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A revitalised campaign against sexually explicit movies has reignited the censorship debate.

the new crusade



Karl du Fresne

MORALS campaigner Patricia Bartlett died 18 months ago, but somewhere her ghost must be smiling approvingly. The Society for the Promotion of Community Standards, founded by Bartlett in the late 1960s to arrest New Zealand's slide into permissiveness, has burst back into life after years of apparent inertia.

And it's putting runs on the board. It forced the withdrawal of three films – Baise-Moi, Visitor Q and Bully – from the Beck's Incredible Film Festival, which finished this week at Wellington's Paramount Cinema. In the process, the society has reignited public debate about censorship – and about whether a lobby group should have the power to dictate what adult audiences are able to watch.

Lined up in the society's sights are the organisers of cutting-edge film festivals such as Beck's, whose programme was notable for its emphasis on films with explicit sexual content. But also feeling the heat is the chief film censor, Bill Hastings, who is gay – though whether he has been targeted for that reason isn't clear.

The society has made much of the fact that the post of deputy censor, which it believes could provide an important check on what it sees as Hastings' liberal views, has been vacant since 1999. It has taken court action to force the Government to fill the post and claimed a moral victory recently when the vacancy was finally advertised.

Legal firepower

The man who has picked up the baton on behalf of moral standards is the society's secretary and researcher, David Lane. Though retired Anglican minister Gordon Dempsey is the president, Lane has emerged as the frontman of the organisation, which boasts a mailing list of fewer than 3000. The society's membership has dwindled from 25,000 in its heyday, but it still has the resources to engage heavy legal firepower in the form of QCs Peter McKenzie and George Barton for its legal proceedings.

A Hattula schoolteacher and father of two, Lane doesn't look the archetypal morals campaigner: he's 47, dresses stylishly, and the only hint of foginess is a fond-

ness for the quaintly old-fashioned adjective "jolly".

Like many society members, he has Christian beliefs. Lane is president of the Wellington Christian Apologetics Society and once wrote a scholarly article for The Evening Post on the author C S Lewis, who also called himself a Christian apologist – a term for someone who seeks to provide a reasoned rationale and defence of the Christian faith.

His religious convictions have propelled Lane to the forefront of a variety of protests. He opposed the Museum of New Zealand's 1998 virgin in a condom exhibit and has campaigned against prostitution and legal recognition of homosexual and lesbian relationships. Yet his motivation for getting involved in censorship issues isn't overtly religious. "It comes out of concerns for my family and the foundations we are laying for a future society that my son and daughter will have to face," he says.

"You take a different approach to things when you have children and you see them being subjected to influences that you know are harmful and injurious." Lane is reluctant to be seen as the society's front person to the extent that Bartlett was. The debate, he says, shouldn't be about personalities. Yet there's no doubt that it's largely Lane who has reinvigorated the society which lapsed into inactivity after Bartlett's retirement because of ill health in 1995.

"Wounded dog"

By skillfully exploiting the legal mechanisms in the Films, Videos and Publications Classifications Act, Lane has ensured that Baise-Moi, Visitor Q and Bully were withheld from Wellington audiences – leaving the Beck's Incredible Film Festival, in the words of its director Ant Timpson, "limping along like some sort of wounded dog".



CENSORED – Beck's Incredible Film Festival was a "wounded dog", according to director Ant Timpson, after three films had to be withdrawn.

Picture: MAARTEN HOLL



'It comes out of concerns for my family, and the foundations we are laying for a future society that my son and daughter will have to face.'

David Lane

Timpson claims to have personally lost about \$20,000 as a result.

The society hasn't had a 100 percent strike rate, however. It suffered an embarrassing setback when it sought a review of the Chief Censor's decision to allow screenings of Baise-Moi to film festival audiences and film studies courses. Rather than ban the film outright as the society hoped, the Film and Literature Board of Review released it for general exhibition with an R18 restriction.

Even now, contrary to media reports, none of the three films opposed by the society has been banned. They are merely tied up in judicial or quasi-judicial reviews which may yet see them cleared for exhibition. Baise-Moi, a French feminist revenge fantasy notable for its full-on sex and violence, is subject to a High Court review of its R18 classification, while the other two films have been referred to the Film and Literature Board of Review.

In the meantime, Lane maintains a constant PR barrage, bom-

barding the media with press statements and rebutting attacks from the society's critics.

Some of the criticism gets personal. In a radio interview, Timpson suggested Lane had a sexual hang-up. Jane Wrightson, of the Screen Producers and Directors Association, accused the society (for which read Lane) of being "zealous" and "mischief-makers". Scott Wilson, a spokesman for the Libertarian Party, described the legal moves against the three films as "a jack-booted attempt by book-burning busybodies to control free speech".

Branding

Lane has responded in kind, branding Timpson as infantile and referring disparagingly to film festival audiences as a "motley crew".

An MsC (Hons) from Victoria University, he dislikes being referred to as a "morals man", with its faintly pejorative tone. In Bartlett's day censorship debates often revolved around nudity and

depiction of consensual sex, but those genres have long since escaped from the bottle. For Lane, the big issue is sexual violence – especially where women are exploited.

The crusade has resulted in an unusual alliance with some women's refuges and rape crisis centres. Several groups joined the society in calling for the banning of Baise-Moi, which Lane describes as dehumanising to women.

LANE has never met the chief censor whose decisions he monitors so closely. Yet he refers to him in a familiar way as "Bill" – a revelation that seems to slightly offend Hastings.

Hastings, a 41-year-old Canadian, comes from an academic legal background – he was formerly deputy dean of law at Victoria University – and was appointed to his \$160,000-plus job in 1999. Formerly married, he has three children but is listed in the New Zealand Who's Who as having a male partner.

A slightly nervy man with fashionably tousled hair, Hastings recalls Bartlett from his days as a member of the old Indecent Publications Tribunal. Bartlett would sit at the back of the room knitting during tribunal hearings and they would occasionally chat.

"She always struck me as a straight shooter. You respected her because you always knew where you stood." Though he doesn't say it, the implication is that he doesn't have the same sort of relationship with Lane.

Targeted

Hastings says he doesn't know why censorship should suddenly have flared again as a public issue. There's been no change in the way his office is run, he says, and no great difference in the way films have been classified. He suspects there may be other factors at work. "Systems and processes do become conflated to a personality".

Is he suggesting he has been personally targeted because he is gay? "You would have to ask the

targeter," Hastings replies. But he notes Lane's Christian background and observes that the public can make up its own mind.

It is worth recording at this point that the issue of homosexuality lurks conspicuously in the background. Hastings was deputy president of the Film and Literature Board of Review when it banned outright two Christian videotapes on homosexuality and Aids that had previously been given an R18 certificate by the then chief censor, Kathryn Paterson. In a landmark freedom of expression case, the distributors of the so-called Living Word videos appealed first to the High Court – unsuccessfully – and later to the Court of Appeal, which held that the freedom of expression clause in the Bill of Rights Act had not been given due weight. It overturned the earlier decisions and sent the videos back to the board for reassessment. They were subsequently released unrestricted.

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Lane was closely involved in those legal proceedings, though not on behalf of the SPCS. He sees no inconsistency in championing free speech in the case of the Living Word videos while seeking to have films such as *Baise-Moi* banned.

The key difference, he says, is the Living Word videos did not depict any activities listed under the Films, Videos and Publications Classifications Act – such as sexual violence or sexual exploitation of children – which trigger censorship provisions. The videos merely presented a viewpoint.

Lane asserts the move to have the videos banned was part of a long-term strategy by the gay rights movement to widen the orbit of the Act so that it covers “hate speech” – something he believes Parliament never intended. But notwithstanding his strong feelings on the Living Word case, Lane insists he is not a gay basher and feels no per-

sonal animosity toward Hastings.

For his part, Hastings shows signs of slight irritation at the society's persistence. “David Lane says he wants the issues debated, which is fine. But I think his use of the law, frequent and intense as it is, is shifting the debate from what the public tolerates to more of a process issue.”

While he concedes that the society is only doing what the law allows, Hastings suggests that substantive discussion about censorship is being lost in the “legalistic process”.

He says his office tries to keep its finger on the pulse of public opinion. When a “tricky” movie comes in such as *Baise-Moi*, *Hannibal* or *Lolita*, the office runs it past a cross-section of the public selected by research company A C McNair. (In the case of *Baise-Moi*, eight out of 33 people who viewed the film thought it should be banned outright.)

Sexually explicit material is also shown to focus groups to see how it measures up against the Act. But Hastings acknowledges that ultimately, whether a film is “injurious to the public good” – the crucial test in law – is a subjective judgment. As chief censor he can only put aside personal preferences and apply the law as objectively as possible.

He also agrees that more sexually explicit films are passing through his office, although that may simply be due to the fact that the overall number of titles is increasing. And he gasps with astonishment at some of the material shown on TV, which isn't classified by his office. He cites a scene in *The Sopranos* in which a pregnant woman was kicked to death, and an episode of *Sex In The City* which revolved around the act of urination as a turn-on during sex.

The envelope, he says, is being pushed gradually. “That does concern me. I am the censor.” □

WHAT THE FUSS IS ALL ABOUT

Three movies have been withheld from screening in Wellington as a result of action taken by the Society for the Promotion of Community Standards.

■ **Baise-Moi** (commonly translated as *Screw Me*) is a French feminist film, recently banned in Australia, in which two women embark on a sex-and-violence rampage that culminates in a bloody massacre inside a sex club. One graphic rape scene shows a close-up of sexual penetration. In another sequence, a man is made to go down on all fours and grunt like a pig before one of the women inserts a pistol barrel in his anus and pulls the trigger. Chief censor Bill Hastings initially approved the film with an R18 rating for screening to film festivals and film studies courses only. The society, wanting it banned, appealed to the nine-member Film and Literature Board of Review, which approved it for public exhibition with an R18 classification. The society then won an interim High Court restriction order – essentially a holding action – preventing the film from being screened until the court can properly consider whether the review board erred in law. If the court finds the board made a mistake, it will refer the film back to the board for a reassessment in line with what the court believes the law requires. If any interested party such as the society objects to the High Court decision, the case could end up in the Court of Appeal.

■ **Visitor Q** is described by the chief censor as a “shocking” satire of Japanese society dealing with sex, crime, cruelty and violence. In its most infamous scene, a man preparing a woman's body for cutting up and disposal becomes sexually aroused and has intercourse with the corpse, which then defecates on him. The chief censor gave the film an R18 rating but restricted it to film festivals and film studies courses. The society appealed to the president of the Film and Literature Board of Review, Rotorua lawyer Claudia Elliott, who issued a temporary restriction order preventing screening of the film while the full board reviews the censor's decision.

■ **Bully** was rated R18 with a censor's warning that it “contains violence, sexual violence, drug use and sex scenes”. Made by American director Larry Clark, *Bully* tells of a group of teenage friends who conspire to murder one of their own. It was described in the Beck's Incredible Film Festival brochure as “an unrelenting freak show of parading teen flesh and debauchery”. The censor's classification says it has “a mildly exploitative tone” and a “somewhat gratuitous” focus on teenage sexual activity. American reviewer Sean Axmaker was more blunt, describing it as resembling “a peek into the closet of a paedophile”. Like *Visitor Q*, it has been put on hold by Elliott pending a board review of the censor's classification.