



CLASSIFICATION REVIEW BOARD

2 May 2003

23-33 MARY STREET
SURRY HILLS, NSW

MEMBERS: Ms Maureen Shelley (Convenor)
Dr Robin Harvey
Ms Dawn Grassick

APPLICANT: Icon Film Distribution

BUSINESS: To review the Classification Board's decision to classify the film *Basic* 'MA15+' 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 classify the film *Basic* 'MA15+' with the consumer advice 'Violence, Strong Coarse Language'.

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 Review Board's meeting on 2 May 2003.

The Review Board received a written application for review and a supporting written submission from the Applicant. Mr Greg Denning (National Sales Manager), Mr Andrew McClelland (National Film Booker) and Mr John Dickie made a verbal submission on behalf of 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:

- (i) the applicant's application for review (including written and verbal submissions);
- (ii) the film *Basic*;
- (iii) the relevant provisions in the Classification Act;
- (iv) the relevant provisions in the Code, as amended in accordance with section 6 of the Classification Act; and
- (v) the *Guidelines for the Classification of Films and Computer Games*, as amended in accordance with section 12 of the Classification Act.

5. Synopsis

An ex-Army Ranger turned DEA Agent is drawn into an ever-widening mystery surrounding the disappearance of the hated Sergeant Nathan West as well as several of his elite Special Forces trainees on what appears to have been a routine military exercise during a hurricane in the jungles of Panama.

6. Findings on material questions of fact

The Review Board noted the Classification Board's report in particular

The impact of violence is strong and is justified by context.

Darkened vision, torrential rain and fast movement within a Special Forces exercise carried out in a hurricane situation in the jungles of Panama mitigate the impact of some depictions. However, the cumulative effect of several violent incidents, which are sometimes repetitive throughout the film, increases the overall impact.

Depictions of violence with a strong impact occur at:-

41 minutes – Shooting within the close-range proximity of the Special Forces' shelter in the jungle results in blood spray bullet wounds to two of the trainees.

49 minutes – Sgt West's body on the ground with close-up vision of his bloody face and blood on ground.

57 minutes- Blood burst bullet wound to man's head with blood spray onto man's face.

67 minutes – As an injured trainee who survived the exercise is questioned in his hospital bed blood starts running from his ear and nose followed by a huge gush of blood pouring from his mouth over the bed and down his hand. It later emerges that he was poisoned to keep him quiet.

The Review Board adopts some of the descriptions made by the Classification Board in relation to certain critical scenes as it found those descriptions to be accurate.

Finding that violence was strong and justified by context.

The applicant stated that the violence was justified as the film is a military suspense thriller set in the jungle and the action revolves around a military training exercise. The applicant stated in its written submission "It is not a war situation. But it is not far from it; the training course does its best to resemble actual war scenarios with pop-up figures and mapped out paths."

The Review Board found that the setting of the military exercise justified the violence as outlined in the scenes at 41, 49 and 57 minutes. The Review Board found that the shooting scenes were realistic rather than stylised and events were repeatedly played out using different scenarios. This repetition increased the strength of the impact of the scenes.

The scene at 67 minutes, which depicts a patient vomiting blood, is justified by its medical setting and by the character and tone of the film, which is that of a suspense thriller set against a military and jungle background. However, the scene at 67 minutes was detailed, prolonged and realistic. The Review Board found that the cumulative impact of the four scenes noted above was strong.

Finding that strong coarse language was used

The Review Board noted that strong coarse language was used frequently. In addition, aggressive and very strong coarse language was used occasionally. Apart from using standard coarse language such as bitch, dick, prick, ass, shit, fuck, rats fuck, fucked, fucking, butt fuck and mother-fucking, coarse language was sometimes accompanied by aggressive body language. Phrases such as “What size general’s dick you suck” and “Butt fuck the bunker” gave the language higher impact than what might otherwise have been. This was mitigated somewhat by the military context.

Other classifiable elements

The Review Board noted the presence of illegal drug use, nudity and themes of racism and military corruption. However, it was the finding of the Review Board that these could be accommodated at MA or a lower classification.

7. Reasons for the decision

In reaching its decision to classify Basic MA15+ with the consumer advice “Violence, Strong Coarse Language” the Review Board took particular note of the Guidelines in the MA classification that “violence should be justified by the context” and that “strong coarse language may be used”. It was further noted that the M classification requires that “moderate violence is permitted” and “coarse language may be used.” The Review Board concluded that the cumulative impact of the violence, particularly as detailed in the scenes described, was strong and that the violence was justified in the military context. The Review Board noted that this was not a war film, nor was it a retelling of an historical event and nor was it based on a true story.

The applicant stated in its submission that “It should also not be forgotten that the end of the film makes it perfectly clear that the whole operation was a sting from the start. Any residual impact which may have lingered through the film is dispelled when the film’s plot is laid out for all to see”.

Notwithstanding this submission, the Review Board decided that the denouement at the end did not mitigate the impact of the violent scenes, which were seen repeatedly in different scenarios.

8. Summary

The Review Board found that the film warranted a MA15+ classification with the consumer advice “Violence, Strong Coarse Language” as it contained elements beyond which could be classified M as requested by the applicant. However, the impact of those elements was insufficient to warrant a more restrictive classification.