

**SOCIETY FOR PROMOTION OF
COMMUNITY STANDARDS INC.**

P.O. Box 13-683 JOHNSONVILLE, NZ

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Website: www.spcs.org.nz

PATRON:

Prof. TV O'Donnell MD, FRACP, CBE.

FOUNDER: Patricia Bartlett OBE

Newsletter: April 2008 Issue 107

Executive committee: David Lane
(Executive Director), Roger Payne
(Vice-President), Graham Fox, Conrad
McDonnell and David Wilson.

Purpose of AGM: Includes:

**(1) Approve Audited Financial
Statements 2007 (2) Update Members
on Society's new status as a
"charitable entity" under the
Charities Act 2005 and a Donee
Organisation (3) Approve the budget
for 2008 (4) Vote in a new executive
and officers.**

**Some Membership Subscriptions
are well overdue for 2008 !!**

The Society's financial year runs from
1 Jan 08 to 31 Dec. 08 Please assist us
to ensure that the Society's work can
continue by paying overdue subs asap.

We would welcome more donations

(Please make all donation cheques payable to
"SPCS" (or full name of Society). Send to P.O.
Box 13-683 Johnsonville. Automatic Payment
forms can be requested). Receipts can be
provided for tax rebate purposes.

ANNOUNCING

SOCIETY'S 2008 AGM

Venue: Connolly Hall, Guilford Tce.
(off Hill St), Thorndon, Wellington

Date: Monday 21st April

Time: 7.30 – 8.15 p.m.

AGM Followed by Public Address by

Gordon Copeland MP

8.15 p.m. to 8.50 p.m.



Gordon Copeland MP

**Topic: "A Vision for a Family
First Society"**

(All invited to attend)

**Concluding with Supper and
discussion**

Supper Served at 9 p.m (approx)

SPCS a Registered Charity¹

In view of the fact that the Society is now a
registered "charitable entity" with the
Charities Commission under the Charities
Act 2005 ... it is noteworthy that Mr
Copeland² recently stated:

"Immediately before I entered Parliament in
2002, I represented the churches on a
Government appointed Working Party. That
led to the passage of the Charities

¹ The Society was registered as a "charitable
entity" by the Charities Commission on 17
December 2007 and its donors are now eligible
to tax rebate against taxable income on all
donations over \$5.00 (see page 2).

² Gordon Copeland has served as an MP since
2002. He has recently been involving in forming
the Kiwi Party which is, as he puts it, committed
to upholding "timeless values which we refer to
as the Judeo-Christian tradition"

Commission Act 2005, in which I was heavily involved after entering Parliament.

“I then devoted my energies to a lift in the rebate cap. You can imagine my delight therefore when on 11 December last year a Taxation Bill was passed which removes, from 1 April this year, the rebate cap for individual donations and allows companies a tax deduction for donations up to 100% of profit! From one of the stingiest regimes in the world, we have now moved to one of the most generous.

“Now, even a \$1million donation will qualify for a full 33cents to the dollar rebate, i.e. \$333,333!

“Charities are the most efficient organisations in the world and they make an irreplaceable contribution to the health of our society.”³

Major Tax Benefits for Individuals, Trusts & Companies Making donations to SPCS

The Society executive is pleased to advise members that it “was registered [by the Charities Commission] as a charitable entity under the Charities Act 2005 on 17 December 2007.” This is confirmation that all six objects of its Constitution do in fact embody “charitable purposes” as defined in the Act. A certified copy of the Certificate of Registration (Reg. No. CC20268), signed by the Chair of the Commission and the Chief Executive, Mr Trevor Garrett, is available on our website.

SPCS Approved as Donee Organisation.

In a recent letter from the Inland Revenue Department the Society status as a donee organisation for tax purposes has been formally recognised. As such, gifts of money it receives from individuals and public companies qualify for certain tax advantages (see below).

³ Gordon Copeland’s press release dated 1 March 2008. Christchurch Kiwi Party Conference. <http://www.scoop.co.nz/stories/PA0803/S00011.htm>



Gifts of money by individuals Financial Year 1 April 2007-31 March 2008

“Under section KC 5(1) of the Income Tax Act 1994, individuals who give cash donations of \$5 or more to donee organisations [e.g. SPCS] may claim a rebate.” (p. 37 *IR 255*). However, such individuals must have a taxable income of at least \$2,900. A rebate of 33.3% of all received donations can be claimed, up to a maximum of \$1,890 donated (applicable max. rebate = \$630).

VERY IMPORTANT!! Commencing 1 April 2008 (Applicable Tax Year 1/4/08 to 31/3/09)

From 1 April 2008 the cap on donations eligible for rebates to charitable entities such as SPCS NO LONGER APPLIES! Any individual who has a taxable income of at least \$2,900 can claim a 33.3% rebate on ANY amount of donations given to SPCS. Such donations must be receipted by SPCS (so please request receipt(s) if you seek a rebate) and provide them all to IRD.

The Society’s Financial Statements (Year ended 31/12/08)

These were approved on March 17, 2008 by Lyn Hansen, a Chartered Accountant who is in public practice based in Petone. If approved by the AGM on 21 April 2008 they will be filed with the Companies Office (www.societies.govt.nz). If any Society member wishes to see the audited accounts prior to the AGM, then please contact the Society.

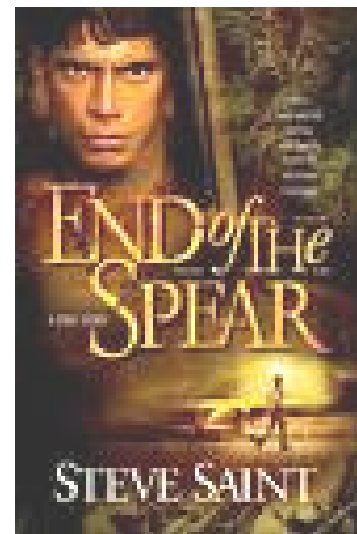
REVIEW OF CLASSIFICATION OF FILM – END OF THE SPEAR –BY FILM & LITERATURE BOARD OF REVIEW (“THE BOARD”)

End of the Spear (New Tribe Entertainment, 2006) directed by Jim Hanson. DVD was classified R16 by Chief Censor’s Office in November 2007. The DVD has been distributed in NZ by Manna Christian Stores Ltd. The Society submits that the DVD should receive the same classification – i.e. “M” - as that given to the cinematic version of the film. Both have identical content in the feature.

The film is a docudrama that recounts the story of “Operation Auca”, in which five young American evangelical Christian missionaries attempted to evangelise the Huaorani (Waodani) people of the jungle of Ecuador. The movie tells the story from the perspective of Mincayani, one of the tribesmen who was involved in the killing of the missionaries in 1956, and Steve Saint, the son of one of the murdered missionaries. The film was released on January 20, 2006 in 1,163 theatres across the USA and was released in NZ cinemas, earlier this year. The classification of the DVD version is currently under review by the Board, in response to an application brought by the Society.

On Friday 28 March 2008 the Society presented an oral submission to the nine members Board of Review on the classification of the DVD version of the film “End of the Spear”, currently classified R16 by the Chief Censor’s Office. The Society argued that in view of the fact that the cinematic 35 mm version of the film has been classified “unrestricted” in New Zealand by the

Film and Video Labelling Body (“M” – Recommended for persons 16 years of age and over), and that its DVD version has been classified unrestricted (PG-13) in the USA and is essentially identical to the 35 mm cinematic version classified M; then the DVD should also be classified unrestricted for New Zealand audiences. The Society has recommended an “M” rating with a descriptive note “Contains medium level violence including realistic depictions of tribal violence”



The film documents events in the jungles of Ecuador in the mid-1950’s that led to the martyrdom of five young Christian missionaries who sought to bring the Gospel of the Lord Jesus Christ to the Auca Indians. The violence in the film is the only matter that was of concern to the Chief Censor’s Office. However, it is medium level violence and there is nothing gratuitous or graphic about it. The violence is all off-camera. In other words it is in the imagination that the violence makes its impact rather than on screen. Spears are thrown but the viewer never sees the instrument actually strike the victim or penetrate flesh. Machetes

are wielded but one never sees the point of body contact.

The Society is committed in its objects to the principle of freedom of expression within the limitations set in law. In this case it has highlighted the genre of the film – a documentary designed to focus on events that galvanised the Christian evangelical movement towards an increased commitment to Christian mission directed to unreached tribes.



The Board received a submission on the film’s classification from Mr Hastings the Chief Censor. In it he argued that the Society’s reference to the film as based on a “true story” was irrelevant to the censorship process. The Society, quoting from a report on Mr Hastings’s submission made by Mr Peter McKenzie QC, pointed out that this was an erroneous claim. Section 3(4) of the Act specifically requires censors to take into account the genre of the film in the classification process: such matters as “the character of the publication, including any merit value, or importance that the publication has in relation to literary, artistic, social, cultural, educational, scientific, or other matters.”

The Board is currently deliberating on the submissions from the Chief Censor and the Society and will release its decision in due course.

SPECIAL REPORT

The Office of the Ombudsmen has ruled that Chief Censor Bill Hastings’s Office must release to the Society, free of charge, 39 classification reports requested relating to 32 sexually explicit DVDs.

In two official information requests (OIRs) dated 7 November 2007, the Society requested copies of all the classification reports issued by the Chief Censor’s Office – the Office of Film and Literature Classification (OFLC) - relating to 32 sexually explicit DVD titles classified R18 with descriptive notes such as “Contains explicit sexual content”. These recent publications are typical of the hundreds of sexually explicit DVDs sold by major New Zealand DVD retailers and many of them have obscene and highly offensive titles and content. The respective distributors had submitted all to the Film and Video Labelling Body (FVLB) for a rating. Under s. 12 of the Films, Videos and Publications Classification Act 1993 (“the Act”) the FVLB had submitted them all to the Chief Censor’s Office for classification because they were restricted publications.

In its reply to the Society’s OIA, dated 9 November, the OFLC stated:

“None of the [sexually explicit] publications about which information was requested have written decisions. The Office is not legally required to produce written reasons for its decisions on films submitted under section 12 of the Act. Since mid-2006 it has not done so for sexually explicit films, except those requiring excisions or classified objectionable.

“The Office does hold a file on each publication it has classified and this contains the relevant consideration sheet which sets out the reason for the

classification of the publications. These are available upon request. As you are aware, the *Ministry of Justice's Charging Guidelines for Official Information Act 1982 Requests* establish fees for requests that occupy a significant amount of the agency's time."

While it is true that the OFLC is not legally required under the Act to produce written classification decisions for films submitted to it by the FVLB, it has almost always done so up until mid-2006, including producing reports on all publications containing sexually explicit content. The OFLC's claim that it changed its policy on this matter in mid-2006 – to no longer write such decisions on sexually explicit films (including videos and DVDs) – has not been notified to the public by way of any Annual Report, media release or web-site communication. Given the fact that 80% of the DVDs and videos examined and classified by the OFLC contain sexually explicit content requiring age restrictions, it amazes the Society that the OFLC has seen fit to no longer produce "written classification decisions" on any of these publications. Surely distributors who pay about \$1,100 to submit a DVD for classification are entitled to receive a classification decision comparable to a report produced by the Broadcasting Standards Authority (BSA) or the Advertising Standards Authority (ASA).

The Society carefully considered the Office's inadequate reason for its refusal to release the information requested - namely that such reports are now being referred to within the Office as "classification consideration sheets" and not "written decisions". It concluded that the OFLC was engaged in an exercise of obfuscation and semantics in a deliberate attempt to stonewall the Society.

However, given that the Office has stated that the "... sheet[s] ...are available on request" the Society decided to modify the OIR and request "under urgency" all 32 of

the "consideration sheets". A request was sent to the OFLC on 16 November 2007 and resent ten days later when no acknowledgment was received. Following enquiries by the Society, the OFLC reported on 10 December that it had received neither of the two OIRs sent in November but had received a copy sent that day.

The Society was aware that the OFLC had a right under the Official Information Act to charge for the information supplied in response to an OIR, but was also aware that when information sought can be shown to be "in the public interest", the applicant can challenge such charges via the Office of the Ombudsmen.

Section 28(1)(b) of the Official Information Act provides that the Ombudsman may investigate and review any decision on the charge to be paid in respect of a request for access to official information.

On 13 December the OFLC replied to the amended OIR stating that it would not begin retrieval of the information requested by the Society until it paid \$456 (incl. GST) for the "consideration sheets" (charged at \$76.00 per hour for six hours of staff time involving the mere retrieval and copying of hard copy files and/or material from computer files).

Frustrated at what it regarded as an excessive charge, the Society lodged a formal complaint with the Office of the Ombudsmen over the handing of the OIR, including the charges and claims by the OFLC that it had never received the modified OIR sent on 16 November and copied again to the OFLC on 26 November.

The Ombudsman ruled that the OFLC was not to charge for information and accepted the Society's argument that the information sought was "in the public interest".

The Society's intention and reason for submitting its OIR "under urgency", was disclosed to the Chief Censor's Office. It plans to submit some or all of these

classification reports to the Minister of Internal Affairs, the Auditor General's Office and a parliamentary select committee for examination, together with a Society analysis, to illustrate how the Chief Censor Bill Hastings and his deputy Ms Nicola McCully, who hold the only two statutory positions in the Office, have allowed the Office to become a conduit (an open sewer in this case!) through which obscene, offensive, toxic and sexually degrading content matter is being officially approved and disseminated to the New Zealand public for home viewing entertainment.

The Society also seeks to highlight to MPs from the classification "consideration sheets" themselves, the "extent and degree to which, and the manner in which, the publication – describes, depicts, or otherwise deals with ... Sexual conduct of a degrading or dehumanising or demeaning nature."⁴ In addition it seeks to highlight to the Minister how this pernicious moral filth is depicted and how in many cases the release of such content for public consumption is in breach of s. 3 of the Act, pertaining to "objectionable" content and the prevention of injury to the "public good".

Almost four months after the Society had first made its request to the OFLC, the Office's Information Unit finally, on the 17th of March 2008, in response to a ruling from the Office of the Ombudsmen, supplied the classification reports to the Society free of charge.

NEWS ITEMS

Lack of Internet Controls by ISPs on Hard Core Porn and Sexual Violence.

The Society is pleased to learn that a small number of ISPs will be trialing a system involving the blacklisting of websites known to contain objectionable

⁴ See section 3(3)(a)(iii) of the Films, Videos, and Publications Classification Act 1993.

content. This has involved the Censorship Compliance Unit of the Department of Internal Affairs. The Society has suggested this approach for some years, both writing to the relevant Ministers and alerting the public to the problems involving the lack of controls.

The Ministry of Culture and Heritage releases an important Consultation Paper dated January 2008 entitled:

Broadcasting and New Digital Media: Future of Content Regulation

This is available for download at:

<http://www.mch.govt.nz/publications/digital-tv/ConsultationPaperFutureofContentRegulation.pdf>

The Society is currently preparing a response to this paper, which it will be forwarding shortly to the Broadcasting Unit of the Ministry for Culture and Heritage.

Referendum Petition on "Anti-Smacking" Legislation. The Society strongly endorses efforts to have the two questions contained in the Referendum petition placed on the ballot paper at the forthcoming general election. It applauds the hard work done by many members of the Society to gather signatures and salutes all the organisations which have helped amass the 600,000+ signatures.

Chief Censor's Year in Review & Annual Report 2007 Raises Questions

The Society has raised many questions with the Minister of Internal Affairs, the Hon. Rick Barker, over this glossy Annual Report which shows that taxpayers continue to subsidise the examination and classification of huge volumes of DVDs and videos that

feature gratuitous and explicit depictions of degrading, demeaning and dehumanising sexual content and toxic cocktails of sexual depravity and graphic violence.

Most of the 2,721 publications received by the Office for classification in 2006/07 financial year (1 July 2006 to 30 June 2007), were DVDs (1,362) and their largely obscene advertising slicks (932), submitted under s12 of the Films, Videos and Publications Act (1993) by the Film and Video Labelling Body. The Deputy Chief censor Nicola McCully has confirmed that 80% of the time spent by the 20+ odd censors⁴ in the Office is spent watching and classifying R18 DVDs and videos containing sexually explicit content and/or sexual content that requires the publication to be banned or cut.

Crown Revenue allowing Bill Hastings, McCully and their team of censors to watch hard-core pornography day after day, month after month, and year after year, amounts to \$1.9 million per annum. Last year Mr Hastings received an remuneration package of between \$200,000 and \$210,000 while his deputy received between \$190,00 and \$200,00. In addition to its taxpayer funded income source, the Office is flush with cash from the distributors of such moral filth, who pay the Office about \$1100 to have a DVD or video classified. One classification officer, in conjunction with a supervising Senior Classification Officer, is involved in examining and classifying each DVD or video. 54% of the DVDs and 16% of videos submitted for classification in 2006/07 were classified R18 according to Hastings.

⁴ In 2006/07 there were 3 Senior Classification Officers and 14.4 full time equivalent staff and 2 casuals. Annual Report 2007 p. 89. In addition the Chief Censor and his Deputy are required to watch all sexually explicit publications and other “objectionable” publications that require excisions or require banning.

The Chief Censor has failed to provide any details to the Society on how long it took for his Office to classify the 932 DVD/video advertising slicks classified in 2006/07. These constituted 34% of the publications submitted in 2006/07. 67% of these slick decisions related to publications that were classified R18.

The Chief Censor admits that the Office does not estimate or record time spent on any of its key tasks of examining, classifying and registering any of the main categories of publications⁵ it classifies. He notes that a consideration sheet of between 18 to 21 pages is produced for each two hour DVD.

The Society is concerned that the “public good” is not being served by this Office that serves as a conduit (an open sewer) for the distribution of gratuitous and sexually degrading material, much of it juxtaposed with graphic violence.

Censorship Compliance Office of Internal Affairs does great job.

The Society highly commends the very effective work carried out by this Office headed here in Wellington by Chris O’Brien. Through regular contact over the years with Jon Peacock, one of the Compliance Officers, the Society has come to appreciate the challenging tasks undertaken – including the tracing and prosecution of paedophiles who trawl the internet seeking out “objectionable” material involving the exploitation of children for sexual purposes and/or trade in such material. The Society believes that the easy accessibility to such material on the Internet via overseas websites, even to minors, must be dealt with by effective legislation directed at Internet service providers (ISPs).

⁵ Categories: Films & film trailers, videos, DVDs, digital games, magazines/books. Advertising slicks, computer material (moving), computer material (non-moving), and other material. Annual Report Table 1, Submission by Channel & Medium, p.37.

SPCS Website Features

www.spcs.org.nz

- **Interview With Serial Killer Ted Bundy by Dr James Dobson**

The Society's website contains access links to a comprehensive interview with serial rapist and murderer Ted Bundy by Dr James Dobson, carried out just hours before his execution. All Society members should view this interview in its entirety (best accessed on a broadband internet connection). The answers Bundy gives are chilling! He describes in detail how an interest in soft porn can lead on to hard core porn addiction and on to an obsession for material that leads some to commit rape and murder.



Dr James Dobson

Dr James Dobson says that "circumstantial evidence is overwhelming" from numerous studies that there is a link between hardcore violent porn and violent sexual behaviour. For example, an FBI study he cites involving 36 serial convicted murderers, revealed that 81% of them (29 out of 36) had a long-term and predominate interest in violent hardcore pornography.

Website Link:

<http://www.spcs.org.nz/2007/dr-james-dobson-interviews-serial-rapist-murderer-ted-bundy-hours-before-he-is-executed-by-electrocution/>

- **Lecture by Dr William Lane Craig: If God does not exist, do objective moral values exist?**

Website Link:

<http://www.spcs.org.nz/2007/william-lane-craig-on-objective-moral-values/>



Dr William Lane Craig

To view his Curriculum Vitae go to:

<http://www.reasonablefaith.org/documents/CV.pdf>

Dr Craig will be in NZ from 8-21 June, 2008. For his itinerary go to:

<http://www.reasonablefaith.org>

The Society Welcomes New Members

How to Become a Member

Visit us on the Internet for Application Forms, email us, or write to us.

<http://www.spcs.org.nz/membership/>

Email: spcs.org@gmail.com

SPCS, P.O. Box 13-683 Johnsonville

**CALL FOR NEW MEMBERS
AND SUPPORTERS**

If you are not a member and wish to join, we suggest you cut out this form, or print it out and fill out the details and send it to us. You must agree to support the