

ANNUAL REVIEW

2020/21

Post-hearing questions 169 – 178

WARNING: Response contains sexual, explicit and offensive descriptions

TE MANA WHAKAATU
**Classification
Office**

**Watch carefully.
Think critically.**

Post-hearing questions 169 – 178

169.

What scenario planning has the Classification Office undertaken to assess its financial vulnerability to further changes in the media environment? What do these scenarios indicate about the financial sustainability of the Classification Office, and how is the Classification Office managing these risks?

As part of the annual audit process the Classification Office conducts a Going Concern Assessment. Forecasting indicates that despite ongoing deterioration of the Office revenue we remain financially sustainable until the close of 2023/24.

Scenarios – Listed below are scenarios which are expected to impact on the Classification Office's sustainability.

Fees

Cabinet agreed in 2020 that a review of funding of existing classification activities will happen no later than 30 June 2023.

Ongoing operation of the Film and Video Labelling Body

A key aspect of the forecasting is the ongoing reduction of income from the Film and Video Labelling Body (FVLB). The financial viability of the FVLB is a key item on our risk register and we have worked with the Department of Internal Affairs and the FVLB to both explore options should the FVLB no longer provide its functions under the Classification Act and to support the FVLB to continue to fulfil its functions.

Alternatively, submissions to the FVLB may increase following the 2020/21 amendments to the Classification Act, as this requires the labelling of streaming content from commercial video on-demand providers. Three providers have elected not to self-rate and instead intend to use agreements with studios and distributors which puts the onus on them to include NZ ratings data. This appears to be having a small flow on effect to FVLB operations.

We are also increasingly seeing streaming providers release films in cinemas prior to releasing on their online platforms. This may arrest the decline in film submissions, and may potentially drive an increase in this material.

Operation of the CVOD Self Rating Framework

The operation of the new Self Rating system came into effect this financial year.

Levy income is currently dependent on the number of providers on Schedule 4 of the FVPC Act as the levy is fixed at \$57,200 per provider. Fluctuations in the number of providers on the Schedule impact both revenue and workload considerations. The Office is working with current Schedule 4 providers as well as conducting landscape monitoring to ensure we are aware of changes in the streaming entertainment market. We work with the Department of Internal Affairs to support enforcement activity so that it provides the best outcomes for the NZ consumer. Small fluctuations in revenue from this source, due to provider changes, can be partially be offset by modifications to our audit and review processes.

The Levy for CVD Providers is set in Films, Videos, and Publications Classification Commercial Video on-Demand Levy Regulations 2021 and is set to expire May 2025.

CVE

A significant risk to the office is the new provisions within the Classification Act for 'takedown' notices issued by the Department of Internal Affairs and the corresponding right for Online Content Hosts to submit this material.

This provision applies to any content that an Inspector believes is, or is likely to be objectionable. Although enacted under changes to the Act in response to the March 15 Terror attacks, this is not limited to violent extremist content but applies to all types of objectionable material.

The Department's strategy for implementing this provision, including:

- the expected number of takedown notices issued,
- that nature of material for which the Department issues takedown notices,
- any consequential submissions by the Department of this material for classification and
- any consequential submissions or by the online content host,

will directly impact the workload and performance measures of the Classification Office.

The Department has undertaken to work closely with the Office on the implementation of these changes to the Films, Videos and Publications Classification Act 1993.

170.

Noting the often sensitive nature of classification work, how has the Classification Office managed the risks to staff in relation to remote working given the nature of their work?

The Classification Office has a range of measures in place related to the examination and classification of sensitive material. This includes how material is accessed in a secure manner (including IT solutions such as two factor identification and encryption) as well as when and where this material is viewed. At the Red traffic light setting staff predominantly view Crown material onsite at the Office.

We have a range of policies and practices in place that support staff in handling harmful or distressing content. This allows for the discerning allocation of material to staff, regulates when, where and how content is viewed and allows a variety of crown and commercial content to be allocated, in association with other non-classification activities.

The Office has set a clear expectation that staff health and wellbeing is a priority especially while working from home. This includes encouragement to take leave, breaks throughout the day, and to create opportunities to exercise and connect with others.

We also provide pre-approved access to:

- counsellors under our EAP programme, and staff are accessing this service remotely, and
- physiotherapists to support their physical wellbeing while working from home.

Social engagement and the opportunity to connect with colleagues is an important aspect of coping with harmful or distress content. To support this we have maintained opportunities for to connect socially on a daily basis.

171. Noting that the Classification Office is a relatively small organisation, how is it managing succession planning and personnel risk?

As a relatively small organisation, several individuals are responsible for multiple functions, and as such ensuring we have back-ups in place is part of our 'business as usual' practice.

Specifically in response to the risks presented by Omicron, the Office's staff are fully vaccinated and on their way to being fully boosted. Visitors to the Office have been kept to a minimum and all visitors are required to be vaccinated. We are able to continue to deliver on our services remotely.

We have divided the Office into two teams with designated times for working within the office and working from home. Each of these teams include staff who are able to carry out key functions. By way of example the Chief and Deputy Chief Censor are on separate teams, and the management team is split across the two teams. Each team contains classification staff, communications staff, and support staff who have primary or secondary responsibility for functions such as IT, Finance and payroll.

This has allowed us to accommodate personal circumstances and gives those staff who need, or prefer, to work on site the ability to do so while maintaining safe distancing and support those staff who want or need to work from home. Contact between the teams is limited to remote communications.

These measures have allowed us to minimise the impact of the early isolation requirements and limit any spread of COVID within the workplace. This approach has been successful to date and while an outbreak among our staff will result in reduced capacity, we will be able to maintain capability.

172.

What progress has been made by the Classification Office to develop and implement an integrated strategy to counter violent extremism online?

Following the March 15 terrorist attacks we continued to focus on violent extremist content and the impacts it has. In April 2020 we established a specialist Countering Violent Extremism team with a focus on research, education, and outreach. Through this team we're proactively engaging with New Zealand and overseas government agencies, academics, and experts at the forefront of countering violent extremism. Using the insights of the CVE team, and the experience of responding to the March 15 terrorist attacks, we have been able to quickly and sensitively respond to violent extremist content with evidence-based classification decisions.

In surveying the CVE landscape of Aotearoa, the CVE team identified several key areas of growth and opportunity. The team recognised that a national strategy is needed to support and reinforce core initiatives such as the Christchurch Call.

Critically, any national strategy needed to look at the role of dangerous mis- and disinformation in radicalising potential extremists.

In mid-2020 the CVE drafted an integrated strategy for addressing digital extremism and dangerous disinformation. The key elements of the strategy are need for updated and additional regulation, coordination of stakeholders, comprehensive education and prevention programming, a foundation in research, and the involvement of platforms. The strategy also identified a range of intervention strategies to prevent potential extremists from falling down the rabbit hole and becoming radicalised in the first instance.

In operation this strategy has guided the CVE team's outreach and education priorities. The strategy also informed the Office's research output, resulting in the Edge of the Infodemic report released in 2021.

The strategy has been shared with DPMC, who have incorporated it into their own strategy documents, such as the COVID-19 Disinformation Process Review. The Office is also a contributor to several DPMC-led cross-agency working groups, including the Cross Agency COVID-19 disinformation and harmful content response, and the Preventing & Countering Violent Extremism Strategic Framework working group.

173.

How will the Classification Office improve how it reports its performance on countering the effects of violent extremism?

Current Quality, Quantity and Timeliness performance measures for all classification material apply to violent extremist material. If the volume of material submitted by enforcement agencies justified it, this content can be reported separately.

Current Ministerial report is tracking:

- volume of violent extremist content submitted
- submissions from DIA Digital Safety categorised as
Violent Extremist content,
Violent Content and
Sexually Explicit Material.

A critical component of New Zealand's crisis-response framework is the ability to stop the viral spread of terrorist content. In some cases an urgent response is required to support New Zealand's online crisis response to a potential real-world incident.

With the enactment of Part 7A of the Classification Act in February 2022 the Office will monitor (with a view to reporting) the volume of submissions which are subject to takedown notices submitted by both DIA under s 13(1)(b) and online content hosts under s 13(1)(ba).

With the enactment of section 22A of the Classification Act in February 2022 the Office will monitor with a view to reporting the number of Interim classification assessments by Classification Office.

The Office is keen to align its performance reporting with the Department's, where sensible. The Department has undertaken to work closely with the Office as they work through these changes to the Classification Act.

In support of the integrated strategy for addressing digital extremism and dangerous disinformation, reporting in 2021/22 has focused on key elements of the strategy: coordination of stakeholders, comprehensive education and prevention programming, and a foundation in research.

As such the Office has arranged an engagement programme. This includes speakers' programme which brings subject matter experts together with policy and operational staff throughout government, to support a joined up approach.

We have also developed and are implementing a training programme for enforcement agencies on the classification framework as applied to violent extremist content.

174.

What further work needs to be done to enable timely response to misinformation as it arises?

The Classification Office set out the areas for development in responding to misinformation in the concluding chapter of “The Edge of the Infodemic” misinformation research report from June 2021. In summary the response areas identified were:

- Informing and empowering New Zealanders;
- Education;
- Moderation and Industry Responsibility;
- Regulation and policy;
- Research and evaluation.

The Classification Office has demonstrated its capacity to very quickly identify, call in and classify misinformation that is objectionable for its promotion of terrorism or extreme violence, when it called in a ‘documentary’ recently published online that republished the entirety of the banned “Christchurch Mosque Attack Livestream” video on the pretext of raising a ‘false flag’ conspiracy theory in relation to the March 15 terror attacks (see classificationoffice.govt.nz and thespinoff.co.nz). However, as was identified in “The Edge of the Infodemic” the vast majority of misinformation will not trigger the legal thresholds set in New Zealand legislation.

The Classification Office considers that the recent occupation of the New Zealand parliament grounds, and the related misinformation ecosystem (particularly online) provides strong opportunity for review and assessment, to urgently identify how existing agencies, regulators, digital platforms, NGO’s and community groups might coordinate more effectively to address ‘lawful but harmful’ categories of misinformation.

175.

In the Classification Office’s view, what arrangements are needed in order to develop and implement a longer-term framework to respond to, and minimise the effects of misinformation?

In addition to the opportunity for review identified in the response to Q. 174 above, the Classification Office notes that very significant policy and legislative proposals are being advanced overseas in multiple jurisdictions where misinformation has also emerged as a serious and growing threat. The Classification Office considers that Aotearoa New Zealand is well placed to assess and rapidly implement the emerging best practice thinking emerging internationally on how to implement a strategy that incorporates all of the response areas identified in “The Edge of the Infodemic”.

The Classification Office has previously noted that misinformation is not in and of itself illegal – and that it would likely be impractical and counterproductive to make it so. It should not be unlawful to express a view or belief that is wrong, or that is contrary to prevailing evidence and opinion. Prohibitions on beliefs can have potentially serious implications on human rights (as appears to be playing out currently with Russia’s outlawing of misinformation about the Ukraine War, where even stating that Russia is engaged in a war can apparently incur serious criminal penalties).

However, it has long been established that reasonable regulatory standards requiring accuracy and balance can be applied to news media without impacting on human rights, and the Classification Office notes that modern policy and regulatory thinking in this area focusses on how to effectively impose analogous duties on digital platforms to ensure that misinformation

does not cause harm, that algorithmic amplification factors are managed so that platforms are operated transparently.

The Classification Office considers that there is an important opportunity now to identify and adapt this modern thinking into an integrated strategy for Aotearoa, encompassing roles and responsibilities for government and non-governmental actors alike, and in particular bringing a Te Tiriti lens to the development and application of such a strategy, taking into account partnership and community-based approaches to help address the disproportionate effect of misinformation on Maori.

176.

How many publications were declared objectionable in New Zealand under the Films, Videos, and Publications Classification Act 1993 in the last 4 years, by year breakdown and reason and of these, how many received a differing equivocal classification (i.e. Refused Classification by the Australian Classification Board)?

Subject Matter of Excised or Banned Publications

		2016/17 EXCISIONS NOT MADE		2017/18	2018/19	2019/20	2020/21	2021/22 1 JUL '21 – 1 MAR '22
TOTAL PUBLICATIONS*		720	2	502	335	442	329	137
REASON FOR OBJECTIONABLE CLASSIFICATION SECTION /DESCRIPTION								
s3(2)(a)	Promotes the exploitation of children or young persons for sexual purposes.	523	1	348	173	386	216	112
s3(2)(b)	Promotes the use of violence or coercion to compel any person to participate in, or submit to, sexual conduct.	62	1	36	8	16	5	-
s3(2)(c)	Promotes sexual conduct with or upon the body of a dead person.	-	-	2	1	-	-	-
s3(2)(d)	Promotes the use of urine or excrement in association with degrading or dehumanising conduct or sexual conduct.	7	-	4	4	5	2	-
s3(2)(e)	Promotes bestiality.	23	-	53	56	22	18	11
s3(2)(f)	Promotes acts of torture or the infliction of extreme violence or extreme cruelty.	73	1	9	12	14	28	7
s3(3)(a)(i)	Deals with acts of torture, the infliction of serious physical harm, or significant cruelty.	-	-	-	5	-	2	4
s3(3)(a)(ii)	Deals with sexual violence or sexual coercion, or violence or coercion in association with sexual conduct.	1	-	24	3	-	-	2

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s3(3)(a)(iii)	Deals with other sexual or physical conduct of a degrading or dehumanising or demeaning nature.	-	1	-	-	-	-	-
s3(3)(a)(iv)	Deals with sexual conduct with or by children, or young persons, or both.	1	-	60	27	-	30	102
s3(3)(a)(v)	Deals with physical conduct in which sexual satisfaction is derived from inflicting or suffering cruelty or pain.	1	-	-	-	-	-	-
s3(3)(b)	Exploits the nudity of children or young persons.	71	-	13	22	19	74	15
s3(3)(c)	Degrades or dehumanises or demeans any person.	-	-	-	5	-	1	3
s3(3)(d)	Promotes or encourages criminal acts or acts of terrorism.	58	-	10	51	16	31	8
s3(3)(e)	Represents (whether directly or by implication) that members of any particular class of the public are inferior to other members of the public (Bill of Rights).	-	-	-	-	-	1	1

*Note: One publication can be banned under multiple criteria.

International Comparison for Objectionable Publications

Since 2016 5 commercially produced films and 3 computer games have received an objectionable classification in Aotearoa New Zealand. International classifications (where available) have been provided below.

The majority of publications which are Objectionable in New Zealand are submitted by enforcement agencies. It is possible that enforcement authorities have ways of comparing material for enforcement purposes but the Classification Office does not collect that information.

In relation to most submissions from the enforcement agencies, the name of the publication is usually the file name of the image on a defendant's computer (e.g. '2H49T2bcJ4U4UFnyuJwHsBOyDiYo.cnt' or 'jennysdad' or 'IMG-202006390-WA0004.jpg'). This means identifying international classifications is nearly impossible, if they even exist. Many countries (including Australia) make decisions about the legality of this type of material via the court system, as part of a prosecution, and so do not have a central record of such decisions.

"Landmine Goes Click" (DVD, s 12 - Commercial)

NZ Classification:

Objectionable (No excisions were offered)

International Comparators:

Australian Classification Board	MA 15+ with content warning "Strong violence and coarse language"
BBFC:	18, Very strong language, sexual violence
Other ratings (Sourced from IMDb):	Germany:18, South Korea:18, United States: TV-MA

Extract from Reasons for Decision:

"The DVD "Landmine Goes Click" tends to promote and support the exploitation of young persons for sexual purposes. It also tends to promote and support the use of violence or coercion to compel any person to participate in, or submit to, sexual conduct. For these reasons, the DVD is deemed to be objectionable.

"Landmine Goes Click" is a B-grade English-language Georgian exploitation rape/revenge film. The film centres on three American friends (Daniel, his fiancée Alicia, and their friend Chris) who go hiking in a mountainous area of Georgia. Daniel plays a prank on Chris for sleeping with his fiancée in the past by having him stand on a landmine that he thinks is live. Chris and Alicia are left to try and work out a solution to get Chris off the landmine. A hunter, Ilya, comes across Chris and Alicia's plight. Ilya uses Alicia's vulnerability for his own perverse sexual behaviours in exchange for helping to save Chris. Ilya sexually exploits Alicia and rapes her. Alicia is accidentally killed by a stray bullet shot by Chris in an attempt to kill Ilya. The film moves forward in time at this point to depict Chris' revenge against Ilya. Chris attacks Ilya and his family in their home, wounding Ilya and terrorising his wife and daughter. He

specifically targets Ilya's young teenage daughter, Lika, echoing sexual acts committed by Ilya against Alicia earlier in the film. The film ends with Chris executing Lika during a sexualised 'game' of Russian roulette.

While the DVD's ostensible purpose is to use sexual violence and violence as a means to horrify and entertain the audience, the story and its execution are very problematic. On balance, the whole first half of the film is an elaborate (and contrived) set up to showcase the exploitation, degradation and rape of the female character and to paint her as, at least in part, deserving of her "fate". Alicia is shamed and abandoned by her fiancé for being a "whore" (having consensual sex with Chris) and is also labelled and treated as a whore by Ilya – once he discovers the reason that she and Chris have been abandoned with the landmine.

The second half of the film clearly and unambiguously shows the sexual exploitation of a young person. This exploitation occurs in two ways. Firstly by the lead character, who apparently feels justified by his desire for revenge but, more importantly, by the film makers who clearly use the extended sexual torment and degradation of a young person solely for entertainment. These scenes are the essence of the film's rape/revenge narrative. There are numerous mixed messages in the film that support misogynistic attitudes and behaviours, with no balancing or redeeming social or artistic value.

... The Classification Office has considered whether a less restrictive classification might be possible if excisions were made. However, the problematic material is so extensive and instrumental to the storyline that excisions are not practical."

"Cat Sick Blues" (DVD, s 12 – Commercial)

NZ Classification:

Objectionable. (Excisions were offered but not made by the distributor).

If excisions had been accepted the film would have been R18 (with a content warning for "Graphic violence, sexual violence, drug use, sex scenes and offensive language")

International Comparators:

Australian Classification Board	MA 15+ with content warning "Strong horror violence and coarse language".
BBFC:	Not classified
Other ratings (Sourced from IMDb):	Germany:18 Italy:VM18

Extract from Excision Notice: (**WARNING - Contains violent explicit sexual content**)

"Two excisions are required to remove part of a scene in the feature (and related content in a behind-the-scenes component) that causes the DVD to tend to promote and support the use of violence to compel a person to submit to sexual conduct, and the infliction of extreme violence and cruelty. This means that the DVD is deemed to be objectionable under s3(2)(b) and s3(2)(f) of the FVPC Act unless the excisions are made.

Excision One:

Begin the excision in the feature any time before 59 min 15 sec, where the character of Ted turns toward the woman sitting upright in bed. End the excision any time after 60 min 25 sec, when this scene ends and cuts to the character of Claire in another scene.

This excision should remove all depiction of Ted attempting to force the large barbed prosthetic cat's penis into the woman's mouth and all forced fellatio up to her death...."

"Heart Breakers & Cock Teasers" (DVD, s 13(b) – Submitted by Internal Affairs)

NZ Classification: **Objectionable.** (Excisions were offered but not made)

If excisions had been accepted the film would have been R18 (with a content warning for "Explicit sex scenes")

International Comparators: No international comparisons were able to be found.

Extract for Excision Notice: (*WARNING - Contain explicit sexual content*)

"Four excisions are required to remove depictions of sexual conduct that strongly degrade, dehumanise and demean women, or that tend to promote and support the exploitation of young persons for sexual purposes.

Material in scenes 1 and 5, in particular, normalise both aggressive and degrading sexual behaviour toward women, and female servility in enduring these activities. The focus is on the sexual gratification of the male participant in subjecting the female participant to this conduct.

Scene 4 (and still images from this scene) depict sexual activity between a man and a female performer who has the appearance of a young teen. Her youth is emphasised for sexual appeal. This implies that young persons, specifically young teenage girls, are legitimate partners for adults in sexual activity.

The material required to be cut would likely affect not just young persons, but adult viewers' approaches to sex in a way that would be damaging to the wider society. This material is degrading to women in general, and also normalises aggressive and abusive sexual behaviour toward women and young persons.

Excision 1: (Scene 1) Begin the excision any time before 15 minutes 9 seconds and remove the rest of the scene. This segment shows the male performer holding the female's mouth open and ejaculating into it.

Excision 2: Remove Scene 4 in its entirety.

Excision 3: Remove Scene 5 in its entirety. Sexual conduct in this scene strongly degrades the female performer. The male performer repeatedly engages her in deep-throat fellatio until she gags, and slaps his penis against her face. During anal sex, there are frequent close-ups of her gaping anus. There is also sustained activity in which the male repeatedly squirts white liquid into the woman's anus and instructs her to expel it, to the point that she physically struggles to comply...."

“Shameless Scouts” (DVD, s 13(b) – Submitted by Internal Affairs)**NZ Classification:** Objectionable.**International Comparators:**

Australian Classification Board:	No Australian classification found
BBFC:	No BBFC classification found
Other ratings (Sourced from IMDb):	No search results available on IMDb Not available for purchase from Amazon.

Extract from Reasons for Decision:

“The DVD is deemed to be objectionable under s3(2)(a) of the Films, Videos, and Publications Classification Act 1993 (FVPC Act) because it tends to promote and support the exploitation of young persons for sexual purposes.

The DVD contains a sexually explicit feature from Germany, which is made up of three scenes of sexual activity between young men who are presented as Boy Scouts. The young men may be over the age of 18, however their small builds and youthful appearances make this difficult to establish. In New Zealand, Boy Scouts would generally be thought of as being of intermediate or high school age. There is a large focus on the Scout uniform, and equipment such as tents, compasses and maps. The way they are presented relatively realistically as Scouts, within material intended to sexually arouse adult viewers, means that the DVD at least tends to promote and support the exploitation of young persons for sexual purposes. The viewer is encouraged to find the young men sexually desirable because of their youth, and it is likely to attract adult viewers with a sexual interest in young persons.”

“Helix Academy” (DVD, s 13(b) – Submitted by Internal Affairs)**NZ Classification:** Objectionable.**International Comparators:**

Australian Classification Board:	No Australian classification found
BBFC:	No BBFC classification found
Other ratings:	No search results available on IMDb Not available for purchase from Amazon.

Extract from Reasons for Decision:

“The DVD is deemed to be objectionable under s3(2) of the Films, Videos, and Publications Classification Act 1993 (FVPC Act) because it tends to promote and support both the exploitation of young persons for sexual purposes and the use of violence to compel a person to submit to sexual conduct.

The DVD contains a sexually explicit feature, trailers, blooper segments, behind-the-scenes material, and notices.

The feature is set at a boarding school for boys. It comprises five scenes of explicitly depicted sexual activity. The young men appear to be aged in their mid-late teens; it is possible they are over the age of 18, however their small builds and youthful appearances make this difficult to discern either way. The way they are presented relatively realistically as schoolboys, within material intended to sexually arouse adult viewers, means that the DVD at least tends to promote and support the exploitation of young persons for sexual purposes. The viewer is encouraged to find the young men sexually desirable because of their youth, and it is likely to attract adult viewers with a sexual interest in young persons.

The feature also includes a scene depicting the rape of one teenage boy by four others. The way this is presented means that the DVD also tends to promote and support the use of violence to compel a person to submit to sexual conduct...”

“Gal*Gun: Double Peace” (Game, s 13(3) Called in by Chief Censor)

NZ Classification: Objectionable

This publication was subject to an appeal to the Board of Review and the classification remained Objectionable.

International Comparators:

ESRB :	M 17+ Sexual Themes
PEGI :	16 Sexual content

Extract from Reason for Decision:

*“Gal*Gun: Double Peace is deemed to be objectionable under s3(2) of the Films, Videos, and Publications Classification Act 1993, because it tends to tends to promote and support both the exploitation of children and young persons, and the use of coercion to compel a person to submit to sexual conduct....”*

“Criminal Girls: Invite Only” (Game, s 13(3) Called in by Chief Censor)

NZ Classification: Objectionable

International Comparators:

ESRB	M 17+ Fantasy Violence Language Partial Nudity Sexual Themes
PEGI :	Not listed

Extract from Reason for Decision:

“... ‘Criminal Girls: Invite Only’ is a Japanese anime-themed turn-based role playing game. The game introduces the player character as an unwitting job seeker brought into hell to reform the spirits of seven ‘delinquent’ girls, so they might be reborn without sin.

The way in which the game sexualises and objectifies its female cast for the player’s titillation, even represented in the anime style as they are, presents a clear attitudinal harm of normalising the sexual objectification and availability of women and girls. In order to progress through the game’s levels the player must perform acts of a sexual nature on unwilling female characters and is actively encouraged to do so by the game’s reward system. These acts are performed in situations where consent is not only absent, but where the protestations of the female characters is part of the game’s attraction. Due to the absence of consent on the part of the female characters, or any legitimate BDSM context, these acts amount to sexual violence. There is a strong likelihood of injury to even an adult audience from the trivialisation of such behaviour and attitudes which is likely to have a detrimental effect on wider society....”

177.

What is the revenue to date gained from the new revenue streams gains to the Classifications Office from the Films, Videos, and Publications Classification (Commercial Video on-Demand) Amendment Act 2020?

As at 18 February 2022 revenue of \$386,100 has been received in levy payments under Films, Videos, and Publications Classification Commercial Video on-Demand Levy Regulations 2021.

178.

Was the Classifications Office aware of the decisions by the Department of Internal Affairs to suspend search warrants for offence related to the Films, Videos, and Publications Classification Act 1993 during Alert Levels 3 and 4; if so, what actions did the Office undertake and how was the work of the Office affected as a result?

No, the Office was not aware of this.