

REASONS FOR DECISION

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

HEADNOTE

Type of Publication:	Manhunt
Title of Publication:	Console Game
Other Known Title(s):	Not Stated
OFLC No:	302023
Decision:	Objectionable
Display Conditions:	Not Applicable
Descriptive Note:	Not Applicable

The publication was examined and the contents were recorded in an examination transcript. A written consideration of the legal criteria was undertaken. This document provides the reasons for the decision.

Submission procedure:

The publication was submitted by the Film Video Labelling Body on 24 November 2003.

Under s23(1) of the FVPC Act the Classification Office is required to examine and classify the publication.

Under s23(2) of the FVPC Act, the Classification Office must determine whether the publication is to be classified as unrestricted, objectionable, or objectionable except in particular circumstances.

Section 23(3) permits the Classification Office to restrict a publication that would otherwise be classified as objectionable so that it can be made available to particular persons or classes of persons for educational, professional, scientific, literary, artistic, or technical purposes.

Description of the publication:

Manhunt is a DVD-ROM formatted for gameplay on the PlayStation 2 platform. It is a third-person action/adventure style game containing sophisticated computer generated graphics with strong violent content.

Set in the fictional town of Carcer City, the player is in control of a death-row inmate named James Earl Cash. The game opens with a full motion video sequence (FMV) in which the player learns that a man called Starkweather, also called “the Director”, has arranged for Cash's execution to be faked. Starkweather is heard by means of an earpiece placed in Cash's ear and is not seen throughout the majority of the game. Starkweather has closed circuit TV monitors placed all over Carcer City. He tells Cash to go through the city fighting and killing people while being filmed. It becomes apparent that Starkweather is making snuff films. Towards the end of the game Cash meets up with a local reporter who intends to expose Starkweather and his accomplices. Cash protects her from various criminal elements before the inevitable face-off between Cash and Starkweather which results in the violent death of the latter. There are some 24 levels to the game (including four bonus levels), all of which require player movement, combat and object retrieval. A proficient player would take approximately an hour to complete each level. Points are awarded for each successful kill or execution at the end of a level and as such accumulate as the game progresses.

The gameplay requires the player, as Cash, to follow the Director’s instructions to kill everyone he meets, in order to get to the next level. Cash’s opponents want to kill him, but cannot see him if he stands in a shadow, or if he makes no noise. Stealth is a significant part of the gameplay. Characters are most successfully killed by silently sneaking up behind them. Each kill can be done at one of three levels, depending on how long Cash can wait behind someone before killing him. The longer Cash waits, the more likely it is that the intended victim will hear him, but if Cash is successful, the player is rewarded with a grislier kill and more points to unlock the four bonus levels. Plastic bags, shards of glass, garrotting wire, baseball bats, crow bars, knives, machetes, chainsaws, handguns and submachine guns are among the weapons used by Cash to kill his opponents. The opponents are all gang members who are portrayed as criminal and psychotic.

Cash himself is presented as someone who must kill or be killed. The character of Cash has been designed as an empty vessel which the player fills by controlling Cash’s actions and reactions. The storyline is split into chapters, each of which contains a number of levels for the player to complete. Each chapter begins and ends with an FMV. These sequences feature well-produced animation that progresses the story. The player has no control over the character at this time. Following the FMV sequences the player gains control of the character via the PlayStation 2 controller and guides him through the game. During the gameplay, cut-scenes show close-up views of the executions which the player has made Cash perform in response to the Director’s instructions. These cut scenes are similar to the FMVs in that the player does not control what happens in them, but they are of lower production quality.

The soundtrack consists of eerie sound effects and background noise. These are used to create a claustrophobic atmosphere during gameplay. This effect and the voice-over technique of receiving information can be enhanced for the player by the use of a USB microphone headset in conjunction with the PlayStation 2 console. Both the opponent characters and Starkweather use offensive language regularly. When Cash kills, the player hears the sound of the weapon’s impact on flesh and bone, and the

death noises made by each victim. The sound effects used during each killing are particularly strong.

The meaning of "objectionable":

Section 3(1) of the FVPC Act sets out the meaning of the word "objectionable". The section states that 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.

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)*, must also be taken into 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.¹

The content of the publication must bring it within the "subject matter gateway". In classifying the publication therefore, the main question is whether or not it deals with the following matters in such a manner that the availability of the publication is likely to be injurious to the public good:

Matters such as sex

The game deals with sexual matters fleetingly. At one point in the game a gang member is shown watching a TV screen from which the sounds and words associated with sexual activity can be heard. The implication is that he is watching a German sexually explicit video recording. At a later point in the game another male character refers to "jerking off " in order to relieve tension.

Matters such as horror

The game features many images, effects and characters readily associated with mainstream horror. For example, many gang characters wear stockings, frightening masks and other horrific head gear to give them a frightening appearance. An opponent character called Piggys wears a pig's head and squeals like a pig as he chases his victims with a chainsaw. Similarly, Cash stalks and kills his enemies in a brutal fashion reminiscent of many modern day slasher movies. The basic content of the game, in which a man is filmed as he carries out various killings, gives it a

¹ *Living Word Distributors v Human Rights Action Group (Wellington)* [2000] 3 NZLR 570 at paras 27-29.

macabre and sinister tone. The manner of killing opponents with bladed weapons, where Cash is depicted slashing at an opponent's neck until the entire head comes off, is similar to 'splatter' movies with its gratuitous focus on blood and gore. Finally the atmosphere of the game itself with its eerie sound effects and background noise also contributes strongly to the horror effect.

Matters such as crime

The game deals with matters of crime. Cash, his opponents and Starkweather are presented as criminals. Cash was on death row for murder and the various gangs are presented as violent thugs patrolling the streets of Carcer City. Characters are not developed to be more than “bad guys” in a lawless city.

Matters such as cruelty

There are a number of cruel elements to the game. Apart from the basic premise of the game itself, much of the violent action associated with Cash has a cruel tone, and some of the cut scenes feature people who are restrained in some fashion being killed. This aspect of the game is discussed in more detail in relation to s3(2)(f) and s3(3)(a)(i) below.

Matters such as violence

The infliction of violence is central to this game. To proceed through the game the player must use Cash to kill various opponents, often in a callous and brutal manner. This involves the use of a vast array of items ranging from a plastic bag to baseball bats, bladed weapons such as knives, cleavers, and machetes, guns including shotguns, assault rifle and sniper rifle, and even a chainsaw. Killing is depicted in a variety of ways and is discussed in more detail in relation to s3(2)(f) and s3(3)(a)(i) below.

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*, the Court of Appeal said that the words “promotes or supports” must be given “such available meaning as impinges as little as possible on the freedom of expression” in order to be consistent with the Bill of Rights.²

The Classification Office interprets the words "promotes and supports" as follows: to *promote* an activity is to advance or encourage the activity, to *support* an activity is to uphold it and strengthen the idea so that it endures.

The Classification Office has considered all the matters in s3(2). The matters that it considers relevant to *Manhunt* are set out in s3(2)(f), as follows:

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

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

Manhunt depicts the infliction of extreme violence and extreme cruelty. In order to advance through the game, it is necessary to kill opponents before they kill you playing Cash. The strongest depictions of violence and cruelty involve particular 'execution' or fatality moves used during gameplay, and cut-scenes and FMV sequences that play as part of the storyline.

The fatality moves involve the player directly manipulating Cash to kill a character using a range of different weapons such as a plastic bag, crow-bar, baseball bat and a variety of bladed weapons. This is shown in the form of a cut-scene where the player has no control over the character. With the use of these weapons, opponents are suffocated, repeatedly beaten, or, in the case of bladed weapons, stabbed, slashed and decapitated. Often the fatality moves involve particular cruelty. At one stage Cash crushes his opponent's windpipe. As the opponent kneels semi-conscious before Cash, he then knocks their head off with a baseball bat. Cruel and sadistic violence in the other FMV's and cut scenes involve characters having their arms, heads and torsos cut with a chainsaw by the Cash character. Wounds are realistically depicted with blood, bone and viscera appropriate to the location of the wound, and matter often splattered around the surrounding area. The level of visual realism in the game is high, although the characters are still obviously animated.

Depiction, however, is not enough. For section 3(2) to apply, the game must promote, support, or tend to promote or support, the things it depicts. Regarding the application of the words "promotes and supports", the Court of Appeal states:

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.³

Is there something about the way this computer game deals with the infliction of extreme violence and extreme cruelty that can fairly be said to have the effect of promoting or supporting such matters? Or, on the other hand, is there anything about this computer game that would make it unfair to say that it promotes or supports the infliction of extreme violence or extreme cruelty? In light of the guidance provided by the Court of Appeal above, there are a number of other factors that need to be considered in relation to the application of these criteria to *Manhunt*.

The difficulty of the gameplay requires the player to concentrate as much on completing each level to advance through the game, as on the game's graphic elements. While the game is overwhelmingly violent and cruel, there are elements in the gameplay that introduce a level of detachment from the infliction of violence for the game player. These include the game's fictional setting and characters that are both unbelievable and over-blown. The game takes place in a chaotic urban crime setting where, apart from Cash and the female reporter, all other characters belong to criminal gangs or are presented as maniacal killers similar to characters from mainstream horror. As such the role-play element of the game – where ostensibly the

³ Above n2 at para 29.

game player takes on the role of someone who has no choice but to kill in order to survive – reduces the ability of the player to associate anything in the game with the reality of social interaction. The game also gives Cash far greater abilities to survive repeated injuries from opponents than could ever be realised in real life. Finally, the animated appearance of opponent characters, the fact that they look alike and react in the same way, and the repetitive presentation of visually identical violence, wounding and blood effects, further reduces the player's ability to associate any aspect of the game with real life, and thus reduces the possibility that the game is better read as promoting or supporting the infliction of extreme violence or extreme cruelty.

These factors have the effect of reducing the strength of an argument that the game promotes or supports the activities in question, in the sense of encouraging or strengthening them so that they endure. The Classification Office therefore finds that while the game depicts extreme violence and extreme cruelty, the game as a whole falls just shy of supporting, promoting, or tending to promote or support, extreme violence and extreme cruelty.

Matters to be given particular weight:

Section 3(3) of the FVPC Act deals with the matters which the Classification Office must give particular weight to in determining whether or not any publication (other than a publication to which subsection (2) of this section applies) is objectionable or should be given a classification other than objectionable.

The Classification Office has considered all the matters in s3(3). The matters that are considered relevant to *Manhunt* are s3(3)(a)(i) as follows:

s3(3)(a)(i) The extent and degree to which, and the manner in which, the publication describes, depicts, or otherwise deals with acts of torture, the infliction of serious physical harm, or acts of significant cruelty.

Violence is the focus of this game. The player is required to kill or execute a variety of opponents in order to proceed through the game. As such, the game contains extensive depictions of the infliction of serious physical harm and acts of significant cruelty. Furthermore, the infliction of serious physical harm and acts of significant cruelty are presented to a high degree and often in a graphic and brutal manner.

During gameplay the killing of opponent characters can be achieved by either a 'kill' or an 'execution'. A kill involves Cash fighting toe-to-toe with an opponent until either Cash or the opponent is knocked down. If the game player is successful in making Cash defeat the opponent, Starkweather's voice is heard encouraging Cash to finish them off. For example, when using a baseball bat Cash is seen to kick the opponent on the ground before bashing his skull. This method of killing, while brief, results in blood and brain matter spread on the floor. Other weapons used in this fashion are perhaps less violent but have a high level of realism due to the sound effects featured during gameplay. When bladed weapons are used, for example, sounds associated with slashing and stabbing are heard with accompanying blood bursts shown on screen.

By comparison, the use of guns is less graphic during gameplay. A wide variety of guns are available in the game including handguns, shotguns and assault and sniper rifles. Guns allow the player to kill an opponent from a distance, and usually result in a small burst of blood being shown on screen before an opponent falls to the ground. The one exception to this depiction of gun use is the amount of gore caused by the use of shotguns at close range, where the graphic nature of wounding and death is clear to see. Often, entire heads or parts of heads are blown off with blood and viscera shown splattered on the floor and surrounding walls. All of the violent depictions involving guns involve realistic and loud sound effects which heighten the sense of realism when they are used.

The strongest aspects of the game in relation to the infliction of serious physical harm are the range of 'execution' style killings that Cash can perform during gameplay. With the exception of guns, each of the weapons in the game can be used to execute an opponent character. An execution involves the player moving Cash stealthily behind an opponent and killing them by selecting one of three fatality moves. As the player guides Cash to stalk their victim, coloured triangular arrows appear around the victim's head. Depending on the colour shown on screen (white, yellow or red) the player can choose a different type of fatality involving the use of whatever weapon Cash has in his possession at the time. A cut-scene then plays depicting the killing of the opponent character. The player has no control of the action at this time and the killing is viewed from the perspective of a camera videotaping the killing. The three coloured fatality moves do not necessarily correspond to stronger or more graphic depictions of violence; rather they seem to relate more to the length of time the cut-scene runs on screen.

The cut-scenes contain the most graphic and cruel forms of violence. Even at the beginning of the game, execution methods involving the use of a plastic bag are both gratuitous and disturbing to watch. The plastic bag is used first to suffocate an opponent and then, depending on the fatality move selected, the opponent is either punched or kneed in the head repeatedly until his neck breaks. Sound effects accompanying the cut-scene include the muffled cries of the victim and realistic sound of a neck being broken.

Following on from this initial mode of execution, Cash gains other hand-held weapons such as a crow bar, baseball bat, and a variety of bladed weapons. Each of these weapons has their own particular fatality moves, and as the game progresses the graphic nature of the violence the player can enact increases to a gross and disturbing level. For example, the crow bar is used to stab an opponent in the back and jab them repeatedly in the skull until dead; and baseball bats can be used to crush an opponents windpipe before their head is smashed off leaving large amounts of blood and viscera on the viewing screen. Bladed weapons are similarly used to gratuitous effect. Cash can be seen either stabbing opponents in the face and neck until dead in a frenzied fashion, or, with cleavers and machetes, slashing the torso of opponents and then hacking their heads off with glimpses of the spinal cord visible to the viewer. Again the sound effects associated with the violent action are realistic and add impact to the sense of frenzied and bloody violence shown on screen.

Much of the violence associated with Cash has a cruel and malicious tone. The strongest acts of significant cruelty involve Cash killing ostensibly defenceless

opponents. In hand to hand combat for example, opponents often plead to be spared once Cash has beaten them to the ground. Cash is then encouraged to kill the opponent or else they recover and attack Cash again. In similar fashion, the fatality moves involving baseball bats (where the opponent's head is knocked off) show Cash deliberately aiming at the opponent's head as they slump forward semi-conscious and helpless on their knees.

Other acts of significant cruelty form part of the storyline or are shown as part of FMV sequences. For instance an FMV at the start of the game shows Cash surrounded by five men dressed in SWAT team fatigues. Cash is pistol whipped to the ground and repeatedly beaten by the men before being bundled into the back of a van. At other points in the game the same men appear and either knock Cash unconscious by blows to the head or by means of a tranquiliser. The graphic nature of these and other sequences seems overtly gratuitous and contribute little to the story.

A particularly cruel and exploitative part of the game's storyline takes place in the chapter called "Strapped for Cash" which sets Cash the task of attempting to free members of his family who are being held hostage. Male and female family members are depicted tied by their hands and necks to crosses and Cash must try and save his family by killing his opponents without being detected. Each time Cash is detected, the player, and Cash, see a family member being shot. The gameplay requires that Cash must carry on attempting to kill his opponents undetected to rescue family members even when others have been shot. Another cruel twist at this point in the game is that even if Cash is successful in rescuing his family, he witnesses one of them being shot in the head anyway at close range on video tape in the following chapter. When the gameplay presents one of the few opportunities to do something other than kill, indeed to do some good, the player realises too late that saving innocent lives is not rewarded.

The closing sequences of the game also depict cruel and graphic violence. At one point Cash cuts Piggsy's arms off with a chainsaw as he clings onto the side of the hole in the floor. Similarly, the killing of Starkweather at the end of the game shows Cash using the chainsaw to cut open Starkweather's stomach, saw off his head and stab him in the back until he dies. The player sees intestines, blood and viscera everywhere. While these closing sequences have much in common with mainstream horror, it is the player who, rather than simply watching, is actively directing, the hacking at limbs and killing with a chainsaw in this cruel and gratuitous fashion. The impact on the player is very strong.

Apart from the graphic and cruel nature of the violence in *Manhunt*, the Classification Office is concerned with aspects of the game's design. One of these is the fact that the fatality moves afforded to the player are the most successful way to proceed through the game. The game is constructed so that the player must choose to enact the most brutal and graphic forms of violence and cruelty in order to progress through it to the bonus levels. Stealth is rewarded to an extent that it seems highly unlikely that a player would complete the game fighting in the hand-to-hand combat style outlined above. Game statistics provided at the end of each chapter rate the game player's performance on the basis of the number of kills, executions and style (the latter determined by the success with which the player carries out fatality moves). Bonus levels, cheat codes and extra material are made available to players once they

have completed the game with a high style rating, again encouraging the player to use the strongest fatality moves throughout the game.

A player's exposure to these aspects of the game is not fleeting. A proficient player could take approximately an hour to complete each of the 24 levels. The length of time it takes to complete the game, and the necessity to repeat the killings in ever more gory fashion on each level if one does not complete that level at first attempt, increases exposure to material that initially disturbs, but which must be accommodated to complete the game. A player's power both to initiate violence and to control the level of violence is part of the process by which this accommodation is made. To succeed in this game, a player must learn over an extended period of time to acquiesce in, tolerate, or even enjoy, the violence he or she inflicts.

Another important factor in relation to *Manhunt* is the absence of many of the balancing factors that have been present in other games classified R18, such as *Grand Theft Auto 3* (OFLC No.101685) and *Soldier Of Fortune II* (OFLC No.200572). *Grand Theft Auto 3* is a violent game that combines stealing and driving cars with combat involving guns and other weapons within an urban crime setting. *Grand Theft Auto 3* also depicts, by way of balance, police pursuing the main criminal character when crime is committed, and it has a humorous and satirical nature. In *Soldier Of Fortune II* the player is in control of a mercenary. While the game contains graphic depictions of violence, important considerations in classifying it R18 included the sense of detachment created by its militaristic setting and the fact that civilians could not be targeted because the gameplay follows the rules of military engagement.

Manhunt lacks these mitigating factors. The game has a violent and dark tone that is unrelenting. It refers to "snuff" films which the player actually sees and helps to produce at each kill. There is little humour to lighten the game or relieve its incessant focus on stealth and violence. While the animated and at times unreal nature of the game's environment may give a sense of detachment, the game is designed to make it easy for the player to slip into Cash's persona⁴. Through Cash, the player does little but hide or carry out vicious killings. No one is ever arrested, tried or punished for their crimes, and the police chief is complicit in the manufacture of the Director's snuff films. At a point in the game when it is possible to save innocent people, there is no reward for doing so. Nor is there any punishment for letting them die. The game rewards the escalation of violence and nothing else. The player must kill everyone he meets at every level. To succeed in completing the game, the player must transform Cash from a mass-murderer into a vigilante, in order to kill Starkweather with a chainsaw. The game's entertainment value lies in allowing and encouraging the player to enact regular acts of brutal graphic violence upon animated, but clearly human, characters.

Additional matters to be considered:

⁴ David Smith, Review of *Manhunt*, http://www.lup.com/article2/0_4364_1393119_00.asp, 20 November 2003 (last accessed 10 December 2003).

Under 3(4) of the FVPC Act, the Classification Office must also consider the following additional matters:

s3(4)(a) The dominant effect of the publication as a whole.

The dominant effect of *Manhunt* is the effect produced when a player directs violence which is presented in a brutal and cruel manner. These effects may differ from player to player, and will change as the game progresses. They range from disturbing to boring. Violence involving the use of hand weapons and guns is the focus of the game with story development and object retrieval a secondary element of gameplay.

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

The impact of the console game medium is high. PlayStation 2 is a state of the art gaming format that provides high quality images and sound. Unlike more passive media – such as film and video recordings – the console game medium allows the player to interact with the images on screen directly and to control the actions of a character, in effect translating viewer actions and choices into onscreen action. This is particularly relevant to *Manhunt* which does not offer the player a choice as to whether or not to kill, but instead only offers a choice as to how brutal the kill is to be. Another factor in relation to the impact of the console medium is the fact that the player can use a USB microphone headset in conjunction with the PlayStation 2 console. Use of the headset in this way reinforces the ability of the player to identify himself as Cash because the player hears in his own ear Starkweather's instructions to make the murders ever more gruesome. A reasonably proficient player will be exposed, and re-exposed, to the game's content for 20 hours or more.

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.

Manhunt can be characterised as a violent and cruel third person action game in which the player must kill, via his on-screen character, computer generated opponents. The game requires the player to follow a storyline, complete various missions by killing according to instructions received through an earpiece, negotiate a variety of environments and retrieve objects upon occasion.

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 content of *Manhunt* indicates that it is intended for an adult audience, but it will appeal to younger people as well. The game will also appeal to people who have played other games created by Rockstar Games, such as the *Grand Theft Auto* series.

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

Manhunt is a game. Its purpose is to entertain its player.

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

It is noted that many console games are released on different game platforms such as the Microsoft Xbox and PC platforms. These could affect the gameplay to some extent. *Manhunt* has been submitted on PlayStation 2.

New Zealand Bill of Rights Act 1990:

Section 14 of the New Zealand Bill of Rights Act 1990 (NZBR Act) states that 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". Under s5 of the NZBR Act, this freedom is subject "only to such reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society". Section 6 of the NZBR Act states that "Wherever an enactment can be given a meaning that is consistent with the rights and freedoms contained in this Bill of Rights, that meaning shall be preferred to any other meaning". These provisions, and judicial comment on how they should be applied to provisions of the FVPC Act, have been used to give any ambiguity in the provisions relevant to the classification of *Manhunt* a meaning that permits as much expression as possible without undermining the intention of Parliament to prevent injury to the public good.

Conclusion:

The console game entitled *Manhunt* is classified as:
 Objectionable.

Manhunt depicts and deals with matters of horror, cruelty, crime and violence in such a manner that its availability is likely to be injurious to the public good.

Drawing on the provisions of the NZBR Act, the Classification Office has concluded that the publication falls just shy of the deeming provision of s3(2). However, consideration of the game under ss3(3) and 3(4) leads to the conclusion that the availability of *Manhunt* is likely to be injurious to the public good. The likelihood of injury arises from a player's lengthy and repeated exposure to the game's extreme violence, significant cruelty and horror, and from the gameplay constantly encouraging the player to escalate the levels of violence. While it is acknowledged the game involves fictional characters and settings, its entertainment value lies in allowing the player to enact and repeat regular acts of violence upon human characters over a long period of time, and in encouraging the player to increase the brutality and goriness of the violence he or she inflicts.

Of particular concern is the fact that the game is constructed around fatality moves which involve the most vicious and bloody violent action shown in cut-scene form. Regular use of the fatality moves is the most effective way of progressing through the game. The goriness of the resulting deaths will reward the player with more style points and access to additional levels and material. Other factors contributing to the classification of this game as "objectionable" include the absence of many of the balancing factors present in other games classified R18, its linear story line in which the player has no choice but to kill, its encouragement to the player to make each kill more brutal, the ease with which the player "becomes" the protagonist, the repetitive nature of the killings and the length of time it takes to complete the game.

Turning to the relevant provisions of the NZBR Act again, the Classification Office considers that in this instance the freedom of expression is outweighed by likelihood of injury to the public good that could result from this game's availability. The length of time it takes to complete the game, and the necessity to repeat the killings in ever more gory fashion on each level if one does not complete that level at first attempt,

increases exposure to material that initially disturbs, but which must be accommodated, to complete the game. A player's power both to initiate violence and to control the level of violence is part of the process by which this accommodation is made. To succeed in this game, a player, regardless of age or maturity, must learn over an extended period of time to acquiesce in, tolerate, or even enjoy, the violence he or she inflicts.

Learning how to acquiesce in, tolerate, or take enjoyment from inflicting violence, cruelty and suffering over the length of time it takes to play this game requires an antisocial attitudinal shift, (and reinforces such attitudes amongst those who already have them) that is likely to be injurious to the public good. Another likelihood of injury to the public good lies in the game's potential to adversely affect young people and adults alike, who may find the constant focus on inflicting injury or death in a brutal and callous manner disturbing and distressing. The third likelihood of injury arises from the fact that the game immerses the player in violent gameplay intended to be a source of excitement and pleasure. To a greater or lesser degree, this has the potential to inure players to brutal violence generally.

Having applied the Bill of Rights throughout the Office's consideration of how the legal criteria apply to this game, and having identified the resulting likelihood of injury to the public good that the availability of this game creates, it is apparent that injury to the public good is likely to result from playing the game, regardless of the age of the player. A classification of "objectionable" is therefore the only classification that reduces the risk presented by this game's availability.

Classification:

The console game *Manhunt* is classified as:

Objectionable.