



Australian Government

Classification Review Board

Date: 2 December 2024

Members: Susan Bush (Chair)
David Toll
Damien Power

Applicant: Paramount Pictures Australia Pty Ltd

Business: To review the Classification Board's decision to classify the film *Gladiator II* **MA 15+** with the consumer advice **Strong themes and violence**.

Decision and reasons for decision

1. Decision

The Classification Review Board (the Review Board) unanimously classified the film MA 15+, with the consumer advice Strong violence and injury detail.

2. Legislative provisions

The *Classification (Publications, Film and Computer Games) Act 1995* (Cth) (the Classification Act) governs the classification of films and the review of classification decisions.

The Review Board

Part 5 of the Classification Act outlines the provisions relevant to the Review Board and its procedures.

Section 42 of the Classification Act sets out the persons who may apply for review of a decision:

- (a) the Minister

- (b) the applicant for classification of the film, or the likely classification of the film under section 33
- (c) the publisher of the film, or
- (d) a person aggrieved by the decision.

Section 43 sets out the conditions regarding the manner and form of applications for review, including time limits. Under section 44, the Review Board must deal with an application for review in the same way that the Board deals with an application for classification of a film.

Classification of Films under the Classification Act

Section 9, subject to section 9A, provides that films are to be classified in accordance with the National Classification Code (the Code) and the classification guidelines. Section 9A states that a computer game that advocates the doing of a terrorist act must be classified RC.

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.

The National Classification Code

Relevantly, the Films Table of the Code provides that:

Films (except RC films and X 18+ films) that are unsuitable for a minor to see are to be classified MA 15+, and the Code also sets out various principles to which classification decisions should give effect, as far as possible:

- (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.

The Guidelines

Three essential principles underlie the use of the *Guidelines for the Classification of Films 2012* (the Guidelines), determined under section 12 of the Classification Act:

- the importance of context
- the assessment of impact, and
- the six classifiable elements – themes, violence, sex, language, drug use and nudity.

3. Procedure

Three members of the Review Board met on 2 December 2024 in response to the receipt of an application from Paramount Australia Pty Ltd on 2 December 2024 to conduct the review of the film *Gladiator II*, which had previously been classified **MA 15+ (Mature Accompanied)** with consumer advice of '**Strong themes and violence**' by the Classification Board. The Review Board determined that the application was a valid application.

The Review Board viewed the film.

The Review Board was provided a submission from the Applicant.

The Review Board then considered the matter.

4. Evidence and other material taken into account

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

- (i) Paramount Australia Pty Ltd's application for review
- (ii) Paramount Australia Pty Ltd's submission
- (iii) the film, *Gladiator II*
- (iv) the relevant provisions in the Classification Act, the Code and the guidelines, and
- (v) the Classification Board's report.

5. Synopsis

Years after witnessing the death of Maximus at the hands of his uncle, Lucius must enter the Colosseum after the powerful emperors of Rome conquer his home. With rage in his heart and the future of the empire at stake, he looks to the past to find the strength and honour needed to return the glory of Rome to its people.

6. Findings on material questions of fact

The Review Board found that the film contains aspects or scenes of importance under various classifiable elements:

- (a) Themes – the film contains that are moderate in impact.

This classifiable element includes the treatment of animals and the nature of political power and the use of violence to keep it. In the Review Board's opinion, the themes in this film are justified by context and their impact does not exceed moderate.

The impact of this element is no higher than moderate and can be accommodated at the M level.

- (b) Violence – the film contains violence that is strong in impact.

This classifiable element includes violence such as decapitation, dismemberment, injury detail as the result of animal attacks and the display of a severed head.

The impact of this element is no higher than strong and can be accommodated at the MA 15+ level.

(c) Sex – the film contains sexual references that are mild in impact.

The impact of this element is no higher than mild and can be accommodated at the PG level.

(d) Language – The film contains coarse language that is mild in impact.

The impact of this element is no higher than mild and can be accommodated at the PG level.

(e) Drug Use – The film contains drug references and drug use that are mild in impact.

The impact of this element is no higher than mild and can be accommodated at the PG level.

(f) Nudity – The film contains nudity that is very mild in impact.

The impact of this element is no higher than very mild and can be accommodated at the G level.

7. Reasons for the decision

In making the decision, the Review Board has applied the Classification (Publication, Films and Computer Games) Act 1995 (The Classification Act), the National Classification Code (the Code) and the Guidelines for the Classification of Films 2012 (the Guidelines).

In the Review Board's opinion, this film warrants an **MA 15+ classification** as, in accordance with item 4 of the films table of the Code, the impact of the classifiable elements is **strong**.

In the Review Board's opinion, the film's violence has a strong impact, due to the inclusion of implicit and explicit depictions of decapitation and dismemberment and the level of blood, injury and body part detail. This includes depictions of severed heads, a severed forearm stump, in addition to multiple blood spurts and sprays that are shown during fight sequences. These have a strong impact, which increases cumulatively across the film.

The film therefore warrants an **MA 15+ classification**, with consumer advice of **strong violence** and **injury detail**, best describing its most impactful element.

8. Summary

Pursuant to the Guidelines, the impact of the classifiable elements is strong. It is therefore the unanimous view of the Review Board that the film warrants a classification of **MA 15+** with the consumer advice of '**Strong violence and injury detail**'.