

**NOTICE OF DECISION  
UNDER SECTION 38(1)**

TO: Comptroller of Customs



Title of Publication: Manhunt 2  
Other Known Title(s): Not Stated  
Director(s)/Author(s): Not Stated  
Producer(s)/Publisher(s): Not Stated  
Medium: Console Game  
Country of Origin: United States  
Language(s): English



**Components of Film:**

	<b>Component</b>	
<b>Game:</b>	Manhunt 2	

**Decision:**

**Objectionable.**

Direction to issue a label has not been given.



**REASONS FOR DECISION**

**Submission procedure:**

The publication was submitted by the Comptroller of Customs to the Office of Film and Literature Classification (Classification Office) pursuant to s13(1)(a) of the FVPC Act, on 9 January 2008. In a letter accompanying the notice of submission, the Comptroller of Customs informed the Classification Office that they would not be making a submission on its

classification. On 17 January 2008, the Office reminded the importer, the publisher and the Secretary for Internal Affairs of their right to make a submission under s20(1) of the Act. On 14 February 2008 a submission was received from the publisher. The closing day for submissions on this publication was 7 February 2008.

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.

### **Synopsis of written submission:**

A written submission was received from the publisher, Rockstar Games. The submission states that one of the key factors for banning *Manhunt* (OFLC: 302023) was the lack of context for the violence. The submission distinguishes the current game from the original by supplying context in the form of a detailed synopsis of the game's back story and an overview of key plot points at each level. The synopsis of the back story is reproduced as part of the description of this publication.

### **Description of the publication:**

The publication *Manhunt 2* is a console game designed for the PlayStation 3 platform. The version submitted by Customs is a pirated copy of the PlayStation 2 version of *Manhunt 2*. It was examined on a PlayStation 3 debug console. It is a third-person action/adventure style game containing sophisticated computer generated graphics with strong violent content. The game has sixteen levels of gameplay. There are no bonus levels.

The game follows the story of Dr Daniel Lamb, an amnesiac who must fight to regain his past. Dr Lamb was working on the Pickman Project, which was a weapons research project that imprinted people with multiple personalities. Lamb volunteers to have another personality implanted in him when the project's funding is cut. Lamb is sent to the Dixmor Asylum for the criminally insane for six years. The game begins with a full motion video sequence (FMV) in which a freak electrical storm knocks out the asylum's power, freeing the inmates. Leo is Daniel's second personality, imbedded in him during the research and designed to be a deadly and stolid assassin who could be triggered at will. Leo's and Daniel's personalities have not remained separate and Leo has a firm hold on Daniel's weakened mind. Daniel is able to reach the people he used to work with just in time to find out what Leo is and, with their help, is able to destroy him.<sup>1</sup>

---

<sup>1</sup> This description is taken from the submission from Rockstar Games.

The Classification Office examined *Manhunt 2* and found that the plot was difficult to discern. The back story, while complex, is insignificant in the context of gameplay as a whole. A proficient player would take approximately an hour to complete each level.

The player usually plays as Danny but occasionally also plays as Leo. Danny usually has Leo in tow. Through most of the game Danny believes Leo is a separate person. Gameplay occurs in real time, in flashback and in one section entirely in Danny's mind. The gameplay requires the player, as Danny or Leo, to kill everyone he meets, in order to get to the next level. Points are awarded for each successful kill or execution at the end of a level and accumulate as the game progresses. The player'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 different levels, depending on how long the player waits behind someone before killing him. The longer the player waits, the more likely it is that the intended victim will hear him, but if the player is successful, he is rewarded with a grislier kill and more points. Plastic bags, shards of glass, garrotting wire, baseball bats, crow bars, knives, machetes, circular saws, handguns and submachine guns are among the weapons used to kill opponents. The opponents are all corrupt employees of the Pickman Project.

The player must kill or be killed. 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. During the gameplay, cut-scenes show close-up views of the executions which the player has made Danny or Leo perform. These cut scenes are similar to the FMVs in that the player does not control what happens in them.

The soundtrack consists of eerie sound effects, background noise and conversations between Danny and Leo. These are used to create an unsettling and claustrophobic atmosphere during gameplay. Danny, Leo and their opponents regularly use offensive language. When Danny or Leo kill, 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.<sup>2</sup>

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*

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.

The game contains regular sexual references in the dialogue. During the first stage set in the Dixmoor asylum a voice is heard saying "idle hands are the tools of the devil – that's why I jerk off". Part of one stage occurs in a decrepit pornographic cinema. A couple are shown having sex on the screen while fighting continues through the cinema. In this scene, sounds of sexual activity are heard and inter-cut with scenes of the couple having sex. Sexual activity is not explicit as genitals remain out of shot. The game's sexual content is further discussed in relation to section 3(3)(a)(v).

*Matters such as horror*

The game features many images, effects and characters readily associated with mainstream horror. For example, many gang characters wear horrific masks and other head gear to give them a frightening appearance. Danny and Leo stalk and kill their 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 macabre and sinister tone. The manner of killing opponents with bladed weapons, where Danny or Leo are 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 contributes strongly to the horror effect.

*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 the gameplay 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 sections 3(2)(f) and 3(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 kill various opponents, often in a callous and brutal manner. This involves the use of a vast array of items ranging from plastic bags to baseball bats, bladed weapons such as knives, shovels, crowbars and machetes, guns including shotguns, assault rifles and sniper rifles, and even a

---

<sup>2</sup> *Living Word Distributors v Human Rights Action Group (Wellington)* [2000] 3 NZLR 570 at paras 27-29.

circular saw. Killing is depicted in a variety of ways and is discussed in more detail in relation to sections 3(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 (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"<sup>3</sup> 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.<sup>4</sup>

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.

The Classification Office has considered all of the matters in s3(2). The matter which it considers relevant to the publication is:

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

*Manhunt 2* 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. 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 Danny or Leo 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 Danny stabs an opponent in the anus and the eye before cutting his throat. Other cruel and sadistic violence in the other FMVs and cut scenes involve a man having his teeth pulled out with a wrench and men being graphically decapitated with shovels. 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.

---

<sup>3</sup> *Moonen v Film and Literature Board of Review* [2000] 2 NZLR 9 at para 27.

<sup>4</sup> Above n2 at para 29.

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. 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 2*.

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 featuring clichéd elements like a decrepit asylum for the insane. Plot devices such as having a second personality implanted directly into the character's brain are also conventions of standard science fiction. Most characters are project goons and are presented as maniacal killers similar to characters from mainstream horror. As such the role-play element of the game – where ostensibly the 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 player also has 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 promoting, supporting, 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 in accordance with section 23(2) be given a classification other than objectionable.

The Classification Office has considered all the matters in s3(3). The only matters that it considers relevant to the publication are:

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.*

and

s3(3)(a)(v) *The extent and degree to which, and the manner in which, the publication describes, depicts, or*

*otherwise deals with physical conduct in which sexual satisfaction is derived from inflicting or suffering cruelty or pain.*

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 the player fighting toe-to-toe with an opponent until either you or your opponent is knocked down. This method of killing, while brief, can be very graphic resulting in large amounts of blood and gore being spread around the environment. Other weapons 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 can be performed 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 stealthily behind an opponent and killing them by selecting a fatality move. As the player guides Danny or Leo to stalk his 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 he 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 longer the player waits behind an opponent before executing him the more gruesome the execution. A small amount of health is also restored if the player's character executes, rather than merely kills an opponent. The player's character has the ability to make environmental kills. These involve using some aspect of the environment to kill your victims – for example using a manhole cover to bash your character's victims to death.

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, kneed or elbowed down onto the ground. Sound effects accompanying the cut-scene include the muffled cries of the victim and realistic sound of a neck being broken.

Other hand-held weapons such as a crow bar, baseball bat, and a variety of bladed weapons including a shard of glass and a circular saw can be used to bludgeon victims to death or, in a

more conventional manner, to decapitate them. Each of these weapons has its own particular fatality move, 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 him repeatedly in the skull until dead; and baseball bats can be used to crush an opponent's windpipe before his head is smashed off leaving large amounts of blood and viscera on the viewing screen. Bladed weapons are similarly used to gratuitous effect. The player's character can be made to either stab an opponent in the face and neck until dead in a frenzied fashion, or, with cleavers and machetes, slash the torso of an opponent and then hacking off his head 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 has a cruel and malicious tone. The strongest acts of significant cruelty involve the player killing ostensibly defenceless opponents. In hand to hand combat for example, opponents often plead to be spared once the player has beaten them to the ground. The player is then encouraged to kill the opponent or else they recover and attack again. In similar fashion, the fatality moves involving baseball bats show Danny or Leo deliberately aiming at the opponent's head as they slump forward semi-conscious and helpless on their knees. When an opponent's head is knocked off tendrils of flesh are seen hanging from the neck stump.

The section entitled *Sexual Deviants* is set in an underground sadomasochistic (SM) nightclub. The SM tone is set by repeated snippets of dialogue like "what's the safety word?" and later "listen up perverts, if you want to taste the real hardcore then enter the dungeon". Once in the dungeon the player's character encounters two men dressed in SM gear. One begs for his life while severed limbs lie around the room. At another point a man in an SM outfit flicks a switch and a second man in an electric chair writhes in pain. Still later a man in SM gear kills another man by drilling directly into his face, and at another point a man is stabbed in the back then hoisted into the air by the knife embedded in his back. The SM theme continues with snippets of dialogue which include "submit slave, submit". At various points throughout this level the player's character encounters cameras set up to record the suffering and death of victims implying that snuff movies are being produced in the dungeon. While orgasm or overt depictions of sexual arousal are not depicted in this level, the SM club setting, and SM accoutrements in which the characters are dressed, clearly mark out the characters as gaining sexual pleasure from the extreme violence, torture and cruelty that is being inflicted.

Apart from the graphic and cruel nature of the violence in *Manhunt 2*, 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. 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 gruesomeness with which the player's character kills his opponents.

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 16 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 2* is the absence of many of the balancing factors that have been present in other games classified R18, such as *Grand Theft Auto 4* (OFLC No. 800191) and *Soldier Of Fortune: Payback* (OFLC No. 703126). *Grand Theft Auto 4* is a violent game that combines stealing and driving cars with combat involving guns and other weapons within an urban crime setting. It 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: Payback* 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 2* lacks these mitigating factors. The game has a violent and dark tone that is unrelenting. 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 Danny's and Leo's personae. Throughout the game the player does little but hide or carry out vicious killings. No one is ever arrested, tried or punished for their crimes. The game rewards the escalation of violence and nothing else. The player must kill everyone he meets at every level. 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:**

Under s3(4), the Classification Office must also consider the following matters:

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

The dominant effect of *Manhunt 2* 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. 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 2* 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. A reasonably proficient player will be exposed, and re-exposed, to the game's content for 16 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 2* can be characterised as a violent and cruel third person action game in which the player must kill, via his on-screen character, every computer-generated opponent.

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 2* 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 2* 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 Xbox 360 and PC platforms. The copy of *Manhunt 2* submitted is a pirate copy of the PlayStation 2 version of the game. *Manhunt 2* is actually designed for the newer generation PlayStation 3 console. The current publication was examined on a PlayStation 3 debug console. All of these factors could affect the gameplay to some extent.

### **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 2* 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 2* is classified as:  
Objectionable.

*Manhunt 2* depicts and deals with matters of sex, horror, cruelty and violence in such a manner that 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 2* 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 inflicted.

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. 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 storyline 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. This is reinforced by the game's depictions of sexual satisfaction derived from the infliction of violence. Over time, to a greater or lesser degree, this has the potential to inure players to the effects of brutal violence generally.

Having applied the Bill of Rights throughout the Classification Office's consideration of the application of the legal criteria 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 this game's availability, 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 Classification Office classifies the publication entitled *Manhunt 2* as:

**Objectionable.**

Date: 12 June 2008

For the Classification Office (signed):



**Note:**

You may apply to have this publication (or these publications) reviewed under section 47 of the Films, Videos, and Publications Classification Act 1993, if you are dissatisfied with the Classification Office's decision.

Copyright Office of Film and Literature Classification. This document may not be reproduced in whole or in part by any means in any form without written permission except for brief quotations embodied in articles, reports or reviews.