



## CLASSIFICATION REVIEW BOARD

22 February 2003

23-33 MARY STREET  
SURRY HILLS, NSW

**MEMBERS:** Ms Maureen Shelley (Convenor)  
Ms Jan Taylor  
Ms Kathryn Smith

**APPLICANT:** Australian Children's Television Foundation

**BUSINESS:** To review the Classification Board's decision to classify the film *Legacy of the Silver Shadow* Volume 1 PG with the consumer advice 'Medium level violence' under the *Classification (Publications, Films and Computer Games) Act 1995*.

### DECISION AND REASONS FOR DECISION

#### 1. Decision

The Classification Review Board (the Review Board) decided to confirm the decision of the Classification Board to classify the film *Legacy of the Silver Shadow* PG with the consumer advice of 'Medium level violence'.

#### 2. Legislative provisions

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

Relevantly, section 11 of the Classification Act requires that the matters to be taken into account in making a decision on the classification of a film include:

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

### **3. Procedure**

Three members of the Review Board viewed the film at the Board's meeting on 22 November 2002.

The Review Board received a written application for review and supporting written and oral submissions from the Applicant.

The Review Board then met in camera to consider the matter.

### **4. Matters taken into account**

In reaching its decision the Review Board had regard to the following:

- the applicant's application for review (including written and verbal submissions);
- the film *Legacy of the Silver Shadow*;
- the relevant provisions in the Classification Act;
- the relevant provisions in the Code, as amended in accordance with section 6 of the Classification Act; and
- the Guidelines for the Classification of Films and Videotapes, as amended in accordance with section 12 of the Classification Act.

### **5. Synopsis**

A group of young teens discover the long-forgotten headquarters of a dead super hero the Silver Shadow. The Silver Shadow "lives" in an old computer in the basement headquarters. The children become "super heroes" in a continuing battle of good against evil - in the embodiment of the Silver Shadow's erstwhile foe the Crab and the Crab's granddaughter Fiona.

### **6. Findings on material questions of fact**

The Review Board found that the film contained several scenes of prolonged violence. In the first episode at 12 minutes a rope is used to trip Feral and his friends. At 12.01 in dark shadow and with menacing music a voice is heard "get out now or die". At 12.05 there is screaming, a door opens creakily, there is menacing music and darkness. This scene continues for 1 minute and the electro-static ghost of the Silver Shadow is heard with echo. At 12.06 the Crab uses a laser on his granddaughter Fiona and she is immobilised. At 12.11 Josh is grabbed by Feral's friends and jostled. His three friends go to his rescue and are grabbed by Feral's friends. At approximately

12.15 a young man attempts to mug an older woman and there is a struggle. A person wearing the exo-suit is shown to threaten a litter bug/dog walker which is a scene of implied violence. The Crab is shown having difficulties with his wheelchair after his granddaughter has oiled the handbrake. His distress is shown on his face. At 12.35 the cloak of invisibility is unveiled to scary music. At 12.35.30 Fiona enters her grandfather's bedroom and attacks him. At 12.36 boys, who are masked and dressed in black, attack and punch, trip and push their victims around. This scene is sinister and continues for 55 seconds. Episode 1 ends at 12.17.

## **7. Reasons for the decision**

The Review Board took note of the Applicant's submission that the film had strongly integrated educational outcomes, that a degree of action/violence was inherent in the super hero genre and that the producers had gone to considerable efforts to minimise the effect of the violence/action by using implied violence, providing little detail and using stop motion editing.

The Applicant went to considerable effort to provide evidence from the media, educators and parents regarding the impact of violence on children. However, little reference was made to the impact of film and the violence contained therein on children younger than eight years of age. The mothers who made submissions on behalf of the Applicant referred to their experiences with children of eight years or older.

The film is aimed at 8 to 12 year olds. The Review Board believes that this is a suitable target audience and that most children of this age would have little difficulty in understanding and accepting the action/violence inherent in the super hero genre.

However, the Review Board found that a G rating could not be granted for the film as that requires that the film would be suitable for all children, including those younger than the target audience, without parental guidance or supervision.

The Review Board considered whether the educational merit of the film justified a change of rating. However, whilst the Review Board acknowledged the educational merit of the film it was insufficient to override the Board's concerns regarding children younger than eight.

## **8. Summary**

The Review Board found that the film warranted a PG classification as it contains material that cannot be recommended for viewing by persons who are under 15 without the guidance of their parents or guardians.

The Review Board found that while much of the material could be seen by children as young as eight without parental guidance the film was not suitable for children of all ages without parental guidance and supervision. In particular, the Review Board found that very young children would find many of the scenes disturbing.