

SUMMARY OF REASONS FOR DECISION

Under the Films, Videos, and Publications Classification Act 1993 (FVPC Act)

HEADNOTE

Title of publication:	Call Of Duty: Advanced Warfare
Other known title(s):	Call Of Duty 11
OFLC ref:	1400762.000
Medium:	Console Game
Classification:	Objectionable except if the availability of the publication is restricted to persons who have attained the age of 16 years.
Descriptive note:	Violence, offensive language and content that may disturb.
Display conditions:	None

Call Of Duty: Advanced Warfare is the eleventh instalment in the popular Call Of Duty military simulation game. The game was examined on an Xbox One console, but will also be available on the PlayStation 4 console and PC. As a beta version, the game was complete but lacked polish and stability. A representative portion of the game was examined, however not all aspects of the game were able to be explored.

In 2054, a terrorist organization known as the KVA initiates the first global terrorist attack in history by simultaneously destroying the nuclear reactors of developed countries around the globe, including the United States. Across five continents, many countries' military and government infrastructure including electricity and technology are devastated and incapable of fighting the threat posed by the KVA. As the result, Private Military Corporations (PMCs) have become the dominant armed forces for countless nations and represent the first line of defence against this new enemy. The player's assumes the role of Jack Mitchell, a former U.S. Marine who lost his left arm during a battle in South Korea, and joins Atlas, the world's most powerful private military company with the most advanced technologies on the planet. Executing clandestine operations across the globe for the highest bidder, Jonathan Irons, the CEO and founder of Atlas, begins his war over the ineffectiveness from America as the promoter of democracy all over the world to change the global balance of power.

Game play is largely unchanged from previous iterations in that the main premise is shooting and killing the enemy using a degree of strategy while avoiding being killed. The game is played from a first-person perspective, with the player moving across war-torn representations of well known cities, as well as mountainous terrain and icy caves. The game also features multiplayer modes where players combat online against other player-controlled characters, though this was not able to be examined. Missions are introduced with full-motion video sequences. These are accompanied by voiceover narrative giving details on objectives that must be completed. Game play is frenetic with the constant sound of explosions, gunfire and radio communication. In-game dialogue gives the impression of real people involved in battle. The game contains sharp and realistic animation images, and cinematic-quality storyline and music.

The game's treatment of matters of cruelty and violence bring it within the subject matter gateway, s3(1). There is nothing that requires discussion under s3(2) of the FVPC Act.

The player is presented with several scenes of dead civilians in bloodied rooms, supposedly the result of enemy military incursions. The images are somewhat horrifying, though close inspection of bodies does not allow the player further detail and none of the bodies are able to be interacted with.

The game's main premise is an interactive experience focusing on animated combat violence, and to a lesser extent cruelty. The extent and degree to which, and the manner in which, the game deals with the infliction of serious physical harm, acts of torture and acts of significant cruelty is discussed under s3(3)(a)(i).

The game depicts the infliction of serious physical harm to a high extent and a moderate degree, including skirmishes, stealth espionage, assassinations, and interrogations involving torture. The player's main occupation is targeting and killing enemy soldiers to achieve an objective, such as securing weapons of mass destruction, or holding a base. Combat is a fairly even mix of high intensity close-quarters and long-distance warfare. Battle sequences are disorientating and claustrophobic, which tends to draw the player's eye away from specific moments of harm. Friendly fire results in a failed mission, as does shooting civilians (who seldom appear outside of each level's opening cutscenes) however civilians are occasionally killed by enemy fire, often as a means to incite the player to fight. Violence experienced during the game's multiplayer modes is purported to be very similar to single-player mode.

During game play a combination of stealth and firepower are used to overcome the enemy. This includes a variety of hand-held weapons, as well as mortars, anti-aircraft artillery, futuristic laser guns, and helicopter or tank weaponry. At several points the player also controls weaponised drones as well as a tiny robotic fly. All in all, the dominant element is gunfire. When a character is shot, the impact registers as blood spurts which vary in strength depending on the weapon and the range at which it is used. Characters reel backward or are spun around on the spot before falling to the ground, with the effect being similar each time. Explosives throw up huge plumes of dust and smoke, and hurl bodies high into the air. Inspection of the corpses show extensive blood staining though wounds are seldom detailed and often covered by clothing. Whilst most of the intense action does not dwell on injuries, some attacks such as those involving bladed melee weapons contain more of a focus on the damage inflicted and stronger bloodshed. For example, a large military knife can be plunged into an enemy's chest, and is seen going into and coming out of their body with fairly extensive bloodletting and convincing sound effects. The physical wound is not able to be seen, however. Another example of strong content occurs in a cut-scene in which a large piece of metal strikes the player after an aircraft explosion. As the player is pulled to safety by a team member, their left arm remains where it is, and it becomes clear that it has been severed. There is a brief glimpse of a moderately gory wound and blood trail leading to the player. The player quickly falls unconscious and the screen goes blank.

In terms of torture, the game incorporates an interrogation scene (which the player has no control over) showing a captive political aide being questioned at gunpoint. The man is threatened with death several times while the President of an unspecified African country pleads for the aide's life. The torturer laughs and then shoots the aide point-blank in the side of the head, spraying blood across the table including small chunky bits meant to represent brain matter. The player has no control of the scene and again this serves primarily to motivate the player into action.


High-quality graphics and realistic war scenarios give the game a realistic edge, though futuristic elements add a touch of fantasy. The nature of the game means the player must fight strategically, seeking cover every few meters or so. The animated nature of the medium and the fact that the majority of the game's characters look and behave the same reduces the impact somewhat. The violence, while extensive, is formulaic and generally has little focus on pain or death.

Examples of highly offensive language(s3A) include, "Fucking bad ass!", "This whole city is fucked", and, "Fuck me" All highly offensive language has situational context within the tense scenarios and does not seem unwarranted. While the language may cause serious harm to younger teenagers and children, other criteria (such as matters of violence discussed above) mean the availability of the game is likely to be limited to for older teenagers and adults anyway.

The game's dominant effect is of a gritty, frenetic and realistic computer game based on modern and futuristic warfare techniques. This game is inherently violent. Children and younger teenagers will be shocked and disturbed by its violent content, particularly the more cruel and bloody parts of the game. Repeated exposure to the exciting and rewarding killing for entertainment's sake, in which the player is an active participant, is likely to play a part in inuring impressionable younger teenagers to media violence more generally, and may lead to a desensitisation in attitudes towards violent behaviour and its consequence in real life. Older teenagers and adults are considered more capable of recognising the game as a contrived experience that is distinctly separate from the real world, and are less likely to be affected by its content. The classification of R16 limits the freedom of expression as provided by the New Zealand Bill of Rights Act 1990. However, given the considerations above, the availability of *Call Of Duty: Advanced Warfare* at a lower classification is likely to be injurious to the public good.

Note:

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CONSIDERATION SHEET**OFLC ref:** 1400762.000**Submission channel:** s12(1)**Title of publication:** Call Of Duty: Advanced Warfare**Other known title:** Call Of Duty 11**Medium:** Console Game**Distributor:** Total Interactive**Country of origin:** United States**Language:** English**Applicant:** Film & Video Labelling Body**Examination transcript No:** 614 p 041**Examination date:** 29 August 2014**Classification Officer(s):** **Other identifying information:**

COMPONENTS OF FILM**Components of film originally examined:**

	Components	Running time
Game:	Call Of Duty: Advanced Warfare	
Total running time:		

Components of film excised:

EXAMINATION

Section 23 Examination and classification –

...the Classification Office shall examine the publication to determine the classification of the publication.

Section 24 Soundtrack to be considered -

Where a film is intended to be viewed with an accompanying soundtrack (whether or not the soundtrack is an integral part of the film), an examination of the film under s23 of the Act shall also take into account the content of the soundtrack and its relationship to the film.

Description of Publication:

Call Of Duty: Advanced Warfare is the eleventh installment in the popular Call Of Duty military simulation game.

In 2054, a terrorist organization known as the KVA initiates the first global terrorist attack in history by simultaneously destroying the nuclear reactors of developed countries around the globe, including the United States. Across five continents, many countries' military and government infrastructure including electricity and technology were devastated and incapable of fighting the threat posed by the KVA. As the result, Private Military Corporations (PMCs) have become the dominant armed forces for countless nations and represent the first line of defence against this new enemy. The player's assumes the role of Jack Mitchell, a former U.S. Marine who lost his left arm during a battle in South Korea, and joins Atlas, the world's most powerful private military company with the most advanced technologies on the planet. Executing clandestine operations across the globe for the highest bidder, Jonathan Irons, the CEO and founder of Atlas, begins his war over the ineffectiveness from America as the promoter of democracy all over the world to change the global balance of power.

Game play is largely unchanged from previous iterations in that the main premise is shooting and killing the enemy using a degree of strategy while avoiding being killed. The game is played from a first-person perspective, with the player moving across war-torn representations of well known cities, as well as mountainous terrain and icy caves. The game also features multiplayer modes where players combat online against other player-controlled characters, though this was not able to be examined. Missions are introduced with full-motion video sequences. These are accompanied by voiceover narrative giving details on objectives that must be completed. Game play is frenetic with the constant sound of explosions, gunfire and radio communication. In-game dialogue gives the impression of real people involved in battle. The game contains sharp and realistic animation images, and cinematic-quality storyline and music.

The game was examined on an Xbox One console, but will also be available on the PlayStation 4 console and PC. As a beta version, the game was complete but lacked polish and stability. A representative portion of the game was examined, with the further hours of content given context by the unfolding story, however not all aspects of the game were able to be examined.

Statutory Submissions

Section 20 – Synopsis of Written Submissions

Not Applicable	X
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Section 21 Other Assistance

None Requested	X
See Record of Assistance	

Other Relevant Information

None Considered	<input type="checkbox"/>
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In reaching a classification decision the Classification Office may consider a variety of information including **previous decisions** of the Classification Office or other **copyright bodies, research, books, articles, reviews,** and information obtained from the **Internet**. If you have used any of this information please record this below.

Previous decisions				
Classification Body	OFLC	<input checked="" type="checkbox"/>	VRA	<input type="checkbox"/>
	Chief Censor of Film	<input type="checkbox"/>	IPT	<input type="checkbox"/>
Title:				
Call Of Duty: Ghosts <i>Used as a reference for this decision given similarity of content and manner of presentation.</i>				
Publication/Certificate/Decision No.				
1300752.000				

Other Sources (please specify and reference):
www.wikipedia.org www.callofduty.com/advancedwarfare

CLASSIFICATION

Section 3 Meaning of “objectionable”-

s3(1) ... a publication is objectionable if it describes, depicts, expresses, or otherwise deals with matters such as sex, horror, crime, cruelty, or violence in such a manner that the availability of the publication is likely to be injurious to the public good.

Subject Matter Gateway

The Court of Appeal's interpretation of the words "matters such as sex, horror, crime, cruelty or violence" in s3(1), as set out in *Living Word Distributors v Human Rights Action Group (Wellington)* [2000] 3 NZLR 570; (2000) 6 HRNZ 28, must also be taken in to account in the classification of any publication:

[27] The words "matters such as" in context are both expanding and limiting. They expand the qualifying content beyond a bare focus on one of the five categories specified. But the expression "such as" is narrower than "includes", which was the term used in defining "indecent" in the repealed Indecent Publications Act 1963. Given the similarity of the content description in the successive statutes, "such as" was a deliberate departure from the unrestricting "includes".

[28] The words used in s3 limit the qualifying publications to those that can fairly be described as dealing with matters of the kinds listed. In that regard, too, the collocation of words "sex, horror, crime, cruelty or violence", as the matters dealt with, tends to point to activity rather than to the expression of opinion or attitude.

[29] That, in our view, is the scope of the subject matter gateway.

The content of the publication must bring it within the "subject matter gateway". In classifying the publication therefore, the question is whether or not it deals with the following:

Matters such as sex

Included as a "matter such as sex" is any publication that in terms of s3(1A) –

- (a) *... is or contains 1 or more visual images of 1 or more children or young persons who are nude or partially nude; and*
- (b) *those 1 or more visual images are, alone, or together with any other contents of the publication, reasonably capable of being regarded as sexual in nature.*

N/A

Matters such as horror

The player is presented with several scenes of dead civilians in bloodied rooms, supposedly the result of enemy military incursions. The images are somewhat horrifying, though close inspection of bodies do not allow the player further detail and none of the bodies are able to be interacted with.

Matters such as crime

N/A

Matters such as cruelty

Discussed in conjunction with matters of violence.

Matters such as violence

The game's main premise is an interactive experience focusing on animated combat violence, and to a lesser extent cruelty. The extent and degree to which, and the manner in which, the game deals with the infliction of serious physical harm, acts of torture and acts of significant cruelty is discussed under s3(3)(a)(i).

Or – The content of the publication does not bring it within any "subject matter gateway".

For publications that fall outside the "subject matter gateway" go to s3A and s3B

Section 3(2) Certain publications are deemed to be objectionable –

Under s3(2) of the FVPC Act, a publication is deemed to be objectionable if it promotes or supports, or tends to promote or support, certain activities listed in that subsection.

In *Moonen v Film and Literature Board of Review (Moonen I)*, the Court of Appeal stated that the words "promotes or supports" must be given "such available meaning as impinges as little as possible on the freedom of expression"¹ in order to be consistent with the Bill of Rights. The Court then set out how a publication may come within a definition of "promotes or supports" in s3(2) that impinges as little as possible on the freedom of expression:

Description and depiction ... of a prohibited activity do not of themselves necessarily amount to promotion of or support for that activity. There must be something about the way the prohibited activity is described, depicted or otherwise dealt with, which can fairly be said to have the effect of promoting or supporting that activity.²

Mere depiction or description of any of the s3(2) matters will generally not be enough to deem a publication to be objectionable under s3(2). When used in conjunction with an activity, the Classification Office defines "promote" to mean the advancement or encouragement of that activity. The Classification Office interprets the word "support" to mean the upholding and strengthening of something so that it is more likely to endure. A publication must therefore advance, encourage, uphold or strengthen, rather than merely depict, describe or deal with, one of the matters listed in s3(2) for it to be deemed to be objectionable under that provision.

s3(2)(a) The exploitation of children, or young persons, or both, for sexual purposes.

¹ *Moonen v Film and Literature Board of Review* [2000] 2 NZLR 9 at para 27.

² Above n2 at para 29.

In *Moonen v Film and Literature Board of Review (Moonen II)* [2002] 2 NZLR 754, the Court of Appeal stated that the absence of definitions of "young persons" and "children" in s3(2)(a) was deliberate. The provision does not require proof of the models' ages; it requires an assessment of whether or not the publication in which the models appear promotes or supports the exploitation of children or young persons for sexual purposes:

The legislation is concerned with the vulnerability of young people and with the corrosive injury to the public good of depicting persons perceived to be children or young people as subjects for exploitation. The Board properly assessed whether the publication of the photographs would tend to promote or support the exploitation of children or young persons, not limited to the impact on the particular persons photographed. The inquiry under s3 does not require the ascertainment of the precise age of the person photographed.³

It was Parliament's intention therefore that s3(2)(a) should apply to any publication as defined in the Act, that promotes, supports, or tends to promote or support, the exploitation of children or young persons for sexual purposes. As long as a publication at least tends to promote or support such exploitation, whether or not it depicts underage models, no underage models or no models at all is irrelevant to the proper application of s3(2)(a). The issue is whether, on the evidence presented by the publication itself, the publication at least tends to promote or support the exploitation of children or young persons for sexual purposes.

N/A

s3(2)(b) *The use of violence or coercion to compel any person to participate in, or submit to, sexual conduct.*

N/A

s3(2)(c) *Sexual conduct with or upon the body of a dead person.*

N/A

s3(2)(d) *The use of urine or excrement in association with degrading or dehumanising conduct or sexual conduct.*

N/A

s3(2)(e) *Bestiality.*

N/A

s3(2)(f) *Acts of torture or the infliction of extreme violence or extreme cruelty.*

N/A

If the publication promotes and supports, or tends to promote and support, any of the 3(2) provisions above and is deemed objectionable go to the Bill of Rights section.

³ *Moonen v Film and Literature Board of Review* [2002] 2 NZLR 754 at para 40.

However, section 32 of the FVPC Act directs the Classification Office to consider whether it would classify the publication differently if the material falling under s3(2) were excised or altered. If an excision were made, the publication would no longer fall under 3(2) of the FVPC Act. If the publication contains material that falls under 3(2) which can be excised or altered, go the Excisions section and then return to s3(3) and 3(4) below.

Otherwise, if the publication does not fall under s3(2) consider the following matters:

Section 3(3) Matters to be given particular weight –

In determining, for the purposes of the Act, whether or not any publication (other than a publication to which subsection 3(2) of this section applies) is objectionable or should in accordance with section 23(2) be given a classification other than objectionable, the following matters shall also be considered:

...particular weight shall be given to the **extent** and **degree** to which, and the **manner** in which, the publication describes, depicts, or otherwise deals with...

s3(3)(a)(i) *Acts of torture, the infliction of serious physical harm, or acts of significant cruelty.*

The game depicts the infliction of serious physical harm to a high extent and a moderate degree, including skirmishes, stealth espionage, assassinations, and interrogations involving torture. The player's main occupation is targeting and killing enemy soldiers to achieve an objective, such as securing weapons of mass destruction, or holding a base. Combat is a fairly even mix of high intensity close-quarters and long-distance warfare. Battle sequences are disorientating and claustrophobic, which tends draw the player's eye away from specific moments of harm. Friendly fire results in a failed mission, as does shooting civilians (who seldom appear outside of each levels opening full-motion video sequences) however civilians are occasionally killed by enemy fire, often as a means to incite the player to fight. Violence experienced during the game's multiplayer modes is purported to be very similar to single-player mode.

During game play a combination of stealth and firepower are used to overcome the enemy. This includes a variety of hand-held weapons, as well as mortars, anti-aircraft artillery, futuristic laser guns, and helicopter or tank weaponry. At several points the player also controls weaponised drones as well as tiny robotic fly. All in all, the dominant element is gunfire. When a character is shot, the impact registers as blood spurts which vary in strength depending on the weapon and the range at which it is used. Characters reel backward or are spun around on the spot before falling to the ground, with the effect being similar each time. Explosives throw up huge plumes of dust and smoke, and hurl bodies high into the air. Inspection of the corpses shows extensive blood staining though wounds are seldom detailed and often covered by clothing. Whilst most of the intense action does not dwell on injuries, some attacks such as those involving bladed melee weapons contain more of a focus on the damage inflicted and stronger bloodshed. For example, a large military knife can be plunged into an enemy's chest, and is seen going into and coming out of their body with fairly extensive bloodletting and convincing sound effects. The physical wound is not able to be seen, however. Another example of strong content occurs in a cut-scene in which a large piece of metal strikes the player after an aircraft explosion. As the player is pulled to safety by a team member, their left arm remains where it is, and it becomes clear that it has been severed. There is a brief glimpse of

a moderately gory wound and blood trail leading to the player. The scene is brief and the player quickly falls unconscious and the screen goes blank.

In terms of torture, the game incorporates an interrogation scene (which the player has no control over) showing a captive political aide being questioned at gunpoint. The man is threatened with death several times while the President of an unspecified African country pleads for the aide's life. The torturer laughs and then shoots the aide point-blank in the side of the head, spraying blood across the table including small chunky bits meant to represent brain matter. The player has no control of the scene and again this serves primarily to motivate the player into action.

High-quality graphics and realistic war scenarios give the game a realistic edge, though futuristic elements add a touch of fantasy. The nature of the game means the player must fight strategically, seeking cover every few meters or so. The animated nature of the medium and the fact that the majority of the game's characters look and behave the same, reduces the impact somewhat. The violence, while extensive, is formulaic and generally has little focus on pain or death.

s3(3)(a)(ii) Sexual violence or sexual coercion, or violence or coercion in association with sexual conduct.

N/A

s3(3)(a)(iii) Other sexual or physical conduct of a degrading or dehumanising or demeaning nature.

N/A

s3(3)(a)(iv) Sexual conduct with or by children, or young persons, or both.

N/A

s3(3)(a)(v) Physical conduct in which sexual satisfaction is derived from inflicting or suffering cruelty or pain.

N/A

...particular weight shall be given to the **extent** and **degree** to which, and the **manner** in which, the publication

s3(3)(b) Exploits the nudity of children or young persons, or both.

N/A

s3(3)(c) Degrades, dehumanises or demeans any person.

N/A

s3(3)(d) Promotes or encourages criminal acts or acts of terrorism.

N/A

s3(3)(e) *Represents (whether directly or by implication) that members of any particular class of the public are inherently inferior to other members of the public by reason of any characteristic of members of that class, being a characteristic that is a prohibited ground of discrimination specified in section 21(1) of the Human Rights Act 1993.⁴*

N/A

3A Publication may be age-restricted if it contains highly offensive language likely to cause serious harm

3A(1) A publication to which subsection 3A(2) applies may be classified as a restricted publication under section 23(2)(c)(i).

3A(2) *This subsection applies to a publication that contains highly offensive language to such an extent or degree that the availability of the publication would be likely, if not restricted to persons who have attained a specified age, to cause serious harm to persons under that age.*

3A(3) *In this section, **highly offensive language** means language that is highly offensive to the public in general.*

Examples of highly offensive language include, "Fucking bad ass!", "This whole city is fucked", and "Fuck me" All highly offensive language has situational context within the tense scenarios and does not seem unwarranted. While the language may cause serious harm to younger teenagers and children, other criteria (such as matters of violence discussed above) mean the game is likely to be made available for older teenagers and adults and therefore, unlikely to cause serious harm to the intended audience.

3B Publication may be age-restricted if likely to be injurious to public good for specified reasons

3B(2) This subsection applies to a publication that contains material specified in subsection (3) to such an extent or degree that the availability of the publication would, if not restricted to persons who have attained a specified age, be likely to be injurious to the public good for any or all of the reasons specified in subsection (4).

3B(3) *The material referred to in subsection (2) is material that*

3B(3)(a) *describes, depicts, expresses, or otherwise deals with—*

3B(3)(a)(i) *Harm to a person's body whether it involves infliction of pain or not (for example, self-mutilation or similarly harmful body modification) or self-inflicted death.*

Discussed elsewhere.

⁴ The grounds of discrimination prohibited by s21(1) of the Human Rights Act 1993 are sex, marital status, religious belief, ethical belief, colour, race, ethnic or national origins, disability, age, political opinion, employment status, family status and sexual orientation.

3B(3)(a)(ii) *Conduct that, if imitated, would pose a real risk of serious harm to self or others or both.*

N/A

3B(3)(a)(iii) *Physical conduct of a degrading or dehumanising or demeaning nature.*

N/A

3B(3)(b) *is or includes 1 or more visual images—*

3B(3)(b)(i) *of a person's body; and*

3B(3)(b)(ii) *that, alone, or together with any other contents of the publication, are of a degrading or dehumanising or demeaning nature.*

N/A

3B(4) The reasons referred to in subsection (2) are that the general levels of emotional and intellectual development and maturity of persons under the specified age mean that the availability of the publication to those persons would be likely to—

3B(4)(a) *Cause them to be greatly disturbed or shocked; or*

3B(4)(b) *Increase significantly the risk of them killing, or causing serious harm to, themselves, others, or both; or*

3B(4)(c) *Encourage them to treat or regard themselves, others, or both, as degraded or dehumanised or demeaned.*

See conclusion.

3C Procedure for classification under sections 3A and 3B

In determining whether to classify a publication as a restricted publication in accordance with section 3A or section 3B, the Classification Office must consider the matters specified in paragraphs (a) to (f) of section 3(4).

Section 3(4) Additional matters to be considered –

In determining, for the purposes of the Act, whether or not any publication (other than a publication to which subsection 3(2) of this section applies) is objectionable or should in accordance with section 23(2) be given a classification other than objectionable, the following matters shall also be considered:

3(4)(a) *The dominant effect of the publication as a whole.*

The game's dominant effect is of a gritty, frenetic and realistic computer game based on modern and futuristic warfare techniques.

s3(4)(b) *The impact of the medium in which the publication is presented.*

The game allows for complex and sophisticated game-play with realistic graphics and sound effects contained within a semi-portable device or disc.

s3(4)(c) *The character of the publication, including any merit, value or importance it has in relation to literary, artistic, social, cultural, educational, scientific or other matters.*

The game is characterised by superior graphics and intense periods of focused gunplay. The publication has technological and artistic merit.

s3(4)(d) *The persons, classes of persons, or age groups of the persons to whom the publication is intended or is likely to be made available.*

The game's strong violent content is intended for older teenagers and adults, and will appeal to fans of the series.

s3(4)(e) *The purpose for which the publication is intended to be used.*

The game is intended to be used as entertainment.

s3(4)(f) *Any other relevant circumstances relating to the intended or likely use of the publication.*

None.

BILL OF RIGHTS CONSIDERATIONS

New Zealand Bill of Rights Act 1990

Section 14 Freedom of expression -

Everyone has the right to freedom of expression, including the freedom to seek, receive, and impart information and opinions of any kind in any form.

Section 5 Justified limitations -

Subject to section 4 of this Bill of Rights, the rights and freedoms contained in this Bill of Rights may be subject only to such reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society.

Section 6 Interpretation consistent with Bill of Rights to be preferred -

Wherever an enactment can be given a meaning consistent with the rights and freedoms contained in this Bill of Rights, that meaning shall be preferred to any other meaning.

Discussion of Bill of Rights Considerations:

New Zealand Bill of Rights considerations are discussed in conjunction with the conclusion, below.

CONCLUSION

Injury

If s3(1) applies to the publication the question is whether or not it deals with the matters discussed in a manner that **the availability of the publication is likely to be injurious to the public good**. In discussing injury consider the nature and severity of that injury, the likelihood of it occurring and who would be injured by the publication's availability. The classification recommended must remedy the injury identified.

If s3B applies to the publication, **the injury to the public good** must be explained in terms of s3B(4) of the FVPC Act.

If s3A applies to the publication, explain the age restriction in terms of **how the language is likely to cause serious harm to persons under the age of the restriction**.

Classification:

R16.

This game is inherently violent. Children and younger teenagers will be shocked and disturbed by its violent content, particularly the more cruel and bloody parts of the game. Repeated exposure to the exciting and rewarding killing for entertainment's sake, in which the player is an active participant, is likely to play a part in inuring impressionable younger teenagers to media violence more generally, and may lead to a desensitisation in attitudes towards violent behaviour and its consequence in real life. Older teenagers and adults are considered more capable of recognising the game as a contrived experience that is distinctly separate from the real world, and are less likely to be affected by its content. The classification of R16 limits the freedom of expression as provided by the New Zealand Bill of Rights Act 1990. However, given the considerations above, the availability of *Call Of Duty: Advanced Warfare* at a lower classification is likely to be injurious to the public good.

EXCISIONS/ ALTERATIONS

Section 32 - Excisions from and alterations to film –

In the case of a film submitted for classification under any part of the Act other than s29(1) and 41(3) (court referrals), if the Classification is of the opinion that it would classify the film differently according to whether any specified part or parts of the film are excised from or left in the film, it shall, before making a final determination in respect of the classification of the film, follow the procedure prescribed by section 33.

Section 33(1) directs the Classification Office to notify the authorised distributor of the film of the classification that would be given if part or parts of the film were excised or altered, and, the classification that would be given if the specified part or parts were not excised or altered.

Section 33(5) provides that, in deciding whether or not to propose excisions or alterations, the Classification Office may consider the effect that any such excision or alteration may have on the continuity of the film or on its overall effect.

EXCISIONS SUMMARY	
None (for non-moving image and s29(1) / 41(3) publications)	<input type="checkbox"/>
No excisions recommended (for all other moving image publications)	<input checked="" type="checkbox"/>
Excisions/alterations recommended	<input type="checkbox"/>
Number of Excisions/Alterations:	
Brief Description:	

PUBLIC DISPLAY CONDITIONS

Not Applicable	
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Section 27 Conditions relating to the display of restricted publications –

Where the Classification Office classifies any publication as restricted, the Office shall in every case consider whether or not to impose conditions on the public display of that publication, and may impose such conditions at the time of classifying the publication.

In determining whether or not conditions in respect of public display should be imposed, the Classification Office must have regard to:

s27(2)(a) The reasons for classifying the publication as a restricted publication.

The game is restricted primarily due to its treatment of matters of violence.

s27(2)(b) The terms of the classification given to the publication.

R16.

s27(2)(c) The likelihood that the public display of the publication, if not subject to conditions or, as the case may be, any particular condition, would cause offence to reasonable members of the public.

The public display of the game is not likely to cause offence to reasonable members of the public.

Section 27(3) directs that where the Classification Office considers that the public display of the publication, if not subject to conditions under this section, would be likely to cause offence to reasonable members of the public, the Classification Office shall, at the time of classifying the publication, impose such conditions under this section in respect of the public display of that publication as it considers necessary to avoid the causing of such offence.

Applicant FVLB

Distributor Total Interactive

Title Call of Duty: Advanced Warfare

Other known Call of Duty 11

Director Not Stated

Producer Not Stated

Medium Console Game Language(s)

Country(ies) United States English

Disc input Yes (No)

Classification	Descriptive Code		
<u>R16</u>	<u>Violence, offensive language and content that may disturb.</u>		
Cut/trim criteria	Excisions	Language made?	Final version checked
<u>/</u>	<u>/</u>	<u>/</u>	<u>/</u>
Other information			
Total running time <u>N/A</u>		Total running time after excisions <u>/</u>	

Call of Duty: Advanced Warfare

- Opening FMV - Private Armies - exo-skeletons, military
- Explosives
- 2 Soldier's banter, pre-deployment
- Deployment.
- Stunning graphics, military simulator
- Heavy fire in air, image of other craft exploding in sky.

Tense - crash landing. Soldier's slowly
regain consciousness.

City scene, ~~modern~~ modern war zone.
Smoke plumes.
Building on fire.

Player - Player - FPS - Soldier -
Strategically move through hallway, machine
gun fire. Kill enemy from distance.
City street, ~~map~~ - Times Square Asia.

(V) Intense combat situation.
Sounds of explosions, rifle fire, radio chatter.
Futuristic feel w/ robotic machines.

Grenade - Flots toward enemy, explodes. Loud bang.
Smoke cloud. Enemy forced in to get.
(U) Smoke blocks detail.

Tank - Climb in tank, prot against robotic
adversaries like 'swarm of birds'.

EMP - used to render electrical enemies.

Strategic - Use car doors as shields, collapsed walls etc.

(U) Combat - Intense, frenetic.

Blood - Small blood burst when shot, easily lost
amidst muzzle flare, metallic sparks.

melee - knife very quick slashing movement

jet pack - Used in bursts to jump, control fall.

(L) "This whole city is fucked!"

On-screen display / Radio chatter deliver
directions to info to player.

- Health Player caught by grenade, face screen edge bloodied + colour slightly desaturated.
- Death 2nd grenade kill player. Restart at previous checkpoint.
- (V)
- Enemies Enemy are soldiers, similar and always aggressive so must engage or die.
- Civilians No civilians. can be harmed though there are dead bodies on ground stamped over, as well as blood trails + signs of a harvest, eg. blood on clothes.
- (V)
- Destruction Realistic damage to some of the environment. Path fairly linear.
- Style No run-and-gun as player will be cut down by enemy fire.
- Deployment Deployed in Japan.
- Blood on Screen - regular when player hit a bullet.
- Regenerative Health Player can take multiple hits, then avoiding fire regenerates health.
- (A) Mission, destroy massive weapon, get explosives from dead team members
Heavy fire
- Melee Pistol-whip enemy up-close. Loud sound. instantaneous action.
- Muddy atmosphere in lots of shadows etc.
- Drones Enemy use drones, shot out of sky.

(✓) Soldier arm caught in door. Man tells him to go, explosion goes off. Soldier supposedly dies in explosion.

Adds emotion, dramatic music, ringing noise + fellow soldier gives aid!

giving
some

* As dragged away soldier's arm remains + can see sweat, blood pool + trail. Some detail but moderate + lessers as player removed from scene.
(level one complete)

⊗ Large hanger full of hundreds of coffins. Morgue

6000 men dead in 4 hours

Player's monologue re: dead friend.

Medical
gore

In hospital w/ severe burns + damage - very well animated. Medical context. Brief.

Funeral for friend. Kevin Spang (look alike + voice actor)

Kevin Spang (Spang), after player military help in the form of futuristic bio/robotic arm etc.

"Good Will" - Sergeant to player.

(d) Player kills enemy on porch. Enter Camp David. Building. Clear building. Shoot men.

Team

Part of team

Headshot blood splatter. Stronger than body shot but it's gone in front of physical change to head - just blood, on wall, fixtures + clothing.

President of Player rescues President from private army.

USA

- take out of building, deer yard.
kill around 10 men.

Stealth

Player hides in bush. told not to engage
Player lets every pass.

Player hold of Landing zone, vehicle
arrives. They escape.

Ambushed, President killed.

*

All part of a simulation, to test
new arm. Some bugs but we large

ATLAS

Massive military - "Super Power for time"

- Infrastructure + target private army
in world.

Player

Mitcheff
kill (Player) At Atlas base.

At medical base, gets arm fixed.

Soldier's combat training, MMA style.

(14)

♀

Character. at firing range. treated like all
other soldier's.

Firing
range

Testing arm at digitized firing range.
Can

Overdrive

Temporarily slow time to deal w fast moving or
multiple adversaries

Test grenades etc at range

Weapon training continues - phys out like "real-world"
Combat w realistic soldier's.

(V) Accurately, bloody but not as detailed as the graphics.

Drone

Use drone to be clear area. Brief but quiet intense gunfire, explode vehicle etc.

Variety of gunfire, grenades, covert team work.

⑩

First Op R ATLAS

Lasso, Africa.

Save political head., hostage rescue.

Use 'fly' robot to look at hostage situation.

*

Man's head bound. Shoot man in head point blank, head with sideways, blood splatter on desk + body simplest ever.

- Brief but stronger than standard violence. (Player has no control.)

Club wall in special ops.

Use 'mute' drone to drop explosives. Search for hostage. Approach room.

(V)

If hostage executed, level failed + restart at checkpoint.
Shoot through wall

Civilians

If shot fail mission 'fully fire no water'!

*

(V)

- Enemies are explosives + full some civilians "collateral damage" -

Civilians quietly clear area.

Intense combat continues, heavy fire,
explosions, yelling.

(v)

Huge explosion, fuel tanks.

Dwell

Very little time to dwell on deeds or
deaths due to pace + intensity of fighting.
Player must find the Armored truck
to kill / take out.

(v)

Player in over crossing busy highway.

On vehicle roof, looking to kill / take out
SUU.

(v)

Explosion, exiting level, leap between
vehicles / hang from bus, kill enemy.

Drag person from vehicle, throw from
vehicle into pole. Leap back to bus.

Note:

Totally fantastical, but entertaining
Lagos, Nigeria

Hokey

Vehicle crash, land in water. Save hostage
from drowning.
mission completed.

①

Upgrades from points / skill in previous level.

(L)

"Fucking Bad Ass!" - looking at videos of war.

"Mission" - Power Seattle, USA.

Russian tyrant wants to restore order by
destroying + killing.

Heavy fire during air assault. LC fire:
Clear out ops.

Up against huge machine. Use laser to destroy.
+ rockets.

Destroyed.

More through area in multiple rooms. Inside
fusion plant. Blood globules when ~~off~~
coming hot.

React overheating, must escape radiation
reacting critical. Warfare outside.
Get to landing zone asap.

Massive series of explosions, cracks everywhere.

FAMU about global warfare (4 years ago)
World war, private armies.

MILM Campaigns

ATTENTATH

1) "Fuck me" ✓

Hover bike - Player operates
Tank - " "
Jep - " "

Player leaves compound on hover bike. In Detroit

Civilian
casualties

Civilians - bloodied bodies, none but not a lot
of detail. - killed by enemy. Floor flooded
w/ blood + around 6 bodies.

*

Player falls sword stuck, must find weapon
+ progress to meeting point.

- Stealthily kill soldiers on way.

Player - attacked with soldier in bio-suit.
 w/ Gaidy, takes knife + plunges in to chest
 two times. Lots of blood + stabbing noises.
 *
 (V) Stabbing - is bloody but no wound apparent.
 Around for hours long. - Rare.

Combat cuts - heavy weapons used.
 Under intense fire fight. Use vehicles as
 cover.

Enter building, intense combat, kill numerous
 enemies, bright blood lights + loud
 gunfire. Very immersive though players
 attention on move or movement + target
 shooting.

*
 Capture scientist/Doctor, punch several times
 for info but not really torture or
 need to keep doctor alive.

Get to bikes (two bikes) escape.

Gauntlet run under heavy fire, keep up
 w/ player + pass level.

①

Trump demands of us + gets it because
 he owns largest private military in the
 world.

7

Craig - interact - get contract. At cafe.
 covert

Target watch.

Snap o's really f' operative with other o's.

Stealth kills, so as not to alert others.

Come Back - restart at Clodypoint due
 to failed trigger.

8

Breat.
 Well

New mission, stop Irons who has become a war hungry mad-man / Tyrant.

REWARDS

Rewards system based on number of kills

- Crowade
- Healdbot, etc.

⑧

Use rocket pack, mount plane wings. Use lines to cut off wings. Attach to parent plane. Land ship in Antarctica, Parvini Glacier.

Almost immediately under fire, heavy action. Mission - save cargo.

Team fall in to crevasse, must find way out

Player & team makes kill in coming out Techbot. Fall further in to crevasse.

Combat way through rows of tunnels & caves

Saved by British ATLAS soldier who tells you how to help team. Wants to stop Irons. Save, dropes cargo/weapons & return to chopper.

⑨

San Francisco level

ATLAS - Irons part of United Nations, now has weapon Capable of altering large groups people's ethnicities

Vehicle class toward San Fran bridge explosives etc

Crash. Exit vehicle. Proceed on to
Bridge on spot. Fire fight. V. hang +
w/kill.

Target, Van on Bridge. Progress.

Drones attach to Bridge supports, detonate
+ cause Bridge collapse

⊗
