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Assistant Secretary  
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Department of Communications and the Arts  
GPO Box 2154  
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## **A Submission to the Committee of Ministers on the Portrayal of Violence**

Dear Sir or Madam,

My submission to the Committee is concerned exclusively with encouraging the Ministers involved to suggest to Cabinet that a *relaxation of the current regulations regarding the censorship of computer games is an urgent necessity in the interests of democratic justice to the vast majority of well adjusted, adult citizens who pursue this commonly misunderstood but harmless pastime*. I will not be making any comments regarding other forms of media as I believe the current censorship regulations to be quite adequate in those areas. Throughout this submission, I request you consider the term **computer games** to mean **computer and video games**. Thank you very much for your consideration of my opinions.

### **REPLY TO THE PERTINENT TERMS OF REFERENCE**

**(A) (The Committee of Ministers will) examine recent studies, both within Australia and internationally, on the linkages, if any, between violent behaviour in adults and/or children and the availability of violent material on television, film, video, video games and computer games.**

It is my contention that computer games players are able to distinguish between fantasy and reality to such a degree that they are no more likely to commit violent criminal acts than any other section of the community.

According to evidence presented to the Australian *Senate Select Committee on Community Standards Relevant to the Supply of Services Utilising Electronic Technologies* in 1993 which may be read in that Parliamentary body's subsequent ***Report on Video and Computer Games and Classification Issues (the Senate Report)*** whose ill-considered recommendations were largely responsible for the introduction of the world's most oppressive computer games censorship regulations

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that incomprehensibly bore very little connection to what was “learned” from those who made a submission:

**Section 2.34** While there is certainly an interest in examining the possible effects [of the playing of computer games on the levels of violence within the community], as far as I [Mr Haines, the then Commonwealth Deputy Chief Censor] have been able to establish, no formal research is yet being undertaken in this field. The generally held view is that such studies would largely be futile, given the rapid technological advances being made in this field and the difficulties of studying causal effects. I think here that the often-contradictory research findings, over the past 40 years or so, into the effects of television were cited as highlighting the difficulties.

**2.35** Mr Haines indicated that...he does not believe that research into causal links between viewing violent material and perpetrating violent acts is worthwhile "because there are so many other possible contributory causes."

**2.58** Mr Blackman [of *Leisure and Allied Industries*] pointed to the operation in Timezone parlours for over two years of television-type quality games using video technology. He said: ...although the graphic representation is realistic, people understand that it is not real. They understand that they are actors and that it is a game. It is no more real than if they watch a film at the movies or if they watch a video at home or they watch a movie on the TV.

Since the *Senate Report* was released, there has been at least one formal Australian study into the effects of computer games on the minds of the people who play them. This study, the *Durkin Report*, conducted with the blessing of the *Office of Film and Literature Classification*, showed that playing computer games does not harm the mind in any adverse way such as increasing one's propensity to commit violent acts in the real world.

Given these factors, one might ask why computer games are currently rated more harshly in this country than films and videos. The answer may be seen in this section of the *Senate Report*:

**2.36** Committee members are familiar with the argument that, because of the many factors contributing to violence within the community, there can be no definitive linkage proven through the consumption of violent material through the media and engaging in violent acts. The Committee believes, however, that there is sufficient anecdotal evidence of a linkage from police and public prosecutors that the community cannot fail to act to control a situation which has the very real potential, even if statistically inconclusive, to affect young people.

Here is the laughable foundation of Australia's current draconian computer games censorship regulations - essentially the unscholarly, unjustifiable fears and prejudices of people who have absolutely no real knowledge about computer games! The Committee responsible for the *Senate Report* heard plenty of

evidence supporting the fact that computer games do not affect the mind any more severely than do films and videos, yet successfully recommended that this new form of entertainment technology be placed under a stricter classification system (Recommendations 4 and 6). Laws in a supposedly free and democratic society need to be fairly based on solid evidence rather than applied on an emotional basis. Just because a person or group believes something, it does not mean that they are necessarily correct if their assertions cannot be backed up with solid evidence.

All vestiges of the *Senate Report's* expected sanity and objectivity are banished from the minds of all reasonable people when they read implications that those who wrote the report are:

Racist and Xenophobic -

**2.81** The Committee considers that there must be scope for domestic initiatives to counter the trend in games' content.... to counter the importation of a growing amount of mindless matter.

As an Australian citizen with a father who was born overseas and as a person who respects the cultures of other people, and, given the fact that most computer games are imported from foreign countries, I find the suggestion that products that reflect the values of these societies are somehow “mindless” to be highly offensive to my sensibilities and completely inappropriate in our supposedly multicultural nation.

Sexist -

**2.79** Much of the material in games such as *Night Trap* is demeaning of women.

*Night Trap* was one of the first computer games to use human actors as opposed to the usual cartoon like characters presented in other titles. Gameplay revolves around trying to prevent the abduction and murder of female college students who are being terrorised by a group of supernatural monsters. If the players (male and female) fail in their role as upholders of righteousness, law, and order, the students are killed. In doing so, the players of this game are performing a role in that fantasy situation that resembles the activities of the police force in the real world. Also, according to all crime demographics I have ever seen, females are at least as likely to become victims of crime as males. All this game is acknowledging is the obvious fact that some victims of crime are female and not all potential victims are able to defend themselves without the assistance of the forces of law and order. If this were not true, we may as well disband all our police departments now and charge every officer with sexual discrimination!

On the assumption that the confusing expression, “games such as *Night Trap*”, refers only to those games that use human rather than cartoon actors, I would like to make a point concerning my favourite computer game character. I am a twenty-two year old male who is not the least bit ashamed of his gender and has played a wide variety of computer games that have mostly been populated with powerful and interesting male characters. Yet, my favourite computer game character is a woman. Why is this so? I can assure the Committee that it has absolutely nothing to do with any “demeaning” thoughts I feel accused of having towards her and her gender, but rather I think this way because she is

presented as a psychologically strong, capable person who is filled with much integrity and consideration for other people. For these reasons, and no others, she has my deepest respect and highest regards. Her name is Adrienne from the banned computer game *Phantasmagoria* that I will be referring to throughout the remainder of this submission.

Technophobic -

**2.78** The Committee concludes that the proliferation of video and computer games with themes based on violence and sexual activity is predicted and is rapidly becoming a reality on the market for this form of "entertainment". Why such themes have such customer appeal is the source of much conjecture but they are also attracting growing opposition in the community.

The only opposition being directed towards this trend is from people who do not realise that computer games are little different from films and videos. If I were to enter any video rental store anywhere in Australia, I would be able to find an enormous number of titles rated PG, M, MA, and R on the basis that they contain, to varying degrees, scenes of simulated sexual activity and violence. Likewise, if I were to visit my local movie theatre, films with identical content and censorship ratings would be available for watching by members of the public. When I walk into a computer games store, I expect to see similar products on offer. However, the *Senate Report* arrogantly suggests that computer games, merely a new form of harmless entertainment and nothing more, should be persecuted and suppressed (and they have indeed been treated this way as you will soon learn). Sexual activity and violence, when simulated (i.e not real) for the purposes of presenting a work of fiction or semi-fiction in any medium, including computer games, is there to further the storyline and to challenge the beliefs and/or emotions of the watcher or player. It is merely a reflection of the democratic notion of freedom of speech and expression that should not be suppressed, only regulated to a small degree so that minors may be properly protected from material that may harm or disturb them.

In conclusion, please note the words of the current Director of the *Office of Film and Literature Classification*, Mr. John Dickie, as reported in *The Bulletin* dated 4 June 1996 on page 19 -

There is always a level of social concern and it always locks on at the cutting edge of technology. Now it is on games and on-line services.

**There are always people who misunderstand new developments in society and, out of their ignorance, want to suppress them.** In the 1950s, the issue was comic books, and, in the 1960s, the issue was rock and roll. We still have both these cultural elements in our society today and we are by no means worse off by their existence. Those who tried to suppress these developments in the past are now discredited. The Government and society as a whole must move with the times to avoid been seen as oppressive and reactionary.

## Conclusions

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- < No scientific, scholarly study has ever linked the playing of computer games to the committing of real world acts of violence.
- < No such study will ever do this, as the reasons people commit violent acts are totally unrelated to computer games.
- < Computer games players have no trouble distinguishing fantasy from reality.
- < The *Senate Report* that is ultimately responsible for computer games being treated unfairly is a thoroughly discredited document for its incompetent, prejudiced conclusions and recommendations that are an anathema to all reasonable Australians.

### **Recommendations**

- < That computer games be given the full range of classifications (G to X), as are films and videos.
- < That computer games be assessed identically to films and videos in regard to their controversial content.
- < That the recommendations of the *Senate Report* be dismissed.
- < That the computer games classification guidelines be greatly revised to reflect these moves.

**(B) (The Committee of Ministers will) investigate community expectations about the availability and accessibility of violent material in the above-mentioned mediums.**

#### **Availability:**

**Computer games should be permitted to contain exactly the same material that is found in films and videos - G through to X rated.** Currently, the *National Classification Code* contained within the *Classification (Publications, Films and Computer Games) Act 1995* prohibits the classification and therefore sale of computer games that are considered unsuitable for a minor to see or play. Likewise, the *Computer Games and Images - Classification Guidelines and Industry Code*, as determined by the Attorneys-General and used by the *Office of Film and Literature Classification*, prohibits the classification and sale of computer games that contain scenes of **any** form of simulated sexual activity - consensual or not (p.8). These facts lead to the conclusion that our current computer games classification guidelines were not designed with the belief that adults play computer games. Nothing could be further from the truth! Evidence will now be presented that will show **the majority of computer games players are indeed adults**. As a consequence, by banning games containing R and X rated material, the Government is currently offending the interests of voters who expect to be treated as mature, responsible people as they are with films and videos containing similar content.

Here are some excerpts from a computer games magazine article (*Interaction* Fall 1995, pp. 9-10) that presents an interview with Ken Williams, CEO and co-founder of one of America's largest and most respected entertainment software companies. He is referring to the controversy surrounding the release of one of his products, *Phantasmagoria*, a computer game that was banned in Australia for containing two simulated sexual scenes identical to those found in MA and even M rated movies:

Some people felt *Sierra* [Mr Williams' company] should not be producing *Phantasmagoria*. A few even vowed never to buy another *Sierra* product because we are making a game that contains mature subject matter. **Most of Sierra's customers are not children** (our average product is purchased by an adult, age 25-35). To be clear ***Phantasmagoria* was not designed for children**. There will be a rating on the box which identifies the mature nature of the product. No one will buy *Phantasmagoria* who is not comfortable with its content any more than someone might accidentally rent an R rated video tape.

At *Sierra* we deliver thirty or more games each year. Some are for children, such as *Mother Goose*. Some are for teens such as *Dr. Brain*. Some, such as *King's Quest*, are for the entire family. **Adults are entitled to some product which is just for them such as *Phantasmagoria***. Our goal is to publish a wide variety of products and then let you decide what to play. You are capable of deciding for yourself what is or isn't appropriate for your household.

In another *Interaction* article (Holiday 1995 issue, p.27), Ken Williams goes on to say:

*Sierra* asks, **isn't it about time that computer games grew up?** It's a fair question. After all, if not for books and movies meant for adults, our libraries, bookstores, and movie theatres would be practically empty. **Doesn't the adult population of the world that watches *Pulp Fiction* and reads Anne Rice deserve mature interactive entertainment as well? We think it does.**

Personally, I fully support every single sentence of Mr Williams' opinions and ask that the Committee take them into account when revising the computer games ratings guidelines.

Another CEO of a popular U.S software company, Scott Miller of *Apogee*, had this to say about the rapid emergence of the adult computer games market in the Australian computer games magazine, *PC Power Play* - May 1996 issue, page 29:

Quite simply, Duke [*Duke Nukem 3D* - the company's controversial new game] and many future games from us, will be adult-oriented. We're not interested in the kid's market any more. We want to design games that would interest us. The movie industry has adult movies; **it's time for our industry to have adult games. We're perfectly willing to forfeit the younger market.**

The vital point to note here is that a major computer games manufacturer considers the adult market to be so large and profitable, that it is willing to make no more games for children!

Given the testimony of two powerful and influential individuals from some of the world's leading software companies that the adult market exists, is profitable, and is worthwhile to cater for, it is impossible to see how any revised computer games classification regulations could still assume that such entertainment products are only for minors. If they do, such a gross violation of democratic justice would be totally reprehensible and be widely condemned by all computer games players.

I have also been undertaking extensive e-mail correspondence with fellow *Phantasmagoria* players on the Internet who all appear to be decent, well adjusted people like myself. What follows are representative samples of their reactions after I told them why the game had been banned in Australia. It is worth noting that *Phantasmagoria* appeals to both sexes and most age groups. Once again, I totally agree with all listed opinions.

**Denis Garner (denis@megadyne.co.nz):** I am 42, the General Manager of *Motorola Datacoms*. I find this type of game [*Phantasmagoria*] allows me to relax for an hour after the stress of the office. I certainly object to any jumped up politician telling me what I can do or not do. **I am old enough to make my own mind up.**

**Michelle L. Grove (mlgrove@bgnet.bgsu.edu):** I have played and finished *Phantasmagoria* and have just one question. Do Australians watch movies at all? The worst scene in this game is not nearly as bad as many movies I have seen and they are banning it on the basis of just one rape scene? That's just stupid. There's a warning on the game. **Australia obviously doesn't give its citizens enough credit as to whether they can or can't decide for themselves whether to buy it for themselves or their children.** Not only that, but there is the addition of a blocking feature on the game. **Grow up Australia!**

**Kara Johnson (kjohnson@pepper.ncinter.net):** Of course they're [games like *Phantasmagoria*] for adults! How many kids do you know who can afford to spend all that money on games! **It seems like your government protects its people way, way too much!**

**Steve Oxley (viking@zhora.replicant.apana.org.au):** ...the officials (and I use the term loosely) are so out of touch with reality that its not funny. I feel they should [not]...be banning games out of hand.

**Jana Wallace (Jana@lionheart.net):** I have played *Phantasmagoria* several times and, while I agree the scene in chapter four is sexually violent, I feel that a warning on the package informing consumers of its sexually explicit and violent nature would be

sufficient. I live in the U.S, in Utah, and there was a warning on the package when I purchased the game.... games are often rated here like movies.... *Phantasmagoria* was rated "NC-17" [restricted to people aged 17 and over] for graphic violence and explicit sexual content. Perhaps your censor boards would consider doing the same. **While I feel the game is not suitable for children, I believe it is unfortunate that adults are not allowed to make their own choices in this matter.**

If the testimony of all these computer games manufacturers and players somehow still fails to convince you of the fact that the huge adult market for these products is a reality and, as such, games containing sexual and violent scenes unsuitable for minors only should **not** be banned to everyone as they are at the moment, how about reading some of these statistics?

- < The October 1995 issue of Australia's leading computer games magazine, *Hyper*, in its strenuous page 8 protest article over the banning of *Phantasmagoria*, stated that, on the basis of an extensive reader survey, **one third of its readers were over the age of eighteen.**
- < At the entertainment software industry's largest trade show, the *Electronic Entertainment Expo (E3)*, held in Los Angeles in the middle of May 1996, Doug Lowenstein of the *Interactive Digital Software Association* presented the results of the most comprehensive survey ever conducted into the games industry to a large audience of key industry representatives. **He remarked that 72 percent of computer games players were over 18 and half of those were over 35 years of age.** A more complete discussion of his speech may be found on page 64 of the *Sunday Mail* dated 26 May 1996 and on the Internet.

Finally, how about some circumstantial evidence that many of today's computer games are for adults rather than children?

- < Many games of an action/strategy nature come with a multiplayer option. This means that computer gamers at different computers may play the same game against each other in the spirit of friendly competition that resembles a sporting match. It is possible to play over a computer network where many people can become involved in the same game. Why go to all the trouble of creating complex computer network connectivity capability without a market that demands it? And just what market am I referring to? **The adult market of course which is the only section of the community with access to these networks.**
- < Every time I visit a computer games shop and make a mental note of the age group of my fellow customers, I realise that they are mostly my own age (22 years) and above. This holds true regardless if I enter these places inside or outside of school hours.

### **Conclusions Regarding Availability**

- < There is a huge adult market for computer games.

- < Manufacturers of computer games know this and so do players.
- < Denying adult computer game players access to the same adult material that can easily be accessed in films and on video is totally unjust and highly offensive.
- < Adults can make effective political protests and can bring down governments that insult their sense of intelligence and desire for democratic freedom of choice.

### **Recommendations Regarding Availability**

- < Computer games should not be banned merely on the grounds that they contain material unsuitable for minors as they are at the moment.
- < Adults should be allowed to see, hear, read and play what they want within the conventional boundaries placed on films. (i.e no excessive, unjustified sexual violence or torture; no child pornography, and no bestiality).
- < Computer games containing material suitable for adults only be allowed for sale and possession throughout Australia in the same way as are R and X rated videos.
- < That all relevant legislation be modified to reflect these recommendations as soon as possible.

### **Accessibility:**

There appears to be a false perception among many people who make decisions regarding computer games that, if adult material is allowed in such products, minors will access it at an alarming rate. This idea was certainly promoted by the influential *Senate Report* mentioned earlier when it stated:

**Recommendation 4.** The Committee is concerned that the level of technology involved with the use of video and computer games means that many parents do not necessarily have the competency to ensure adequate parental guidance. Therefore the Committee recommends that material of an "R" equivalent category be refused classification. The Committee also recommends that...an "X" equivalent classification...should not be adopted for video and computer game material.

Not only is **this recommendation** totally repulsive and untrue for suggesting that only minors play computer games and that adults do not understand computers (assertions demolished in the previous section of this submission), but it also **perpetuates the myth that computer games are so accessible and widespread that they are somehow out of control.** Nothing could be further from the truth.

Here is what you need to do to get a game to work on a typical IBM compatible computer:

- < Read reviews of computer games until you find one you would like to buy.
- < Locate a computer games shop that stocks the product you want. This is not as easy as it might

- seem because Australian stores are not known for their huge range of gaming products. Mail order is often necessary.
- < Pay for the game. Most modern games cost around \$100. Such high costs are so prohibitive that purchasers are often limited to those earning wages. Thus, **adults are by far the main purchasers of computer games**. If parents do this for their children, as, after all, a market for younger players still exists, this is where they are able to make an informed decision as to whether or not any given game is suitable for their household.
  - < Install the game on your computer. It is a well-known fact that most games do not run perfectly the first time or may not run at all. As a result, you often have to adjust various complicated settings on your computer or even upgrade your hardware to get it to work. Thus, **you often need knowledge far in excess of what a child can be expected to know**. Here is where parental expertise and therefore supervision can come into the picture. Indeed, this point also strengthens my argument that computer games are mainly for adults!
  - < **If the computer game contains material of an M level or above, it often comes with a built-in censoring device** for the benefit of the vast majority of parents who supervise their children and for squeamish adult players. With these inbuilt software features, violent and sexual scenes may be blurred/blanked out or even bypassed altogether. The censoring features themselves may not be bypassed as they are always password protected. Needless to say, only the parent decides upon and knows about the password that turns the inbuilt censor on and off. A government that treats its people with the respect they deserve should allow for such features when classifying computer games. If such a feature is present, the censors should be allowed to assume the Aparental lock $\equiv$  feature will indeed be used if any minor plays the game and the product should thus be rated lower and/or sold with a piece of consumer advice pointing out these facts to potential buyers.

**Buying, installing, and playing a computer game is nowhere near as easy and as absent from proper parental supervision as the *Senate Report* would have its readers believe.**

The question might now be raised as to how minors might be prevented from purchasing games that will inevitably be rated R and X assuming all recommendations in this submission are followed to the letter. The answer, of course is that, if computer games are rated with the full range of classifications, as are films and videos, they may also be restricted for sale or hire to certain persons in a similar fashion. **In other words, purchasers of R and X rated computer games should be compelled to produce identification proving their age if their adulthood is open to question.** To further distinguish computer games containing material suitable for adults only, legislation might be introduced to have these titles placed in a separate section of every computer games store. Under these restrictions, huge numbers of adults will not be deprived computer games designed specifically for them and minors will be protected appropriately. Similar restrictions are already in place for films and videos and there is absolutely no reason why the same rules cannot apply to the sale and hire of computer games.

### **Conclusions Regarding Accessibility**

- < Computer games have never been as accessible to minors as has been alleged.

- < Parental supervision does occur on a large and appropriate scale. Many games software manufacturers encourage this through the inclusion of inbuilt censoring options in their products.
- < Adults want to buy games made just for them in the same way they can access R and X-rated videos.

### **Recommendation Regarding Accessibility**

- < That computer games are allowed to be rated R and X and that such titles be restricted for sale or hire to consumers aged eighteen and over as is currently done with videos. This is my main point both here and throughout the entire submission.

**(C) (The Committee of Ministers will) in the light of (A) and (B) above, determine whether there is a need to:**

- 1. Revise current censorship classifications to identify more accurately such violent material.**
- 2. Alter current restrictions on the production and importation of such material.**

### **Revision of Current Censorship Classifications:**

**The current classification guidelines for computer games do not allow the context in which a violent act is committed to be taken into account.** In a summary sheet produced by the *Office of Film and Literature Classification* that details why they Refused Classification for the computer game *Phantasmagoria*, thereby effectively banning it to everyone, regardless of their age, the following plea may be found:

While the narrative structure has by this stage clearly indicated that evil forces are influencing the husband's actions [see below for a complete description of this contentious scene] and, that the game play is such that the player's role as the wife is to prevent this from happening to herself and her husband, **the...[computer games classification] guidelines do not contain anything that allows contextual justification considerations by the [Classification] Board.**

It appears as if the *Office* wanted to allow the game for distribution in Australia but was unable to do so owing to the oppressive and totally unreasonable guidelines they are compelled to follow when classifying computer games alone.

**In all cases for film and video, the context in which contentious scenes are presented is taken into account.** For example, the movie *Schindler's List* that focuses on the plight of Jews involved in the nightmare of the Holocaust during World War Two, contains scenes of: full frontal nudity of people of both sexes and all ages on a massive scale; relished brutal torture and merciless summary executions, and highly offensive racist sentiments. Under normal conditions, such a film would no doubt be classified R at best and might be banned altogether. However, the censors were allowed to take the context in which these incidents occur into account, and the film was given just an M rating. The context in this case was of course such incidents are historical fact and, as such, society must never forget such actions really did occur so that they are never repeated by any person, organisation, or country. It is only reasonable to say that **the message promoted by scenes of simulated violence is more important than the mere fact that such scenes are shown.**

With this in mind, please read the following excerpts from the *Phantasmagoria* refusal summary sheet. They detail the primary reason why this computer game may not be sold in this country to anyone. The one and only other reason it was banned is because the game showed the husband and wife also mentioned below making love very discreetly for a period of only three seconds. As always, my comments are enclosed in []:

Under the *Computer Games Classification Guidelines*...any depiction of sexual violence or sexual activity of any kind warrants Refuse...In chapter four [*Phantasmagoria* is comes on seven cd-rom disks, each containing one chapter of the game], a bathroom scene shows a woman [Adrienne] in a [very modest, ankle-length] negligee at a mirror combing her hair. The husband [Don] walks up behind her, strokes her hair, [and] runs his hand over her clothed breast. Angry from a prior scene argument, she brushes his hand away. He continues his advances until they both willingly embrace and kiss. This is shown with soft background music.

The husband lifts her under her armpits, carries her to the bathroom wall, [and] continues kissing her and the camera closes in on his hand lifting her clothes [revealing nothing but the top part of her leg]. At this point the music changes tempo and tone, becoming darker and thumping. The man's face is shown with an evil expression, eyes glaring wide as he holds the woman's hands up above her head on the wall behind her. He is shown to begin a vigorous thrusting motion, simulating intercourse. The woman's face is seen close up, crying and scared, shaking her head from side to side during what, at that point, begins to look like a sexual attack.

Having viewed this scene for myself, I would add that, after the attack, Adrienne slowly slides down the wall and begins sobbing heavily, curling up on the floor and avoiding the piercing gaze of her husband who glances at her dispassionately before leaving the room. The entire scene lasts for three minutes and twenty seconds while the rape component is forty seconds in duration.

Here are the plentiful contextual considerations the *Board* should have been allowed to take into

account and thus permit *Phantasmagoria* and titles like it to be available for sale to adult computer games players:

1. **The incident described above (“the scene”) is non-interactive.** The player cannot influence what takes place in that scene in any way. This is identical to watching a similar situation on film or video.
2. Unlike in the movies or on video, **the remainder of any scene in *Phantasmagoria* may be skipped entirely simply by pressing the Escape key on your computer keyboard.** There is no excuse to claim you were forced to watch something you found distressing. Also, every single incident of sex and violence may be blurred so as to be rendered unrecognizable by the game’s internal censoring option.
3. In the scene, the one and only character the player is ever allowed to control, is a victim of an act of evil rather than a perpetrator. **Just because an act of violence is simulated in a computer game does not mean the character under the limited control of the player is the instigator or a supporter of such hideous deeds.** In fact, Adrienne, almost unique among computer game characters, is shown to be highly distressed and very sensitive to any violent act she witnesses or experiences. For example, I dare any person with even a tiny shred of human decency to look upon Adrienne at the conclusion of the scene and say that *Phantasmagoria* promotes or encourages sexual violence in any way. If anything, the game serves a useful purpose for society in that it highlights the fact that certain actions are totally evil and can only bring misery and disharmony to the community. Don’s possession reaches the stage that his wife is forced to kill him in a desperate move for self defence when all other options are ruled out. Even then, Adrienne does not gloat over his body, but rather grieves for him and what she felt compelled to do. She leaves the game emotionally devastated by the terror she faced at the hands of her demon-possessed husband and by the fact that she has been forced to kill him to save her own life. *Phantasmagoria* encourages no form of violence whatsoever, but rather is like an advertisement against all its forms. Such consumer products should be commended for this responsible contention rather than condemned.
4. **The scene is completely justified in terms of the storyline** as, until that point, Adrienne believes Don is simply irritable owing to overwork in his occupation as a photographer. After the scene, however, she realises her husband is undergoing a much deeper crisis and does everything in her power to restore his mind to normalcy.
5. **Sexual assault scenes are not all that uncommon in films and on video,** even in productions that have merely been rated M. Examples of M rated movies that contain this type of violence to an identical degree to that described in the scene above include: *Rob Roy*, *Bram Stoker’s Dracula*, and *Dangerous Liaisons*. Television productions, also rated M that have contained this material include *Life of Benvenuto Cellini* and *Clarissa*. Of course, all these incidents are as non-interactive as the controversial scene from *Phantasmagoria*. **If such film**

**and television productions are not banned, games with identical non-interactive material should not be banned either.**

6. **In the interests of gender equity** that is so important to most areas of public and private life today, the fact that *Phantasmagoria* **was designed, written, and produced by a woman** (Roberta Williams) **and has an exceptional mentally strong, courageous, and inspiring female lead who is the player's character** should have been taken into account. Computer games have not traditionally been renowned for including females as lead characters, let alone player characters, but *Phantasmagoria* breaks this mould and others like it will surely follow. From my observations of players of this title, it appears as if half are in fact women who are pleased they can play a strong representative of their own gender in a computer game. In my correspondence with hundreds of female players of *Phantasmagoria* who come from all walks of life, not one has ever complained about the rape scene! Indeed, they are as opposed to Australia's current computer games censorship regulations as I am! By banning such titles with appeal to both sexes, the Government is preventing half the population from becoming properly exposed to computers which are rapidly proving their usefulness in so many areas of society.
7. Finally, in the interests of fairness and logic, **it is simply unjust to ban a product on the basis of an incident that lasts only forty seconds**. *Phantasmagoria* is one of the most elaborate computer games ever produced and: is the result of over two years of work by hundreds of highly talented people at one of America's largest and most respected computer game manufacturers; **the game contains over three hours of video that is not of a highly controversial standard**; and it has sold at least a million copies worldwide to highly grateful computer games players such as myself.

Thus, computer games should be treated the same as movies and a plethora of contextual considerations be taken into account for each and every game that comes before the *Office of Film and Literature Classification*.

### **Conclusions Regarding A Revision of Current Censorship Classifications**

- < The context in which controversial scenes occur must be taken into account just as it does with films and videos.
- < Player characters in computer games may be the recipients of simulated violence rather than always being the perpetrators.
- < Both male and female players understand this to be true.
- < The current guidelines for rating computer games are totally inappropriate to the realities of today's computer games marketplace.

### **Recommendations Regarding A Revision of Current Censorship Classifications**

- < That the number one principle for rating computer games be a full and complete consideration of the context in which all controversial incidents take place.
- < If this means that the censors need to take extra time and receive extra training to be able to do this, then all necessary resources must be allocated to this aim immediately.

### **Altering of Current Restrictions On the Importation of Such Material:**

As Australia's prohibited import laws stand, the following items may not enter this country legally: deadly drugs such as heroin and ecstasy; vermin that might ruin our primary production industries and thus send the country broke; child pornography that exploits the weakest members of any society; *and computer games such as Phantasmagoria that contain material found in some M rated movies!* From all I have written above, you must surely realise by now just how ludicrous this sounds. From my Internet discussions with many, many fellow computer games players from Australia and the rest of the world, I have found that **no other country has banned Phantasmagoria to everyone, regardless of their age.** This includes countries ranging from Israel to Brazil to Germany. All these countries have governments that rightly recognise adults as composing the majority of computer games players and as rational individuals who can make the correct decisions for themselves as to what they and/or their children can see and play.

In contrast, the Australian Government, if it continues to uphold the computer games censorship laws and import restrictions as they stand, will be going against all reason and be heading in the opposite direction to the rest of the world. While other countries embrace and encourage new technology and their economies profit greatly from the experience, Australia is rapidly becoming in danger of being left behind in the doldrums of ignorance and repression. I, and all other computer games players in this country, ask the Government to reconsider its position on the unjust censoring and prohibition of certain types of computer games so that we can march proudly into the Information Age of the twenty-first century with a sense of pride rather than disgrace.

### **Conclusions Regarding the Altering of Current Restrictions On the Importation of Such Material**

- < No other country in the world prohibits the importation of socially responsible but adult oriented computer games.
- < Australia is a laughing stock in the opinion of many foreigners for not realising that such products are harmless and are insignificant compared to the much greater problems of drugs, vermin, and child pornography.

### **Recommendations Regarding the Altering of Current Restrictions On the Importation of Such Material**

- < After games like *Phantasmagoria* have been reclassified under new and much fairer guidelines

as being suitable for at least the adult component of the population, that they be allowed for importation and sale in this country.

- < That the Government realise that there are some imports such as drugs and vermin that can cause real damage to our citizens and our economy and, as such, these are the imports that should be prevented at all costs as opposed to unreasonably hunting down harmless computer games products that the governments of all other countries are not overly concerned about.

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## **Final Conclusions and Recommendations of Submission**

### **CONCLUSIONS**

- < Computer games are no more harmful to the mind than are films and videos - in other words not at all, providing children are protected from material that may harm or disturb them, and adults are allowed almost total freedom of choice regarding their viewing and computer game playing material.
- < Current legislation that suggests otherwise is founded on ignorance and misguided opinions. Thus, it is unjust and reprehensible.
- < Adults are the main players of computer games and demand the right to access titles designed specifically for them - something the Australian Government has so far not been willing to do.
- < Computer games are classified unfairly according to biased guidelines that do not allow any contextual justifications for simulated violent acts as is the case with films and videos.
- < Australia is falling behind the rest of the world in recognising the true benefits rather than alleged evils of computers. This leads to ridicule from more enlightened nations.

### **RECOMMENDATIONS**

- < That the R and X classifications be permitted for computer games and such titles be restricted to adult customers as is currently done with videos.
- < That the *Office of Film and Literature Classification* be given all the resources it needs to evaluate computer games more fairly, particularly in regard to the context in which simulated violent acts take place.
- < That all revised legislation and guidelines acknowledge the fact that computer games are enjoyed by a wide group of people of all ages and both sexes.
- < That the decisions on all computer games that have so far been Refused Classification be reviewed.
- < That the shelves of our computer games stores might legally hold games for all ages, from

children to mature adults.

Yours Faithfully,

Anthony Larme.

### **About the Author**

I am a 22-year-old male with no criminal record and who possesses a well-functioning, alert mind suited for intellectual computer related activity from playing games, to using the Internet, to upgrading and configuring hardware. I possess a Bachelor of Arts Degree from the University of Queensland and a Graduate Diploma in Information Studies from the Queensland University of Technology. In all my studies, I have achieved above average results.

I purchased my copy of *Phantasmagoria* last October via mail order from a computer games store in the state of Victoria. At the time I did this, that state did not have any legislation in place that prohibited games like *Phantasmagoria* that had been Refused Classification by the *Office of Film and Literature Classification* from being sold. I live in Queensland where such legislation does indeed exist but applies only to retailers. It is not illegal for an adult to merely possess a Refused Classification computer game for personal use only. I have played *Phantasmagoria* many times and have discussed it with numerous other players, both in Australia and overseas via the Internet. Such discussions have formed the basis of my submission to the Committee.

If the Committee requires any further information as a result of what I have written, I may be contacted at:

**Internet Email:** [larme@ozemail.com.au](mailto:larme@ozemail.com.au)

I look forward to the Committee's prompt action to correct the current injustices surrounding the censorship of computer games and hope my submission has made a difference.

Thank you very much for your time and consideration.

**Anthony Larme.**

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