Beast**—*Strong injury detail and animal attacks*: an American action thriller in which a father and his two young daughters are on holiday in Africa and find themselves in a life-or-death struggle against a vengeful man-eating lion. Martin has been attacked by the lion and sits under a tree by a waterhole while Nate, a doctor, talks him through some rudimentary wound treatment in an exchange via walkie-talkie. Martin has explained that his wounds are serious, saying, "My leg is torn up. I can't stand up. I'm losing a lot of blood. I'm starting to see stars," and, "He went really deep man, it's all the way to the bone". Indistinct shots depict what appears to be a series of deep bloody gashes in the upper half of his leg. To stem the loss of blood, Nate tells him to heat his knife with flame from his lighter and then to press the blade against the damaged artery to cauterise it. The wound is then depicted in close-up, with a series of bloody, deep, gashes visible beneath the ripped and bloody fabric of his pants. Still in close-up, the blade of Martin's knife is pressed against the raw, fleshy wounds, generating a hissing sound as he screams. A final showdown also occurs between Nate and the lion. After a sequence in which it has menaced him and his daughters in an abandoned school, Nate draws the animal into the open. The enraged creature, now scarred, bloodied and scorched, runs at him, throws him to the ground and tosses him roughly, roaring and growling continuously. Nate twists and tries to stab the animal with a dagger. He is repeatedly mauled on his body and

arms, generating numerous sprays and splashes of blood and leaving visible deep gashes. The animal rolls him and bites him repeatedly. His pants become ripped and heavily bloodstained, with further spurts of blood as the animal pulls and bites at his legs as he screams and kicks at it.



Out of the total of 1835 commercial films classified in 2022-23, 45 films were classified R 18+. There are virtually no restrictions on the treatment of themes within this classification.

Significant films classified R 18+ during this period include:

► **Infinity Pool**—*High impact horror violence, blood and gore, sex and nudity*: a Canadian-Hungarian-Croatian horror film in which a couple holidaying at a foreign beach resort discover the island and its guests share a disturbing secret, after they are involved in a fatal accident. As he begins to plead for mercy the boy stabs the double in the abdomen, causing blood to spurt outwards from his wound. The double winces in pain before the camera cuts to an extreme close-up of the bloodied knife pulling out of his stomach. James raises his fist as he repeatedly punches his double in the head. The sequence is intercut with graphic imagery of his double's head and skull collapsing inwards with a loud crunching sound. The accompanying soundtrack increases in intensity as the double's fleshy wounds are steeped in blood, depicting his eye-socket and eyeball

detached from his face. Liquid oozes from an erect nipple before a long shot of a naked Gabi depicts her walking towards the camera, flanked by the Western tourists who are also naked, kneeling on the floor. A masked man sucks a maggot out of a nipple before an absurd depiction of an erect penis protrudes outwards from a woman's vagina. The close-up explicit depictions of sexual acts including masturbation and associated imagery impart a high impact and may be offensive to sections of the adult community.

► **Holy Spider**—*High impact sex scenes*: a crime thriller film following a journalist investigating a serial killer targeting prostitutes in Mashhad, Iran. The film is in Persian with English subtitles. The film contains sexual activity that is realistically simulated and high in impact. The film also contains nudity that is high in viewing impact. A woman is depicted performing fellatio on a man in a car. In a close-up shot, she is pictured with her lips around the man's seemingly erect penis. Her head moves up and down with her lips moving along the shaft of the penis, exposing its length multiple times. As the film also contains additional sex scenes at a lower level, consumer advice of high impact sex scenes best describes the film, subsuming advice for nudity.

► **The Shepherd**—*High impact sexual violence*: a dramatic Hungarian film set in 1944 during World War 2, which follows a widowed shepherd, who discovers a nude injured woman in a clearing near his house, as he attempts to save her from Nazi soldiers. The film contains sexual violence. A general instructs a soldier to rape a woman in front of her brother. The soldier removes his pants and approaches her from behind, as she holds onto a tree. She cries, as he

implicitly penetrates her, then thrusts, mostly framed below screen. He continues to slowly thrust, as the camera rotates around her, framing her anguished face. The camera continues to rotate, depicting her crying as the soldier looks away, still thrusting, trying to dissociate from the atrocity he is committing. The overall impact of this depiction of sexual violence, heightened by its prolonged duration—around ten minutes including its threatening lead-up and aftermath—exceeds strong.

► **Pub: The Movie**—*High impact sexualised imagery*: an Australian documentary about cartoonist and punk rocker Fred Negro, creator of the PUB cartoon strip that chronicled the St Kilda music scene. A logo for the PUB comic is shown featuring three close-up images of erect penises. In the letter 'P', an erect penis is viewed with a hand gripping the shaft and a drop of ejaculate dripping from the tip; in the letter 'U', a woman is depicted performing oral sex as she holds the shaft of an erect penis; and in the letter 'B', an erect penis is depicted spraying ejaculate towards an open mouth.

► **Winnie-the-Pooh: Blood and Honey**—*High impact horror violence*: a British horror film, in which Winnie-The-Pooh and Piglet, angry after being abandoned by Christopher Robin, go on a bloody rampage. The film shows a woman grabbed by the throat by Winnie-the-Pooh. She is pinned against a post before being lifted off her feet. The sound of a blade being drawn is heard before a close-up side-shot depicts a machete being shoved into her mouth. She coughs and gags as blood runs from her mouth. The scene is drawn out as Winnie-the-Pooh continues to hold her in place and shove the machete through her mouth, out of the back of her throat and impaling the blade into the post behind

her. Winnie-the-Pooh kneels and begins repeatedly and explicitly stabbing her in the head. Blood sprays with each withdrawal of the knife and, in one instance, twists the blade in the wound before pulling it out. Winnie-the-Pooh continues methodically stabbing the body as Christopher runs from the scene. A close-up shot shows the decapitated head of the friend, which is on fire underneath the destroyed vehicles. This visual includes blood and gore as well as part of her still-articulated vertebrae attached to the head.



The X 18+ classification applies to films only. It is a special and legally restricted category which contains only sexually explicit material: that is, material which contains real depictions of actual sexual intercourse and other sexual activity between consenting adults. X 18+ films are restricted to adults 18 years and over. These films can only be legally sold or hired in the Australian Capital Territory and parts of the Northern Territory.

Films classified X 18+ can contain real depictions of actual sexual activity between consenting adults, but the classification does not allow violence, sexual violence, sexualised violence or coercion. Nor does it allow consensual depictions which purposefully demean anyone involved in that activity for the enjoyment of viewers.

No commercial films were classified X 18+ during 2022–23.

Refused Classification (RC)

Films that are classified RC cannot be legally sold, hired, advertised or exhibited in Australia. Films will be classified RC if they depict, express or otherwise deal with matters of sex, drug misuse or addiction, crime, cruelty 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. Films that describe or depict in a way that is likely to cause offence to a reasonable adult, a person who is, or appears to be, a child under 18 years (whether the person is engaged in sexual activity or not), will also be classified RC; as will films that promote, incite or instruct in matters of crime and violence. Films depicting gratuitous, exploitative or offensive depictions of violence with a very high degree of impact, including sexual violence, will also be RC.

One commercial film was classified RC under clause 1(b) of the Films Table of the National Classification Code in the reporting period. The film was *How Not to Summon a Demon Lord—Season Two*: a 10-episode Japanese anime series about Diablo, who continues his adventures in his avatar form, accompanied by Rem and Shera. They meet a high priest, Lumakina, who begs for their help to rid the church of corruption and sin. The film is in Japanese with English subtitles. The Board determined that the film "depicted in a way that is likely to cause offence to a reasonable adult, a person who is, or appears to be, a child under 18 (whether the person is engaged in sexual activity or not)."

This film was subsequently modified and resubmitted for classification, with the Board determining an MA 15+ classification with consumer advice for *Strong sexual themes and sexualised imagery* for the modified version.



Computer games



The G classification is for a *General* audience. While many games at the G classification are targeted at children, it does not necessarily mean that a child will enjoy all games classified G. Games at the G classification may also contain online interactivity and in-game purchases.

Out of the total of 310 commercial games classified in 2022–23, 82 were classified G.

Significant computer games intended for children classified G during this period include:

▶ **Disney Illusion Island**—*Very mild themes and violence*: a platform game in which the player plays as Mickey, Minnie, Donald or Goofy on a mission to retrieve three magical Tomes from the mysterious island of Monoth. Characters use jumps and swings to avoid environmental hazards such as spikes and fantasy creatures such as walking cactuses and blobs that belch splatters of slime. These enemies are treated only as obstacles to be avoided. Characters must defeat a series of thieves in boss battles. During these battles, the playable characters move to avoid projectiles and beams of energy created by the thieves. The player can also trigger buttons to launch projectiles at the thieves

or cause objects such as balls to fall on the thief. Defeated thieves are briefly turned to stone but there is no other depiction of injury.

▶ **My Animal Hospital**—*Very mild themes*: a veterinary clinic simulation game where the player treats animals presenting with different injuries and ailments. Some animals present with open wounds, including burns and lacerations. Treatments can include application of antiseptic and other creams, band-aids and bandages, stitching of wounds and drawing of blood with a needle for testing. Sometimes animals can be heard whining in distress and appear to be in discomfort. The game is presented in a cartoon style and any distress to the animals is fleeting. The themes of the game do not exceed very mild.

▶ **Fantasy Friends**—*General*: a pet simulator game in which the player incubates, hatches and tends to various animal friends, completing minigames and upgrading their outfits. The game contains no classifiable elements. The player is also able to earn virtual currency through minigames to upgrade their pet's homes and outfits.

G computer games can be equally attractive to adult audiences. Significant computer games directed towards older audiences during the year included:

▶ **Ride 5**—*General, online interactivity and chat*: a 1st and 3rd person motorbike racing game in which players compete in various types of races in an international championship. Contains no classifiable elements. Solo or multiple player crashes can happen in game play, where riders are seen falling from bikes and skidding

across the ground, however no injury or damage occurs, and the rider immediately resumes racing.

► **Tour de France 2023**—*General, online interactivity*: a cycling simulation game based on the famous annual race. The game has online interactivity in the form of leader boards and multiplayer. Players select and control riders chosen from a list of cyclists or custom-created characters and play the game through a third or first-person perspective in order to race against others with the aim of winning races to unlock other levels. There are multiple game modes, including single races, team races, challenges and leader boards. It is a simulation game with realistic details such as slipstream and gear management. The game features both online and offline multiplayer mode.



Computer games in this classification contain content that a child may find confusing or upsetting and may require the guidance of a parent or guardian, who needs to make decisions about appropriate entertainment material for their child.

Out of the total of 310 commercial games classified in 2022-23, 86 were classified PG.

Significant computer games intended for children classified PG during this period include:

► **Return to Monkey Island**—*Mild themes*: a point-and-click adventure game in the Monkey Island series. The game follows Guybrush's journey to uncover the secret of Monkey Island. It contains themes in the form of crude humour and depictions of imagery that may scare young children. A brown muddy mass which resembles excrement is visible on the floor, and a rat is depicted in silhouette, floating in water inside the toilet. Highly stylised imagery contains depictions of skulls, zombies, magic ephemera and other fantasy imagery. Although these depictions are cartoon-like, they contribute to the overall tone of the game.

► **Skabma Snowfall**—*Mild supernatural themes*: a 3D adventure game based on Sami legends. The game requires players to control a character from a third-person perspective in order to explore environments, solve puzzles, communicate with non-player characters and complete objectives with the aim of healing the land and saving it from dying. A character named Ailu, a young Sami herder, must find a means to heal the land from a disease which separates the spirit from the body. As a result of the disease, smoke-like humanoid spirits which emit a growling sound are encountered in the environment and chase the player character when they are within proximity.

► **The Knight Witch**—*Mild fantasy themes, violence and coarse language*: a side-scrolling adventure fantasy game in which the player controls Rayne, one of the Knight Witches, as she attempts to defeat a series of opponents and defend

the world against the War Golem invasion. Characters are fantasy-themed, including witches and robotic creatures. Fantasy powers and spells are used, as well as fantasy weaponry such as swords and hand cannons which shoot blasts of light. No blood or injury is depicted. Graff wields a sword and moves rapidly toward Faruru, pinning her to a wall with the sword. She hovers above the ground, held against the wall by the blade, but there is no blood or injury. Graff himself is defeated, and explodes in a flash of light, immediately disappearing. The impact is mitigated by the bright, cartoonish style of the game, the complete absence of blood and injury and the presence of other elements within gameplay, such as navigation, collecting and puzzle-solving.

PG computer games can be equally attractive to adult audiences. Significant computer games directed towards older audiences during the year included:

► **Nobunaga's Ambition: Awakening**—*Mild themes, violence and coarse language:* a simulation strategy game in which the player becomes a Daimyo (Lord) in feudal Japan aiming to unify the country. Daimyo undertake wars against other clans and strategise to improve their clan. The player moves battalions into strategic positions on topographical maps of Japan in order to engage opponents in battle. During combat, characters are heard making orders and battle cries. The player can zoom-in to view clashes between rival forces as they engage in combat using weapons such as muskets, swords and spears but there is no depiction of blood or other injury detail.

► **Dredge**—*Mild themes:* a single-player 3rd person perspective fishing adventure game in which the player controls a fishing boat, exploring various seas and islands by navigating through different climatic conditions, adding equipment and upgrading their boat by catching and selling fish to local fishmongers. The player encounters fantastical sea creatures called 'wretches' with large teeth that attack the boat if too close, with accompanying siren-like screeching sounds. Another creature named a 'mind sucker' is viewed with a bulbous head that illuminates and emits red flashes, attacking the boat with large tentacles that rise up out of the water. A simple stylised graphic of a fighter plane wreckage in which a non-playable airman character with a missing arm in the foreground asks the player to locate dog tags from members of his squadron that are deceased. He says, "I've only got tags from the ones I ... you must understand ... I never found all their bodies." A cut-scene at the end of the game depicts several objects being thrown into the ocean in an attempt to resurrect a man's dead wife.

► **Firefighting Simulator—The Squad**—*Mild themes:* allows the player to fight fires up close as an active part of a major US city's firefighting team. The game contains advanced fire simulation, including water, smoke, heat, back drafts, flashovers, grease fires, and a wide range of other causes of fires, such as electronics, chemicals, and explosions. The player is tasked with extinguishing the fires and where necessary rescuing residents who are depicted laying prone on the floor implicitly unconscious but without any injury depictions. The depictions of flames appear quite realistic and there is a 'rustling' sound which plays in the background of the fire scenes. Where the player or lead firefighter is surrounded

by flames, a text box appears centre screen with the words 'Mission Failed. You've been exposed to too much heat. Try to avoid being close to fire for extended periods of time. Option to either select Back to Fire station; or Restart'. The player sustains no injury.

Some computer games classified PG during the year are worth noting:

► **Trinity Trigger**—*Mild fantasy themes, violence and coarse language, in-game purchases*: a role-playing action-adventure game in which players control a character and their party from a distant third-person perspective in order to explore environments, fight enemies and engage in dialogue with non-player characters to complete objectives and progress the game's storyline. It contains fantasy themes and themes relating to ritualistic self-sacrifice. The player character and their party of companions fight a variety of fantasy creatures—including oversized insects, slimes and large boss creatures—using weapons such as swords, oversized axes and spears, as well as magical abilities. When an attack is landed, an impact flash is viewed and numbers appear next to the impacted character to indicate how much damage has been inflicted.

► **Cosy Grove**—*Mild themes, in-game purchases*: a life-sim game about camping on a haunted, ever-changing island. As a Spirit Scout, you wander the island assisting local ghosts by completing tasks and helping them regain their memories. A seagull, discusses at length, in text-based dialogue exchanges, his excessive consumption of alcohol and subsequent driving of a boat full of passengers. This resulted in an accident that ultimately led to all their deaths. There are numerous

and repeated references to 'grog', being 'far too drunk' to steer the boat, and that 'not a soul' survived the accident. Whilst the game itself is presented in a colourful and generally non-threatening manner, the repeated references to driving whilst intoxicated resulting in multiple deaths, in the opinion of the Board, constitutes thematic material that exceeds very mild.



Computer games classified M are not recommended for persons under 15 years of age. Accordingly, they require a mature perspective. There are no legal restrictions on access, and ultimately it is the responsibility of a parent or guardian to make decisions about appropriate entertainment material for their child and to provide adequate supervision.

Out of the total of 310 commercial games classified in 2022-23, 90 games were classified M.

Significant computer games classified M during this period include:

► **Cult of the Lamb**—*Supernatural themes and violence*: a rogue-like action-adventure game featuring a stylised 2D art style in which the player must control a character from a top-down perspective in order to explore environments, defeat enemies, collect resources and interact with non-player characters with the aim of forming and growing a cult. A creature named Leshy, pictured with a bloodied bandage around its foliage-like head, is

surrounded by robed cultists with glowing red eyes. The cultists are depicted holding daggers which they move towards their own bodies. The daggers disappear, implying the cultists have stabbed themselves. Glowing red effects shoot from the cultists towards Leshy, suggesting that the creature is collecting their life-force. The cultists then fall to the ground with their eyes represented as crosses, implying they are dead. Leshy then transforms into a large tree-like creature with a large round mouth lined with rows of sharp teeth and a black viscous fluid with red highlights dripping from its mouth.

A variety of weapons such as swords and axes, as well as magical abilities such as firing magical projectiles are used to fight supernatural creatures such as robed cultists, bats and horned crawling creatures with glowing red eyes. When enemies are hit they flash white and their health bar depletes. Once their health bar has been depleted, they turn into a stylised skeleton which falls to the ground and remains in the environment briefly. Encounters with enemies often include frenetic gameplay in which the player must fight a multitude of enemies in quick succession. As such, the impact of the violence exceeds mild.

► **Killer Frequency**—*Violence*: a first-person adventure game in which the player hosts a late-night radio show taking 911 calls from people as they are stalked by a mysterious serial killer. Set in a remote US town in the 1980's, the game takes place within the radio station and the nearby streets and alleyways. Themes and violence are inextricably linked through the game's narrative about a serial killer implicitly murdering victims, with the predominant impact being the frequency of implied knife violence through non-playable character's dialogue. A blood-covered

skull is shown sitting in a pool of red blood, and a red bloody axe on a black cover, including a small pool of blood, is shown in close-up. There is also a book titled 'Final Decapitation' that depicts a skull and hatchet. A dark cloaked human figure wearing a black and white mask thrusts towards the player's viewpoint, making multiple stabbing motions as the sounds of knife impacts and squelching are heard.

► **Wayfinder**—*Fantasy violence, in-game purchases, online interactivity and chat*: an RPG in which the player takes on the roles of a Warmaster, Survivalist or Arcanist in order to fight a hostile force that has overtaken a fantasy world. The player progresses through dungeons, collecting powerful artefacts and weapons, and battling humans, animals and fantasy creatures including ogres, goblins, slimes, spiders and elemental spectres. Weaponry includes swords, rifles and magical spells. Damage to opponents is usually indicated by flashes of light and numbers that indicate the amount of damage inflicted. Attacks on some creatures include brief bursts of green-coloured splatter.

A number of computer games classified M during the year are worth noting:

► **Suikoden I HD Remaster Gate Rune War**—*Simulated gambling*: a role-playing game based on the Chinese tale 'Water Margin', in which the player attempts to collect 108 allies in an effort to defeat a corrupt king and bring peace to people in suffering. The game contains two minigames which realistically emulate real-world gambling mechanics and involve the player betting in-game currency, with the chance of receiving further in-game currency if they win the aforementioned games. In the first game, Chinchirorin,

the player bets on the outcome of dice rolls, losing or receiving in-game currency depending on the result. In the second game, Find the Coin, the player bets on the location of a coin, after it is placed in one of three cups and rearranged, receiving in-game currency if they identify the correct cup, and losing in-game currency if they identify the incorrect cup.

► **505 Project Two**—*Science fiction violence*: a turn-based squad shooter set in a post-apocalyptic future that has been overrun by a dark force known as Miasma. The player controls a young man named Elvis who works with a robotic brother-figure named Diggs to defeat and control Miasma, using the special powers of a mechanical glove. Combat occurs with opponents that are sometimes plant-like, but can also be humanoid or robotic. The player uses ranged weapons, explosives, blades and guns, with the pace of combat slowed by the turn-based approach, mitigating its overall impact. The player selects the location to aim at, highlighting it briefly, before activating their weapon. When enemies are successfully hit, bursts of dark or coloured liquid are generated and they give a brief cry, sometimes holding an arm across the side of the body which has sustained the impact. In some environments, impressionistic blood effects stain the environment temporarily, before fading from view. Limbs are occasionally blown off, but injury detail is indistinct due to the distant perspective.

► **Gord**—*Fantasy themes and violence*: a real-time strategy game in which the player manages the Tribe of the Dawn as they build and defend a base and expand into the wilderness. Characters can stumble across 'horrors', which are monstrous humanoids that are described as sentient

demons. One of the horrors, Ardaven, demands that the player sacrifice a baby to it. Ardaven is described as "a rotten, deformed monstrosity with a grimacing face that mocks humanity". The player can choose to sacrifice the child, fight the horror or choose later. If the player chooses to sacrifice a child, the 'Consequence' is described as "[satisfying] the horror's demands to avoid their Plague, securing peace of mind for your subjects...at least for now." When the mother and child are directed to approach the horror, a cut scene begins. The creature's tentacles wrap around the kneeling woman, who holds the baby in her arms. She screams as she is lifted in the air and thrown whole into the creature's mouth. Its jaws close and a burst of blood covers its lips and chin. A range of weapons such as bows, swords and melee weapons are used. Impact sounds accompany weapon attacks. All creatures and characters have a health bar above them which is depleted when they take damage. Large blood sprays occur when characters are attacked and screams and grunts are heard.



Computer games classified MA 15+ are not suitable for persons under 15 years of age. It is a legally restricted category, which means that people under 15 years of age must be accompanied by a parent or adult guardian to buy or hire an MA 15+ computer game. MA 15+ computer games contain themes, violence, sex, language, drug use or nudity which have a strong impact.

Out of the total of 310 commercial games classified in 2022–23, 42 were classified MA 15+.

Significant computer games classified MA 15+ during this period include:

► **Silent Hill: The Short Message**—*Strong suicide themes, horror violence and coarse language*: an exploration-based psychological horror game in which players control characters in an apartment building called The Villa in modern-day Germany. The player assumes the role of a young woman, Anita, who must explore The Villa through first-person gameplay in order to collect clues and uncover what has happened to her friend. Anita is exploring a bathroom environment which features a bathtub filled with bloody water, blood-splattered tiles and a razor blade on a bloodied sink. Upon examining a razor, Anita experiences a flashback. In a cut-scene depicted through a first-person point of view, a voice yells, “This is all your fault! Bad things happen because of YOU!” and a hand holding the razor enters the frame. The character’s left arm enters the frame with horizontal scars evident across the character’s wrist. The scene cuts to a black screen before the razor makes contact with the character’s wrist. The following shot features an image of the character’s left arm with old and fresh scars. In a cut-scene depicted through a mixture of third-person and first-person shots, the player character stands on the edge of the building’s rooftop, looking down. It is implied that Maya committed suicide by jumping off the ledge of the rooftop. The player character, in a distressed state of mind, speculates that she will never compare to Maya. Echoes of her mother’s abusive tirades are heard

in the background as Anita prepares to jump and says, “Maybe I can be like her... Here goes...” In a first-person shot, her feet are seen near the edge of the ledge before, in a third-person shot, she steps off and begins to fall. Throughout the game, cut-scenes depicting self-harm and suicide are followed by black screens which feature white text encouraging players to seek treatment and help if they are at risk of self-harm and suicide and to offer support if they see people around them struggling. In the Board’s opinion, depictions of suicide and self-harm within the game occur in the broader context of discourse exploring issues revolving around mental health which encourages players to seek help or offer support to those in need. As such, the impact of the depictions does not exceed strong in impact and can be accommodated within the MA 15+ classification.

► **Dead Space**—*Strong horror themes and violence, blood and gore*: a third-person sci-fi horror shooter and reboot of the 2008 game of the same name. The game takes place in 2058 in which Isaac Clarke investigates the mining spaceship USG Ishimura, trying to find his girlfriend who served as a doctor onboard, only to find that it is now overrun by Necromorph aliens. The player, in the role of engineer Isaac Clarke, is under constant attack from the spider-like Necromorphs, whose deformed bodies include large, mutated blade-like limbs, and can continue to attack after partial dismemberment or beheading. Blood spray, splatter, smears and pools are frequently found throughout the playing environment. NPCs and enemies will spurt blood when hit, occasionally obscuring wound detail. Examples include a cut-scene in which a character is shot from behind at close range by another man. His head explodes

on bullet impact, causing blood splatter to hit the glass window from which Isaac views the murder, obscuring further injury detail. In another cut-scene, a long-shot of a female patient is depicted using a knife to cut open a male lying on an operating table surrounded by a glass enclosure. Blood splatter gushes and obscures his injuries, before the woman uses the knife to cut her own throat. A large blood spray hits the glass, concealing her implicit neck wound, as Isaac looks into the cubicle.

► **Atomic Heart**—*Strong science fiction themes and violence*: a science fiction-themed action role-playing game with a first-person perspective set in an alternate universe Soviet Union populated and serviced by a robotic hivemind, in which the player attempts to defeat a robot uprising after the systems that serve humans go rogue. The player engages in combat with possessed human characters, shooting, hacking and slashing at them as they charge at the player, with blood spraying and misting from their bodies upon attack. The player can also, at times, inflict postmortem damage on human characters, with blood spraying and misting from their bodies upon attack. In some sections of the game, the player also encounters the decapitated heads of human characters. The game also features sinister science fiction imagery, often depicted in cut scenes, including a sequence in which a large, human-shaped bloody mass engulfs a deceased individual's body, and another sequence in a bathtub filled with blood, which drains, revealing the eyes and some bone matter from a deceased individual.

► **Bramble: The Mountain King**—*Strong fantasy themes and violence*: a third-person fantasy-horror adventure game inspired by Nordic fables in which the player assumes the role of a young child traversing various environments using platforming and stealth mechanics while searching for their sister. The player must avoid being struck by weapons such as knives or sceptres. Depending on which enemy captures or manages to strike the player, the player is depicted either being eaten, cut in half or struck, usually with accompanying blood detail. During some encounters, the player is able to summon weapons which they can use to attack enemy creatures in boss encounters. In one boss encounter, the player faces a humanoid female creature which features an open cavity in her back within which a heart is viewed. The creature summons attacks which appear to be comprised of blood mist and blood pools which target the player and cause damage. In order to defeat the creature, the player must attack its heart through the open cavity in its back using a glowing sword. Succeeding in landing strikes progresses the boss fight through various phases, some of which include depictions of the creature launching glowing red orbs and the creature surrounded by glowing pillars and hanged women suspended in the air around it. Quicktime events then allow the player to stab down at the creature whose face is obscured from view. Stabs to its face result in bursts of blood which spray onto the player character, gradually covering them in blood.

► **Ravenbound**—*Strong violence, online interactivity*: an open-world role-playing game in which the player is a Vessel to the Raven, an eternal weapon forged by imprisoned Gods. Violence is frequent throughout the game as the Vessels wield

the Raven sword and attempt to free the gods. Large bright red blood sprays explode from enemies on each impact. The violence is frenetic, with the gameplay rewarding fast actions and dodging the attacks of the player's target. Blood sprays land in the environment, staining the ground and surrounding objects. Upon defeat, enemies fall to the ground before their bodies fade away, however, blood detail lingers for a longer duration. Throughout the game, the player comes across villages where the inhabitants have been slaughtered. These bodies do not leave the environment, nor does the blood fade. Despite the significant blood effects, there are no depictions of decapitation or dismemberment and no post-mortem damage is possible. In the opinion of the Board, the frequent large blood effects associated with each depiction of violence imparts an impact which is strong, despite the lack of injury detail.

► **Payday 3**—*Strong violence, online interactivity and chat*: a first-person shooter game in which the playable characters—Dallas, Hoxton, Wolf, and Chains—engage in violent heists. The game does not include in-game purchases but does feature online interactivity and chat in multiplayer modes. Characters engage in violent confrontations with employees, by-standers and law enforcement with an array of weapons including guns, knives and explosives. Gunshots are accompanied by bursts of blood spray, but the blood effects fade and disappear from the environment. The player can also take hostages to be used as human shields. The police will not shoot at the player when they have taken an NPC as a hostage and the hostages can be traded for additional time or resources. Harming civilians results in a 'clean-up cost' that is subtracted from the player's score

at the end of a heist. It is also possible to execute the heists in stealth mode without engaging in acts of violence or activating an alarm. In the Board's opinion, consumer advice of strong violence best describes the most impactful content and subsumes the element of themes.



The R 18+ classification category is wide in scope giving effect to the Code principle that adults should, with limited exceptions, be able to read, hear, see and play what they want. The R 18+ classification is legally restricted to adults. People under 18 are not permitted to rent or buy R 18+ computer games. The impact of material classified R 18+ should not exceed high. Some material classified R 18+ may be offensive to some sections of the adult community.

Out of the total of 310 commercial games classified in 2022–23, 10 games were classified R 18+.

Significant computer games classified R 18+ during this period include:

► **The Walking Dead: Saints & Sinners—Chapter 2: Retribution**—*High impact violence, blood and gore*: the player takes on the role of The Tourist, a travelling survivor in a post-apocalyptic New Orleans, trying to uncover a mystery that threatens the city. Themes and violence are inextricably linked in depictions of graphic injury detail including dismemberment and decapitations. The game is played entirely in a first-person perspective within

a virtual reality (VR) environment, in which the player uses an array of weapons including guns, bladed weapons, bottles and chainsaws as they fight undead 'walkers' and human enemies. Attacks include depictions of large blood sprays, dismemberment, entrails and decapitations. Players can also inflict post-mortem damage and injury on the corpses of enemies including severing heads and limbs that can be collected and stored in the player's inventory. The player can also cut open the bodies of dead 'walkers' in order to cover themselves with blood and gore, to create a temporary disguise that prevents 'walkers' from being able to identify them by smell. This computer game is compatible with one or more VR devices, meaning that the player may experience being in a three-dimensional environment and interact with that environment during the game. This VR capacity is an essential part of the game.

► **Starfield**—*Interactive drug use*: a science fiction role-playing game, in which the player searches the 'Settled Systems' for a collection of Artefacts in an attempt to reach Unity at the centre of existence. The game contains drug use and drug references. The game contains an inventory item called 'Aurora', which is described in-game as "a powerful hallucinogen derived from Volil Alpha's local Chasmbass population. Legally used only in the city of Neon". Its effect is listed as "Slows time for 10s". The item is viewed in the inventory or the shop menu, where it is depicted as a vial with blue dust in it. The depiction and use of this science fiction hallucinogen does not mimic any illicit real-world drug. When in a nightclub environment, voices can be heard saying, "Have you tried Aurora yet? You won't regret it". When the player selects the item from the inventory, there is no

depiction of the drug being administered but a blue filter effect is applied to the player's vision and the voices and movements of other characters are slowed down. After ten seconds, the effects of the Aurora conclude and a textbox appears in the top-right corner that says, 'Aurora has worn off'. Possession of Aurora has negative consequences for the player as it can only be legally possessed in the city of Neon. Attempting to leave Neon with Aurora in the player's inventory causes the guards to arrest the player. A large bribe must be paid to stop the guards from searching the inventory and imposing further negative consequences. Non-playable characters also react negatively if the player-character is intoxicated or addicted to in-game substances. As a result, the player may find gameplay more difficult as decision-making throughout the game changes the storyline options and may prevent them from being able to perform interactions with some storyline characters. The Board notes that, according to the Guidelines, 'interactive illicit or proscribed drug use is not permitted' within the G, PG, M or MA 15+ classifications and that such activity can only be accommodated within the R 18+ category. Therefore, as the player is able to make an interactive choice to use the illicit "hallucinogen", the Guidelines require that the game be classified R 18+ with consumer advice of interactive drug use.

► **Dead Island 2**—*High impact horror violence, blood and gore, online interactivity*: this open world role-playing game finds the player traversing Los Angeles, which has been put under a full quarantine due to a new, stronger zombie outbreak. The game contains horror themes that are high in impact. The game also contains violence that is high in impact. These two elements are inextricably linked

in the form of violence involving zombies, which is accompanied by copious amounts of blood and gore. Zombies commonly attack in hordes resulting in frenetic fight sequences featuring multiple casualties. As well as hand-to-hand combat, players have a range of weapons at their disposal including firearms, explosives and blunt and bladed weapons, which all have a range of possible upgrades and modifications. Injury to enemy characters is accompanied with generous blood effects, as well as dismemberment and gibbing. Blood effects stain weapons and remain in the playing environment as do enemy corpses and body parts. Post-mortem damage to corpses is possible, and increases the overall impact, with post-mortem damage often leading to instances of dismemberment and the exposure of bone and internal organs. Examples of the highest impact depictions of violence occur when attacking zombies and include instances of head crushing, dismemberment, depictions of copious amounts of blood and injury detail, and gory instances of post-mortem damage. In various sections of the game, the player witnesses experimentation on zombies, and its aftermath, often with depictions of exposed organs and viscera in the environment. In some cut scenes, the crushing of human and zombie heads is depicted. In its most impactful instance, a man is lifted from a couch via his head by a zombie, who crushes his skull in the palm of its hand, with blood and viscera spraying out, before dropping him in the environment, with a large trail of blood depicted leading to his crushed head.

► **The Dark Pictures Anthology: The Devil in Me**—*High impact horror violence, online interactivity*: a narrative-based horror adventure game in which a group of documentary film makers are invited to a

modern-day replica of HH Holmes' 'Murder Castle' and discover they're being watched by a manipulative killer. During one section of the game, a woman's throat is slashed before she is strangled and held underwater in a bath. She manages to crawl from the bath and trails blood across the floor as she crawls to a door. Through a window in the door, the woman can see a man coughing blood as he succumbs to a poisonous gas. Holmes drags a knife up a man's torso, cutting a deep gash in his chest. Holmes thrusts a butcher's hook into the wound and squelching sounds are heard as the man is hoisted from the ground, hanging from the hook in a full-length view with blood covering his clothing. An alternate scene featuring the same man depicts him with a bloodied document stuffed in his mouth and the word 'complicit' carved into his chest. The camera then pulls back to reveal a splatter of blood and gore around his head. In another alternate depiction of the man's murder, he is decapitated by a blade and his head is depicted in slow-motion as it separates from his body and spins, with blood gushing from the fleshy neck stump wound. The game also includes depictions of heads being crushed between moving walls; a character being struck by a swinging blade attached to a torture device; a woman being hoisted from the ground as she is stabbed through the jaw; and a depiction of an axe being swung and a blood splatter striking a wall before a woman is seen with blood dripping over her face and the axe blade deeply embedded in her skull. In the Board's opinion, given the detailed and gory depictions of murder, decapitation and dismemberment, the game warrants a classification of R 18+ with consumer advice of *high impact horror violence*.

► **Scorn**—*High impact violence, sexualised imagery, blood and gore*: Scorn is a first-person atmospheric horror game without a classic narrative, dialogue or text, inspired by artworks that feature body-horror and examples of body modification. The game follows the main character in a habitat that combines industrial and biological elements indicating the prior existence of a bizarre civilization. During the game, the main character is enveloped by a parasite that enters the character's body and causes pain. The game contains high impact themes in the form of horror elements such as grotesque creatures, parasites and mutants. The game also contains violence that is high in impact. In this game, there are extensive examples of blood and gore as well as explicit injury inflicted by mechanical devices, set in an environment that is dominated by organic, anatomical detail. The player character interacts with mechanical contraptions which are drenched in blood and are sometimes used to inflict wounds and injury. There

are multiple occasions when the player's actions generate large amounts of blood and gore, including splatter, entrails and internal organs. Discarded and decaying carcasses are frequently littered throughout the halls. The game also contains a sequence that features high impact sexual activity in the form of masturbation, which occurs in a bio-mechanical restraint. The player becomes attached to a metal machine, with their arms explicitly viewed in first-person as they are extended on either side of the body and then clamped to the crucifix-like device. The player then looks down their body and a stylised and apparently semi-erect phallus extends from the groin. A mechanical tube-like nozzle raises upwards and covers the entire phallus. The tube then briefly pumps back and forth rhythmically in mimicry of suction, implicitly masturbating the phallus.

Refused Classification (RC)

In 2022-23, no computer games were classified RC.



Publications

Only 'submittable publications' must be classified before they can legally be advertised or distributed in Australia.

Section 5 of the Classification Act defines a submittable publication as:

- ▶ *an unclassified publication that, having regard to section 9A [Refused Classification for media that advocates terrorist acts] or to the Code and the classification guidelines to the extent that they relate to publications, contains depictions or descriptions that:*
 - a) *are likely to cause the publication to be classified RC; or*
 - b) *are likely to cause offence to a reasonable adult to the extent that the publication should not be sold or displayed as an unrestricted publication; or*
 - c) *are unsuitable for a minor to see or read.*

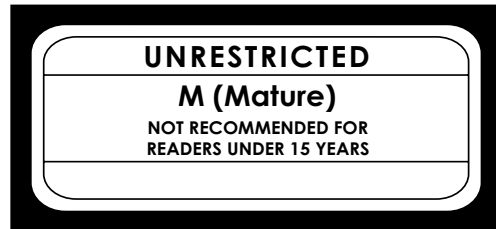
It is the responsibility of distributors to ensure that they meet classification requirements for publications. The enforcement legislation in some states and territories provides that it is an offence to sell or deliver a submittable publication that has not been classified.

Classifications

There are four classifications for publications, Unrestricted, Category 1 restricted, Category 2 restricted and RC.

The Publications Guidelines are used by the Board when classifying publications. They explain the different classification categories and the scope and limits of material suitable for each category.

Unrestricted



The Unrestricted classification covers a wide range of material. Unrestricted publications may contain classifiable elements such as sex and nudity with some detail, but the impact should not be so strong as to require legal restriction to adults.

A special consideration of the Board in classifying publications is the suitability of covers for public display. There are specific criteria for the assessment of covers which specify that the impact of any descriptions or depictions and references on covers should be low. This accords with one of the principles of the Code, namely that everyone should be protected from exposure to unsolicited material that they may find offensive. Publications with covers that are not suitable for public display cannot be classified Unrestricted.

Generally, there are no restrictions on the sale or display of Unrestricted publications. However, the Board can apply consumer advice not recommending the publication for readers under 15 years of age.

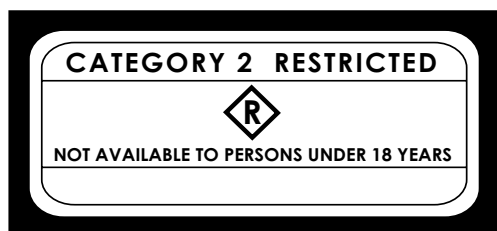
Category 1 restricted



Category 1 restricted publications may include realistic depictions of nudity, realistic depictions of sexual excitement, and detailed descriptions and simulated or obscured depictions of sexual activity between consenting adults.

Category 1 restricted publications can only be sold to persons 18 years of age and over and must be displayed in a sealed wrapper. The Board can impose a further condition that the sealed wrapper is made of opaque material. Category 1 restricted publications cannot be sold in Queensland.

Category 2 restricted



Category 2 restricted publications may include realistic depictions of actual sexual activity involving consenting adults.

Category 2 restricted publications can only be sold to persons 18 years of age and over, and can only be displayed in restricted premises. Category 2 restricted publications cannot be sold in Queensland.

Refused Classification (RC)

Publications classified RC cannot be sold or displayed in Australia.

Significant decisions

During the reporting period, a total of 31 classification decisions were made in relation to applications for the classification of publications, including enforcement applications.

A significant publication classified Unrestricted during this period is:

► **Gender Queer: A Memoir**—*Unrestricted M—Not recommended for readers under 15 years*: an autobiographical non-fiction graphic memoir, written by Maia Kobabe, that explores the author’s path to identifying as nonbinary and asexual. The publication was classified Unrestricted as it does not include material that is likely to offend a reasonable adult to the extent that it should be restricted. A ‘reasonable adult’ is defined in the Guidelines as, “possessing common sense and an open mind, and able to balance personal opinion with generally accepted community standards”. In the Board’s view, this publication can be accommodated in the Unrestricted classification as, within the context of the publication, the treatment of themes is not high in impact or offensive, and the treatment of sex and nudity is also not high in impact and is not exploitative, offensive, gratuitous or very detailed. Given the context of the publication’s narrative and its literary, artistic and educational merits, the Board does not consider that the publication contains material that offends a reasonable adult to the extent that it should be restricted.

The Board notes that the publication outlines descriptions and stylised depictions of themes of gender identity, sexuality and other themes which are inextricably linked with the elements of sex and nudity. In the Board's view, the depictions of nudity are stylised and do not increase the impact to high. The descriptions and depictions of sexual activity are also stylised and are not high in impact. The Board notes that there are references to sexual activity, such as masturbation, by a minor, however the Board considers that these references do not deal with matters of sex in such a way that they offend against the standards of morality, decency and propriety generally accepted by reasonable adults.

Given the historical context of the ancient Greek artwork, the narrative context of the publication and the stylisation of the imagery, the Board is of the opinion that this image does not depict a child under 18 years in 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. The Board recognises that some content within this autobiographical text may offend some sections of the adult community. The Code (Clause 1) states that adults should be able to see, hear, play and read what they want, while minors should be protected from material that is likely to harm or disturb them. The Board is of the opinion that, in this publication, the treatment of themes, sex and nudity does not impart an impact so strong as to warrant legal restriction to adults. However, some of the events and recollections by the author may not be suitable for younger readers. Therefore, the publication is classified 'Unrestricted' with consumer advice of *M—not recommended for readers under 15 years of age*.

A significant publication classified Category 1 Restricted during this period is:

► **The Boys: Omnibus Volume One—**
Category 1 Restricted: a graphic novel compiling issues 1–14 of a comic book series in which a clandestine CIA squad—informally known as The Boys—is charged with monitoring rogue behaviour by superheroes. The book consists of comic book-style illustrated panels made up of stylised colour drawings accompanied by English text in speech bubbles. It contains images depicting a group of naked males including Dogknott, Gunpowder, Whack Job, Big Game and Shout Out—who are collectively known as Teenage Kix—implicitly engaging in various sexual acts with female characters. It is the Board's view that, despite their stylised nature, the depictions of implied sexual activity in this publication cannot be described as discreet and may offend some sections of the adult community. It therefore warrants restriction to an adult readership, but as the images do not consist of realistic depictions of actual sexual activity, it is the Board's opinion that they can be accommodated within a Category 1 Restricted classification.

A significant publication classified Category 2 Restricted during this period is:

► **Crossing Badlands 41, OCT 2013—**
Category 2 Restricted: a short volume from a series of comic books which follows survivors of a pandemic that causes its victims to carry out their most evil thoughts. Carriers of the virus are known as the "Crossed" due to a large, cross-like rash that appears on their faces. The Guidelines state that the treatment of themes with a very high degree of intensity should not be exploitative. Depictions of

revolting and abhorrent phenomena may be permitted. Stylised depictions and written descriptions may be more detailed than realistic depictions. It is the opinion of the Board that this publication contains depictions of sexual violence that are high in impact and warrant legal restriction to an adult audience. The publication consists of a dystopian narrative with sequences of horror-themed violence and imagery. The most impactful content within the publication is found in two separate depictions of gang-rape. It depicts Emiko, implicitly being assaulted by four men, with other shadowy figures in the background. She is depicted nude and in profile, held on all fours on a bed. Leaning on her knees and elbows, she is held from behind by a nude man who is positioned between her buttocks and on his knees. His hand grips her thigh, implicitly holding her in place as he assaults her from behind. Another man is positioned seated at her face. One hand grips her hair and lifts her face upwards, as his other hand is positioned at his groin. Detail is indistinct, but the image implies that he is pushing his penis toward her open mouth. The faces of the men are obscured by thick black lines, but three of them have their mouths open, indicating laughter or pleasure. Despite the stylised comic-book artwork and the overarching narrative context as part of a dark, fantasy-tinged series that focuses on the worst of human behaviour, it is the view of the Board that the depictions of sexual violence in this comic have the potential to offend some sections of the adult community and are unsuitable for a minor to see or read.

A publication classified RC during this period is:

► **To Love Ru Darkness Vol. 10**—RC: a manga series in which a male high school student, Rito, is pursued by a number of girls, including intergalactic princesses. In this edition, Volume 10, the power of “Darkness” awakens inside Yami. The book consists of stylised black and white line drawings, accompanied by English text in speech and thought bubbles, in comic book-style panel.

In the Board’s view this publication warrants an RC classification in accordance with item 1(b) of the publications table of the Code: “publications that describe or depict in a way that is likely to cause offence to a reasonable adult, a person who is, or appears to be, a child under 18 (whether the person is engaged in sexual activity or not)” will be Refused Classification. As the publication includes several sexualised images of pubescent characters including Celine, a character typically depicted as a toddler, the publication is likely to cause offence to a reasonable adult. Therefore, the publication is Refused Classification in accordance with item 1(b) of the publications table of the Code.

Correspondence

The Board seeks to reflect current community standards in its decision making, and feedback from the community is informative and helpful.

During the 2022–23 reporting period, the Board received 138 pieces of correspondence including: complaints about film and computer game decisions (either that the classification was too high or too low); and several inquiries about a variety of other classification decisions. The Board values the commentary received from members of the Australian public in the classification process—feedback is important and valued. The Board also received 39 pieces of correspondence for decisions made by approved tools. A breakdown of the complaints only by category is as follows:

Board media type/ classification tool	Number received
Publications	16
Films	83
Computer games	17
IARC Tool	8
Netflix Tool	31
Spherex Tool	0
Total	155

Publications

The Board received 16 complaints about publications. Eleven of these were related to the publication *Gender Queer: A Memoir*.

Films

The Board received 83 complaints about the classification of films. Twenty-two of these related to the theatrical release film, *The Kerala Story*. Seven were related to the film *Babylon*, and five were related to *A Man Called Otto*.

Computer games

The Board received 17 complaints about computer games, three of which were about *Roblox*.

IARC Tool

During the period, eight IARC Tool decisions received complaints (0.002% of the total of IARC Tool decisions). There were enquiries on 19 Tool decisions, which were about the reason for the decision.

There were multiple complaints and enquiries received about the RC rating for *Postal 4: No Regrets*. The Board checked this computer game in May 2023 and confirmed the RC rating due to 'interactive drug use related to incentives and rewards'.

Netflix Tool

During the period, 31 Netflix Tool decisions received complaints, with the majority receiving one complaint each. There were enquiries on five Tool decisions, which were about the reason for the decision.

Titles with multiple complaints included *DAHMER: Monster: The Jeffrey Dahmer Story* and *Luckiest Girl Alive*. The Board checked these titles in October 2022 and revoked the Tool decisions. The Board classified *DAHMER: Monster: The Jeffrey Dahmer Story* R 18+ with the consumer advice 'High impact violence and injury detail'. The Board classified *Luckiest Girl Alive* MA 15+ with the consumer advice 'Strong themes, scenes of sexual violence, violence and coarse language.'

There were 18 complaints received from one individual, mostly for titles that the Netflix Tool classified between 2018 and 2020. No other complaints have been received about these titles.

Spherex Tool

During the period, there were no complaints or enquiries received about Spherex Tool decisions.

Enquiries and other assistance

The department responded to a range of other enquiries including about how to get content classified and how to obtain exemptions from classification.



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Annual Report
2022–23

**Classification
Review Board
Annual Report
2022–23**



Australian Government
Classification Review Board

The Hon Michelle Rowland MP
Minister for Communications
Parliament House
CANBERRA ACT 2600

Dear Minister

In accordance with subsection 85(1) of the *Classification (Publications, Films and Computer Games) Act 1995*, I am pleased to submit a report on the management of the administrative affairs of the Classification Review Board for the period 1 July 2022 to 30 June 2023.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Susan Bush'.

Susan Bush
Convenor

28 September 2023

Introduction

The Classification Review Board

The Classification Review Board is an independent statutory body established to review decisions of the Classification Board, upon application. The Classification Review Board is established under the Classification Act. The Classification Act provides that the Review Board is to consist of a Convenor, a Deputy Convenor and at least three, but no more than eight, other members.

The Convenor

The Convenor of the Review Board has a range of statutory functions under the Classification Act which include:

- ▶ managing the administrative affairs of the Review Board
- ▶ determining the constitution of panels of the Review Board to review decisions
- ▶ determining how decisions are recorded
- ▶ arranging the business of the Review Board
- ▶ providing the Minister with the Review Board's Annual Report.

In addition to the Convenor's powers in relation to the Review Board, the Classification Act confers a number of additional functions and powers which include:

- ▶ approving forms for the purpose of the Classification Act
- ▶ providing certificates and notices of decisions, including evidentiary certificates.

This report includes an overview of the work of the Review Board in 2022–23.

The Review Board received secretariat support from the Classification Branch.

Membership of the Review Board

Appointments to the Review Board are made by the Governor-General, following a recommendation by the Minister. Under the Classification Act, the Minister must, before recommending an appointment, consult with state and territory ministers with responsibility for classification. The Classification Act also requires that regard is had to the desirability of ensuring that membership of the Review Board is broadly representative of the Australian community.

Appointments are made for fixed terms of up to five years and members are eligible for reappointment to serve a statutory maximum term of seven years.

Section 84 provides that the Minister may appoint a person to act as a member during a vacancy on the respective Boards.

Conditions

The Remuneration Tribunal determines the entitlements of the members of the Review Board in relation to remuneration and official travel. These determinations are available on the Remuneration Tribunal website at www.remtribunal.gov.au

Conflict of interest

The Classification Act makes provision for the disclosure of potential conflicts of interest by members of the Review Board.

Meetings

The Review Board is a part-time board and convenes only to deal with applications for review.

Convenor's overview



The Classification Review Board provides an important and independent mechanism for the community and industry where there is concern or disagreement about the classification of films, computer games or publications.

During the 2022–23 reporting period, the Review Board received three applications for review—two were for films, *Pieces* and *Sissy*, and the third was for the publication *Gender Queer: A Memoir* by Maia Kobabe. The Review Board conducted each review in person.

The Review Board met on 14 September 2022 to review the Classification Board's decision to classify the film *Sissy* as R 18+ (Restricted) with the consumer advice, High impact injury detail. The applicant was This is Arcadia Pty Ltd. The Review Board lowered the classification rating to MA 15+ (Mature Accompanied) with the consumer advice, 'Strong themes and violence, blood and gore'.

The Review Board next met on 30 September 2022 in response to an application from Third Storey Pictures Pty Ltd to review the Classification Board's decision to classify their film *Pieces* as MA 15+ (Mature Accompanied), with the consumer advice, 'Strong mental health themes including references to suicide'. The Review Board affirmed the Board's decision to classify the film MA 15+, and adjusted the consumer advice to 'Strong mental health themes including references to suicide and self-harm'.

On 29 May 2023, the Review Board met for a third time to review the Classification Board's decision to classify Maia Kobabe's *Gender Queer: A Memoir* as 'Unrestricted' with the consumer advice 'M (Mature)—Not Recommended for Readers under 15 Years'. The application came from a member of the public, Mr Bernard Gaynor. The Review Board affirmed the Board's decision to classify the publication as 'Unrestricted' with the consumer advice 'M (Mature)—Not Recommended for Readers under 15 Years'.

This is my first report as Convenor of the Classification Review Board, so I would like to acknowledge the work of my predecessor, Sue Knowles, who held the position of Convenor from 1 July 2015 to 30 June 2022. Speaking as her former Deputy Convenor, I could not have asked for a better role model and mentor than Sue. She is an extraordinary woman who always brought a sense of compassion and justice to her role, was endlessly positive, and went out of her way to make everyone feel both welcome and comfortable. She produced excellent, evidence-based decisions that were supported by her outstanding knowledge of the legislation and a genuine care for the Australian community. Sue's service to the Board was invaluable, and I am deeply grateful to her for her leadership and guidance.

This year also saw the Review Board bid farewell to Temporary Review Board Member Meg Clancy, who was another powerhouse of experience and wisdom. Meg's grasp of classification was astonishing, exemplified by her lightning-fast ability to reach solid, fully developed decisions supported by flawless reasoning. Meg's skills and her irresistible personality were a gift to the Review Board, and I am thankful for the time and energy she humbly dedicated.

I extend my congratulations to Adam Davy, who stepped into the Deputy Convenor role this year. He provides an excellent perspective to the panel through his work in the education field, which keeps him closely in touch with the current moods and trends of under-18s and the kinds of materials they choose to engage with. I greatly appreciate

his investigative, out-of-the-box thinking; his erudite discussion points that elevate every debate; and his refreshing, mood-lifting sense of humour. My job has been made so much easier this year with Adam's support.

I would also like to welcome two new temporary Review Board members, Stephanie McCaughey and Damien Power who were both appointed this year. Stephanie has an extensive background in victimology and criminology, while Damien has considerable experience working in classification and filmmaking. I am absolutely thrilled to have them both on board. They join David Toll and Rechelle Leahy who I must also thank for their ongoing contributions this year.

I acknowledge and thank the Honourable Michelle Rowland MP for her support of the Review Board. In early 2023, her office announced an ambitious reform agenda to overhaul the current classification system in response to the findings of the Stevens Review. I am truly excited about Minister Rowland's proposed changes for the future of classification in Australia and I look forward to the Review Board being involved in developing and realising her vision.

Finally, my thanks to everyone who has welcomed and nurtured me through this first year as Convenor. It is my honour and pleasure to work alongside you.

Susan Bush
Convenor

Classification Review Board profiles

Current Board members



Susan Bush

Convenor

APPOINTED: 15 September 2022

APPOINTMENT EXPIRES:

14 September 2024

Ms Susan Bush, 48, resides in Queensland and is a Freedom of Information Officer, actor, and writer. She has an extensive background in the television broadcast and film industries in both Australia and the UK. She holds a Master of Arts from The University of Queensland, and a Bachelor of Arts in Communication and Media Studies from Griffith University. She has appeared in numerous television and stage productions, and was awarded Certificate of Highest Achievement (Best Actress) at the 2014 Australian Screen Industry Network Awards. She is also a licensed private investigator.

Ms Bush is a parent of three children, and an advocate for LGBTQIA+ rights and climate change action.



Adam Davy

Deputy Convenor

APPOINTED: 15 September 2022

APPOINTMENT EXPIRES:

14 September 2024

Mr Adam Davy, 42, is a Head of Department at a metropolitan secondary school in Queensland. An experienced educator, he has performed in various expert advisory roles with the Queensland Curriculum and Assessment Authority (QCAA). In his work, he also services the arts and education communities through the development, facilitation, and support of multidisciplinary programs. In 2021, his varied contributions in these fields were recognised by the English Teachers Association of Queensland, who presented Mr Davy with their annual Peter Botsman Award.

Mr Davy has been awarded a double degree (Arts and Education) from Griffith University and a Bachelor of Psychology (Hons) from the University of New England. He is the father of two children, an independent author and a regular gamer.



Rechelle Leahy

APPOINTED: 10 November 2022

APPOINTMENT EXPIRES:

14 September 2024

Rechelle Leahy lives in Armidale, NSW, is CEO of a private Policy Advisory Consultancy and also works as an Employment Facilitator with the Department of Employment and Workplace Relations. She has a record of achievement in delivering strategic outcomes across all levels of Australian Government and in the private sector. Her broad experience is in people management, administration, finance and logistics.

Ms Leahy's qualifications include an Advanced Diploma in Migration Law and Practice from Deakin University, a Certificate in Mediation Practice and a Graduate Certificate Internal Audit. She is also a graduate of Women on Boards and the Commonwealth Bank Regional Scholarship Program.

Ms Leahy serves in a non-executive capacity as a member of the National Rural Women's Coalition, the Australian Gender Equality Council, Local Land Services (Northern Inland) and the ABC Advisory Council.

She is a parent of two children.



David Toll

APPOINTED: 7 December 2021

APPOINTMENT EXPIRES:

6 December 2024

Mr David Toll lives in Bulli, NSW, and is the owner and director of a mediation, investigation and negotiation business. Prior to this he held senior leadership roles in higher education and emergency services.

His qualifications include a Bachelor of Laws from University of Wollongong and Masters in Business Administration from Edith Cowan University. He also holds a Diploma from the Australian Institute of Company Directors and further qualifications in mediation, negotiation and media studies.

Mr Toll has served on the Board of Triathlon Victoria and as Chair of the Academies of Sport Inc. He enjoys open water swimming and surf ski paddling for recreation and is currently adapting to life with two small grandchildren.



Stephanie McCaughey

APPOINTED: 3 February 2023

APPOINTMENT EXPIRES:

14 September 2024

Ms Stephanie McCaughey from rural Victoria, is an accredited mediator with a background in criminology and victimology, including developing and leading organisations through the Royal Commissions into Institutional Child Sexual Abuse and Mental Health Care in Victoria. Her qualifications include a Bachelor of Arts in Politics and Sociology from the United Kingdom, a Postgraduate Certificate in Specialist Criminology from the University of Melbourne and a Postgraduate Certificate in Victimology and Victim Services.

Ms McCaughey serves as a Board Director of a regional health service, CEO of Pathways, and Director of Carelink.

She is a parent of three young children.



Damien Power

APPOINTED: 3 February 2023

APPOINTMENT EXPIRES:

14 September 2024

Mr Power has experience in classification, having previously been a member of the Classification Board. He has written interactive online games for the Australian Communications and Media Authority and the Office of the Children's eSafety Commissioner. He is also a film director and is actively involved in his local community through volunteering.

He is a parent of two children.

Board members who left the Classification Review Board in 2022–23

Margaret Clancy's appointment to the Review Board expired on 5 December 2022.

Decisions of the Review Board

In the reporting period, the Review Board conducted three reviews. The reviews were completed within the statutory timeframe.

Reports for the Review Board's decisions are published on the Australian Classification website at www.classification.gov.au.

Title	Media	Review applicant	Date of review	Original classification	Review classification
<i>Sissy</i>	Film	This is Arcadia Pty Ltd	14 Sept 2022	R 18+	MA 15+
<i>Pieces</i>	Film	Third Storey Pictures Pty Ltd	30 Sept 2022	MA 15+	MA 15+ ¹
<i>Gender Queer: A Memoir</i>	Publication	Bernard Gaynor	29 May 2023	Unrestricted	Unrestricted

Attendance at Review Board meetings

The Review Board convened for three days in 2022–23.

Table 14: Attendance at Review Board meetings

Review Board member	Meeting days attended 2022–23
Susan Bush, Convenor	3
Adam Davy, Deputy Convenor	3
Rechelle Leahy	0
Ms Stephanie McCaughey	1
Damien Power	0
David Toll	2

¹ The Review Board changed the consumer advice from *Strong mental health themes including references to suicide* to *Strong mental health themes including references to suicide and self-harm*.

Complaints

The Review Board received one complaint about the computer game *RimWorld*, which was classified R 18+ 'High impact themes and drug use' upon review in April 2022.

Judicial decisions

Aspects of a Review Board decision can be reviewed, on application, by the Federal Court under the *Administrative Decisions (Judicial Review) Act 1977* (Cth).

In the reporting period, no application for review of the Review Board's decisions was lodged with the Federal Court.



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Annual Report
2022–23

Appendices

Appendix A: National Classification Code

National Classification Code

- 1 Classification decisions are to give effect, as far as possible, to the following principles:
- a) adults should be able to read, hear, see and play what they want;
 - b) minors should be protected from material likely to harm or disturb them;
 - c) everyone should be protected from exposure to unsolicited material that they find offensive;
 - d) the need to take account of community concerns about:
 - i) depictions that condone or incite violence, particularly sexual violence; and
 - ii) the portrayal of persons in a demeaning manner.

Publications

- 2 Publications are to be classified in accordance with the following table:

Item	Description of publication	Classification
1	Publications that: <ol style="list-style-type: none"> a) describe, depict, express or otherwise deal with matters of sex, drug misuse or addiction, crime, cruelty, violence or revolting or abhorrent phenomena in such a way that they offend against the standards of morality, decency and propriety generally accepted by reasonable adults to the extent that they should not be classified; or b) describe or depict in a way that is likely to cause offence to a reasonable adult, a person who is, or appears to be, a child under 18 (whether the person is engaged in sexual activity or not); or c) promote, incite or instruct in matters of crime or violence 	RC

Item	Description of publication	Classification
2	Publications (except RC publications) that: <ol style="list-style-type: none"> explicitly depict sexual or sexually related activity between consenting adults in a way that is likely to cause offence to a reasonable adult; or depict, describe or express revolting or abhorrent phenomena in a way that is likely to cause offence to a reasonable adult and are unsuitable for a minor to see or read 	Category 2 restricted
3	Publications (except RC publications and Category 2 restricted publications) that: <ol style="list-style-type: none"> explicitly depict nudity, or describe or impliedly depict sexual or sexually related activity between consenting adults, in a way that is likely to cause offence to a reasonable adult; or describe or express in detail violence or sexual activity between consenting adults in a way that is likely to cause offence to a reasonable adult; or are unsuitable for a minor to see or read 	Category 1 restricted
4	All other publications	Unrestricted

Films

3 Films are to be classified in accordance with the following table:

Item	Description of film	Classification
1	Films that: <ol style="list-style-type: none"> depict, express or otherwise deal with matters of sex, drug misuse or addiction, crime, cruelty, violence or revolting or abhorrent phenomena in such a way that they offend against the standards of morality, decency and propriety generally accepted by reasonable adults to the extent that they should not be classified; or describe or depict in a way that is likely to cause offence to a reasonable adult, a person who is, or appears to be, a child under 18 (whether the person is engaged in sexual activity or not); or promote, incite or instruct in matters of crime or violence 	RC
2	Films (except RC films) that: <ol style="list-style-type: none"> contain real depictions of actual sexual activity between consenting adults in which there is no violence, sexual violence, sexualised violence, coercion, sexually assaultive language, or fetishes or depictions which purposefully demean anyone involved in that activity for the enjoyment of viewers, in a way that is likely to cause offence to a reasonable adult; and are unsuitable for a minor to see 	X 18+

Item	Description of film	Classification
3	Films (except RC films and X 18+ films) that are unsuitable for a minor to see	R 18+
4	Films (except RC films, X 18+ films and R 18+ films) that depict, express or otherwise deal with sex, violence or coarse language in such a manner as to be unsuitable for viewing by persons under 15	MA 15+
5	Films (except RC films, X 18+ films, R 18+ films and MA 15+ films) that cannot be recommended for viewing by persons who are under 15	M
6	Films (except RC films, X 18+ films, R 18+ films, MA 15+ films and M films) that cannot be recommended for viewing by persons who are under 15 without the guidance of their parents or guardians	PG
7	All other films	G

Computer games

4 Computer games are to be classified in accordance with the following table:

Item	Description of computer game	Classification
1	Computer games that: <ul style="list-style-type: none"> a) depict, express or otherwise deal with matters of sex, drug misuse or addiction, crime, cruelty, violence or revolting or abhorrent phenomena in such a way that they offend against the standards of morality, decency and propriety generally accepted by reasonable adults to the extent that they should not be classified; or b) describe or depict in a way that is likely to cause offence to a reasonable adult, a person who is, or appears to be, a child under 18 (whether the person is engaged in sexual activity or not); or c) promote, incite or instruct in matters of crime or violence 	RC
2	Computer games (except RC computer games) that are unsuitable for viewing or playing by a minor	R 18+
3	Computer games (except RC and R 18+ computer games) that depict, express or otherwise deal with sex, violence or coarse language in such a manner as to be unsuitable for viewing or playing by persons under 15	MA 15+
4	Computer games (except RC, R 18+ and MA 15+ computer games) that cannot be recommended for viewing or playing by persons who are under 15	M
5	Computer games (except RC, R 18+, MA 15+ and M computer games) that cannot be recommended for viewing or playing by persons who are under 15 without the guidance of their parents or guardians	PG
6	All other computer games	G

Appendix B: Photo credits and artwork attribution

The Classification Board would like to give special thanks to all those who supplied images to the Classification Board Annual Report 2022–23:

Page(s)	Attribution
11, 14–15, 17–22	Penny Clay Photography

Glossary

Term/abbreviation	Explanation
AACG Scheme	Authorised Assessor Scheme for Computer Games
ACA Scheme	Additional Content Assessor Scheme
Advertising Scheme	Advertising of Unclassified Films and Computer Games Scheme
APS	Australian Public Service
ATSA Scheme	Authorised Television Series Assessor Scheme
BSA	<i>Broadcasting Services Act 1992 (Cth)</i>
Call-in	The Director of the Classification Board may call in a publication if they have reasonable grounds to believe it is a submittable publication and that it is being published in an Australian state or territory. The Director of the Classification Board may also call in a film or computer game if they have reasonable grounds to believe it is not exempt and that it is being published in an Australian state or territory
Classifiable elements	The six classifiable elements in a film and a computer game are: themes; violence (including sexual violence); sex; (coarse) language; drug use; and nudity. In publications, 'themes' are referred to as 'adult themes' and the remaining five elements are also applied and assessed
Classification Act	<i>Classification (Publications, Films and Computer Games) Act 1995 (Cth)</i>
Classification Board	Statutory body established under the Classification Act. The Classification Board classifies computer games, films and certain publications
Classification Board member	A statutory appointee to the Classification Board established under the Classification Act
Classification Branch	The Classification Branch of the Department of Infrastructure, Transport, Regional Development, Communications and the Arts. The Classification Branch provides administrative support to the Classification Board and Classification Review Board
Classification guidelines	See Guidelines

Term/abbreviation	Explanation
Classification Review Board	Statutory body established under the Classification Act. The Classification Review Board is a part-time statutory body convened, as required, to review decisions made by the Classification Board
Classification Review Board member	Statutory appointee to the Classification Review Board under the Classification Act
Code, the	The National Classification Code
Consumer advice	The Classification Board and Classification Review Board determine consumer advice for films, computer games and certain publications. Films classified G, PG, M, MA 15+, R 18+ and X 18+, and computer games classified G, PG, M, MA 15+ and R 18+, must be assigned consumer advice. Consumer advice generally identifies the classifiable elements that have contributed to the classification of the content and indicates the intensity and/or frequency of those elements. The Classification Board and the Classification Review Board may also provide consumer advice to publications classified Unrestricted
Convenor	Member of the Classification Review Board who is responsible for the management of the Classification Review Board's business
Deputy Convenor	Member of the Classification Review Board who may exercise some of the Convenor's powers in the Convenor's absence
Deputy Director	Full-time member of the Classification Board who is the operational manager of that Board and who may exercise some of the Director's powers in the Director's absence
Determined markings	Classification symbols and descriptions as set out in the <i>Classification (Publications, Films and Computer Games) (Markings and Consumer Advice) Determination 2014</i>
Director	Full-time member of the Classification Board responsible for the management of the Classification Board
eSafety Commissioner	The Office of the eSafety Commissioner is committed to empowering all Australians to have safer, more positive experiences online. The Office was established in 2015 with a mandate to co-ordinate and lead the online safety efforts across government, industry and the not-for-profit community
Exempt film	A film exempt from classification requirements as defined by section 6B of the Classification Act

Term/abbreviation	Explanation
Fee waiver	The waiving of classification application fees in specific circumstances, as provided by the Classification Act
FOI Act	<i>Freedom of Information Act 1982</i> (Cth)
FOI	Freedom of Information
Guidelines	Under the Classification Act (section 12) the Minister may, with the agreement of each state and territory, determine guidelines to assist the Board in applying the criteria in the Code. There are separate guidelines for the classification of films, computer games, and publications which may be viewed online at www.legislation.gov.au
Industry assessors	Persons authorised by the Director to make recommendations to the Classification Board on the classification and consumer advice for the ACA Scheme, the ATSA Scheme, the AACG Scheme and the Advertising Scheme
National Classification Scheme (the Scheme)	A co-operative Commonwealth, state and territory regulatory scheme for classification of films, computer games and certain publications
National Classification Code (the Code)	A code that sets out how films, computer games and certain publications are to be classified
Prohibited Exports Regulations	<i>Customs (Prohibited Exports) Regulations 1958</i> (Cth); regulation 3 relates to the exportation of 'objectionable goods' (including computer games, computer generated images, films, interactive games and publications)
Prohibited Imports Regulations	<i>Customs (Prohibited Imports) Regulations 1956</i> (Cth); regulation 4A relates to the importation of 'objectionable goods' (including computer games, computer generated images, films, interactive games and publications)

Computer games classifications

Classification	Advisory/Restricted	Impact Level
G	General (advisory category)	Very mild
PG	Parental Guidance (advisory category)	Mild
M	Mature (advisory category)	Moderate
MA 15+	Mature Accompanied (legally restricted category)	Strong
R 18+	Restricted (legally restricted category)	High
RC	Refused Classification	

Term/abbreviation	Explanation
Film classifications	
Classification	Advisory/Restricted
	Impact Level
G	General (advisory category)
PG	Parental Guidance (advisory category)
M	Mature (advisory category)
MA 15+	Mature Accompanied (legally restricted category)
R 18+	Restricted (legally restricted category)
X 18+	Restricted to 18 years and over (contains consensual sexually explicit activity between adults)
RC	Refused Classification
Publications classifications	
Unrestricted	Unrestricted
Category 1 restricted	Not available to persons under 18 years
Category 2 restricted	Not available to persons under 18 years
RC	Refused Classification
Serial classification declaration	A declaration issued by the Classification Board on the classification, and any conditions that apply, to issues of a publication periodical for a specified period
Submittable publication	Defined under the Classification Act (section 5) to mean an unclassified publication containing depictions or descriptions that are likely to cause the publication to be classified RC, or are unsuitable for a minor to see or read, or are likely to cause offence to a reasonable adult to the extent that the publication should not be sold or displayed as an unrestricted publication

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