

Legislative Council

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CLASSIFICATION (PUBLICATIONS, FILMS AND COMPUTER GAMES) (CLASSIFICATION PROCESS) AMENDMENT BILL

The Hon. A. BRESSINGTON (17:15): I rise to indicate my support for the second reading of this bill, which proposes to consolidate the National Classification Scheme, an arrangement between the commonwealth, states and territories that was established in 1996. South Australia is generally in line with other states on where it wants the scheme to go. However, there is one significant exception: the Attorney-General's decision to retain the prohibition of computer games that do not meet the criteria of the MA15+ classification—in other words, it prevents an R18+ classification for computer games.

It is noteworthy that the Attorney-General's bill makes numerous amendments to the Classification Act, but he has very deliberately avoided section 15(3), which refers to the available classifications for computer games. Under the scheme, any change to the Classification Act requires unanimous agreement between all states and the commonwealth. All state Attorneys-General must therefore agree on an R18+ classification before the federal Attorney-General can act.

Representing South Australia, the Attorney-General has held out, and this has made him the target of criticism nationally. I note that parallels have been drawn by some in the media between this issue and the Rann government's steadfast refusal to join a national scheme to regulate the legal profession. South Australia has been referred to as a 'legal pariah' or an outcast. However, should we just blindly unify nationally? If the big kids say that it is a good idea to play with cars on Anzac Highway, do we blindly follow or do we question it for ourselves?

We should not feel pressured by the eastern states to do things a certain way. Censorship is always a controversial debate between libertarians and conservatives, and here we see it affecting the multimillion-dollar video game market. There has been strong lobbying from both sides, with plenty of commentary in the media and the community. A staffer at the Attorney-General's Department informed a member of my staff that they had received numerous phone calls and correspondence on this matter.

I make the point that, as a mother of five, it is very difficult for parents who work full-time, care for a family, and do all the things that families do, to keep track of the appropriateness of video games for children; even my 6½ year old has purchased video games in which, after we had viewed them, there was quite a deal of violence for a six year old. We had to make the decision not to allow him to play that game because of the level of violence—and this was for kids aged 6½.

All I can say to those people who are critical of the censorship issue is that they are probably not in a position of being responsible for young children and do not realise the serious psychological effects that could occur from our children being exposed to and desensitised by violence in our society through video games. I fully support the Attorney-General in this bill in which he appears to be supporting children, parents and families and making our job as parents just that little bit easier.

The Australian Families Association has been one of the more high-profile supporters of retaining the prohibition of games outside the MA15+ classification. I am also aware that

the Attorney-General has come under significant pressure from the Chief Executive of the Interactive Entertainment Association of Australia, Mr Ron Curry.

At present, computer games are classified in the same way as films and books, but with one exception: an R18+ classification is not possible. If a computer game is classified as R18+, it is banned. At the Barossa conference for the state and federal attorneys-general in late March 2008, high on the agenda was the reaching of an agreement on the new 18+ rationale on video games. South Australia successfully blocked it.

In his criticism of the Attorney-General for not reaching an agreement, an attorney from another state said, 'This is the electronic age. We don't do things with jungle drums any more.' No; we certainly do not. Technology is progressing at a mile a minute: things are flashier, quicker and sometimes cheaper and have much greater accessibility. However, despite all the benefits, many people have mixed feelings about modern technology. At the flick of a switch and the click of a mouse, young kids have access to, amongst other things, hardcore pornography, online gambling and computer games where they can brutally murder in cold blood remarkably realistic victims.

I am talking about games with names such as *Manhunt* and *Wolf Creek*, and I will go into further detail on these later. However I make the point now that central to my position on this matter is this: just because modern technology can produce games such as this, does it mean that we should accept them? For example, *Manhunt 2* is a controversial game that has been banned in several countries, including Australia, for being too violent.

In this game, players perform remarkably realistic executions, via the new technology of the Wii remote, which is basically a form of virtual reality. The game is highly immersive; for example, in order to stab someone in the game, the player must flick the Wii remote forward in much the same way as one would when actually stabbing with a knife. In its review, one magazine wrote:

It is even more terrifying for seeming like the most real thing in a game this year.

In January this year, the game's manufacturer, Rockstar Games, announced that it would not be submitting it to the Office of Film and Literature Classification. Could it be that if we did have an R-rated-plus classification this violent, highly realistic game could have been made available for sale in South Australian stores? While we have been spared games such as this, what about the controversial games that currently are permitted in this country?

In April this year, and with much fanfare, *Grand Theft Auto IV*, the latest instalment of Rockstar Games' popular console games was officially released world wide on the Xbox 360 and Sony PlayStation 3. In Adelaide, and right across the world, games shops were packed with excited gamers, and many shops sold out within hours. In this game, players control the actions of Niko Bellic, a war veteran from Eastern Europe who comes to the US in search of the American dream.

However, Niko turns to crime to survive on the mean streets of Liberty City, a thinly-veiled copy of New York. They are able to make him steal vehicles, commit violent crimes and engage in high-speed chases with police, running over pedestrians and crashing into other vehicles in order to escape police. Despite condemnation from 'morals campaigners', *Grand Theft Auto IV* has been a major commercial success. It broke sales records by selling about 3.6 million units world wide on its first day of release and grossing more than \$500 million worldwide in its first week. The game received overwhelmingly positive reviews, becoming the number one rated video game of all time on numerous websites shortly after it was released.

I would just like to make the point too that, based on years in drug rehab, we all know that methamphetamine users tweak, which means that they get caught in a particular cycle of action, and that tweak can last days. The feedback that I have received from drug users in rehab who play these games continuously for days and days is that they then become quite confused as to whether it really happened or whether it was a dream or whether they were actually playing a video game. They do express concerns that, over a period of time, they actually were quite tempted to act out what they were playing on these games.

Now, I know that maybe most average older teenage kids would be able to tell the difference, but we are talking about people who are already in an altered state anyway. If they are confessing that these games were so real to them and that they played them for days on end to the point where they could not tell the difference between reality and a video game, then that is anecdotal evidence that there is a serious problem that we need to consider.

We have seen, also, that viewing violence has become a voyeuristic pastime. We are seeing kids recording school fights on mobile phones and posting it on the internet. We are seeing street violence being recorded on mobile phones and posted on the internet, and these websites such as YouTube are accessed by hundreds of thousands of people who are almost obsessed with seeing people hurting themselves.

We have to ask where that has come from. I remember, earlier this week, that Leon Byner on FIVEaa said that in ancient Roman times it used to be a pastime to go to the Colosseum and see the Christians battle the lions and it was a great day out for everybody, and it was even better if they could see a Christian being mauled by the lions. What is the difference? Are we actually slipping backwards in time where we are now quite willing to observe real-life people being hurt and bashed, and not ring the police and not come to their assistance and not intervene in any way?

I believe that we are on a downward slide with this situation and that the Attorney-General has made a good call. He is holding out and, while it might not be getting him great kudos from other Attorneys-General, I am proud that he is actually taking the stand that he is.

The version of Grand Theft Auto IV that was released in Australia was slightly different to other versions as it was edited to remove content to allow the game to meet the requirements of the Australian classification system, which is stricter than in many other jurisdictions. The game had to be modified to meet Australia's classification standards because South Australia's Attorney-General thwarted attempts to create a national R-rating for video games.

The Australian Office of Film and Literature Classification gave *Grand Theft Auto IV* an MA 15+ rating. Despite the adjustments made (which many gamers attacked), *Grand Theft Auto IV* remains an extremely violent game, and I can actually back up that statement because my oldest son who is 28 now has a copy of this. I sat down and watched him play this game the first time that he put it on his Xbox about 18 months ago and I was absolutely horrified.

There are actually extra points for running over pedestrians, and the graphics on it are amazing. Although my son is older than 18, I took the liberty of taking the game and stepping on it because it was really quite disturbing to see that somebody could sit there and play this game for hours with the realistic graphics and the fact that purposely aiming for pedestrians and hitting them in a high-speed chase for more points was the aim of the game.

This includes hand-to-hand combat, the use of various weapons including knives, baseball bats, a night stick, pistols, machineguns, shotguns, rifles, grenades, and rocket launchers. Enthusiasts can buy cocaine, visit strip clubs, beat up prostitutes, shoot police, fire

rocket launchers, create widespread carnage and set fire to enemies. The question is, then: how much more sex and gratuitous violence do these gamers need? I think that if this kind of game is classified as MA 15+, then our laws are certainly not too tight. On the contrary, one could say that they do not go far enough. We live in a dynamic society, critics say, and our laws should reflect changes in technology. If books, films, music and so on are classified under an 18+ classification, they say, why should video games be exempt? Because, as the act currently recognises, computer games are in a class of their own. They are not passive but are highly interactive. Indeed, this is the view taken by ministers responsible for classification 10 years ago, and it has increased dramatically in that time.

As I said earlier, gaming has progressed to the level of virtually stabbing someone via the technology of the Wii, and that interactivity is likely to exacerbate the impact of extreme violence, sexual aggression and cruelty on game players. Above all, the point is that technology is progressing at such a rate that, although at present you can still tell it is a game, what is to say that in 18 months it may look and seem totally realistic. Already games such as *Grand Theft Auto 4* are amazingly realistic, as I have said. What does the future hold? As these games become cheaper to produce and it is reasonably foreseeable that manufacturers will start to produce games for niche audiences rather than the broad market as it does at present, this could lead to games targeting those with particular sexual deviances or specific violent fantasies, for example.

Yes, most other countries with similar classification schemes have an adult rating for computer games and, yes, with South Australia holding out on the 18+ classification for electronic games, it is effectively banning them throughout the whole country. Should we be concerned that such games encourage antisocial, violent and illegal activities? There has been a long-running debate in the community about what impact these various computer games and other forms of media have on people's behaviour, and it is a real concern. Research has been undertaken to show the change in brain chemistry that occurs when people play these games for an extended period of time and how much of that change in brain chemistry remains permanent.

Research shows that playing extremely violent games changes people's attitudes and behaviours as well as displaying a link between such games and those convicted of violent and dangerous crimes. The most famous example is in the United States where Eric Harris and Dylan Klebold, the infamous boys who in 1999 shot dead 13 fellow students and wounded 21 at Columbine High School before turning their guns on themselves, were found to be avid players of the infamous realistic first person shooting game called *Doom*—the initial 'mass murder simulator' that paved the way for even more gruesome and realistic follow-ups like *Manhunt*. While planning for the massacre, Harris allegedly said that the killing would be 'like f-ing *Doom*' and that his shotgun was 'straight out of the game.

Of course, not every player of a game such as this is going to murder someone in real life, but research indicates at least that caution is warranted, with indications that playing changes violent game players' behaviours and attitudes. This all spells trouble to a troubled or angry young person. Furthermore, neurobiological research may indicate that such game-playing over the longer term may alter brain structure and lead to the establishment of maladaptive neural pathways and behaviour patterns.

Columbine was not an isolated incident. Critics point to numerous cases of such games. For example, in the UK in February 2004, 17 year old Warren Leblanc lured a 14 year old boy into a park and murdered him by stabbing him repeatedly with a knife and a claw hammer. The police investigation that followed revealed that Leblanc was reportedly obsessed with the original game *Manhunt*.

As stated, games with high levels of strategy, rendering, imagination and realism are all available under the current classification rules. If the R rating is introduced, the only thing that will change is that games such as *Manhunt 2*, which go past being extremely violent to just downright sick, will be added to the mix. Do we really want that? I, personally, do not think so.

A problem that has been raised is that, if someone wants a game and they cannot buy it, they will download it, thereby encouraging video game piracy. I note that, in September 2007, an uncensored version of *Manhunt 2* was leaked onto the internet by an employee of Sony who was later fired. Piracy is an issue that the music and movie industries in particular continue to find difficult to address. However, such acts, whilst difficult to prosecute, will remain criminal activity, with those found guilty facing the consequences.

I congratulate the Attorney-General for not bowing to the pressure of his interstate colleagues and amending section 15(3) of the act, therefore 'holding up another Australia-wide reform', as his critics have said. He has shown tremendous courage for willing to be out of step with his contemporaries, particularly when we have wall-to-wall Labor governments. I support the principle behind it and the entire contents of this bill. I note that this legislation was supported by the opposition in the other place and, with that in mind, I look forward to its swift passage.

Debate adjourned on motion of Hon. J.M. Gazzola.