

	
<p>for the promotion of community standards</p>	<p>Incorporated Society Number 217833 Registered 25/09/75</p>

<p>SOCIETY FOR PROMOTION OF COMMUNITY STANDARDS INC.</p>	<p>Membership of the Society is by way of a donation for those who commit support to our objectives. (See p.12 for membership details and/or visit our website).</p>
<p>Charity No. CC 20268</p>	<p>Please make a donation online direct to the Society’s ANZ bank account 06-0541-0116866-00 or make a deposit at your nearest branch. Alternatively, please mail us a cheque donation made out to “SPCS Inc.” (or full name) – P.O. Box 13-683, Johnsonville 6440.</p>
<p>(Registered 17 Dec. 2007)</p>	<p>Please add a reference note to any online deposit record identifying yourself and/or your organisation AND email us and/or send us a stamp addressed letter if you wish to receive a receipt for your donation for tax rebate purposes.</p>
<p>P.O. Box 13-683 JOHNSONVILLE 6440 NZ</p>	<p>PLEASE VISIT US AT OUR WEBSITE www.spcs.org.nz</p>
<p>E-mail: spcs.org@gmail.com</p>	
<p>Website: www.spcs.org.nz</p>	
<p><u>Newsletter May 2015</u></p>	
<p>Issue 120</p>	
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Advance Notice of Society’s AGM 2015

All members are warmly invited to attend

Date: Monday 25 May 2015

Time: 7.30 p.m. to 9.30 pm

Followed by supper

Venue: Central Baptist Church, 46 Boulcott Street, Wellington (in lower hall).

(Note: carparks available free to those attending, located in Boulcott carpark opposite Church – look for marked sign)

For more details on our AGM see forthcoming notice on our website www.spcs.org.nz

Note: Nominations for all Society offices/executive committee and all proposed remits from members to change any aspect(s) of the SPCS constitution, must be received by “The SPCS executive” via post or email by 18 May 2015. Voting on remits at our AGM is strictly limited to members. Remits for changes to Section 2 (“Objects”) must be received by 4 May 2014 to allow for a postal vote to members. Audited Financial Statements for 2014 will be available and presented at the AGM. Please come.

The Society (SPCS) was privileged to have as its guest speaker at its 2014 AGM, the Chair of Transparency International (NZ), Ms Suzanne Snively, who presented evidence that bribery and corruption are real and growing issues for New Zealand organisations. Her message was –



Note: SPCS, which is a member of TINZ (a registered charity), as part of its objects, “seeks to focus attention on the harmful nature and consequences of fraud, dishonesty in business ... and other forms of moral corruption, for the purpose of moral and spiritual improvement.” See: <http://www.spcs.org.nz/objectives/>

A recently released Deloitte survey confirms a worrying level of domestic bribery and corruption in New Zealand. It is both a real and growing issue that organisations ignore at their peril, according to this Trans-Tasman survey released to business audiences in Wellington and Auckland on 26 March 2015.

The 2015 Deloitte Bribery and Corruption Survey canvassed the views of 269 public and private sector organisations across New Zealand and Australia and found that an alarming 23% of respondents reported experiencing one or more known instances of domestic corruption in the last five years. Of the more than half occurred in the last twelve months.

Deloitte Lead Forensics Partner Barry Jordan says that the second survey of its type conducted by Deloitte (the first was completed in 2012), is the first that asked questions about domestic bribery and corruption.

“Almost one in four organisations reporting an incident is a significant level of corruption. There is no longer any excuse for complacency against this risk,” says Mr Jordan. “Apart from the legal ramifications, which can include heavy fines or even jail time, the long term reputational damage from corruption can have serious long term flow on effects on an organisation’s bottom line.”



The most common types of domestic corruption cited by respondents included undisclosed conflicts of interest, supplier kickbacks and personal favours. More than a quarter (26%) of the reported incidents were from organisations with more than 5000 employees. And 68% of incidents involved only private/business individuals. No industry was immune with all sectors experiencing at least some reported incidents in the last five years.

As with the 2012 survey, this year’s survey also looked at bribery and corruption for organisations with offshore operations. It found that 40% of survey respondents have operations in high risk jurisdictions, compared to 34% in 2012. And 34% of these reported experiencing an offshore bribery and corruption incident in the last five years, up from 21% in 2012.

Full report: www.deloitte.com/nz/corruption For more on corruption see <http://seekyt.com/define-corruption/>

News of serious concerns raised about the “charitable” activities of the registered charity/lobby group - New Zealand Family Planning Association Inc. (FPA).



Ken Orr is a spokesperson for Right to Life NZ

Right to Life New Zealand Inc. (“Right to Life”) reported in its Media Release dated 6 April 2015, that it is seeking a Declaratory Judgement by the High Court on the lawfulness of an abortion licence, first issued in 2013 by the Abortion Supervisory Committee (ASC) to the New Zealand Family Planning Association Inc. (FPA), a registered charity (Charity No. CC11104 – registered 13/09/07).

A limited licence was issued to FPA to carry out *only* medical abortions (abortions induced through drugs instead of surgical procedures) at its Tauranga clinic.

The Registrar of the High Court in Wellington has advised Right to Life that the hearing of its case will take place in Wellington on 2 June 2015. SPCS will be taking a keen interest in the outcome of this legal action. Right to Life will be represented in the High Court by Peter McKenzie QC and Dr Ian Bassett.

The Crown Law Office will represent ASC, the respondent, and the FPA, an interested party, will be represented by its solicitor. Right to Life, the appellant, contends that the **Contraception, Sterilisation, and Abortion Act 1977** (the Act) only provides the ASC to provide a licence for surgical abortions, not medical abortions, and therefore its granting of a limited licence to the Tauranga clinic was unlawful. At the time the Act came into force, there were no medical abortions.

Section 21(2)(b) of the Act specifies: the ASC “shall grant” a “limited licence” in respect of an institution making application, “only if it is satisfied” “that there are, in the institution, adequate surgical and other facilities, and adequate and competent staff, for the safe performance of abortions.”



12-week old unborn baby

The FPA's Tauranga clinic provides *medical* abortions to women in the first nine weeks of their pregnancy, using Mifepristone (or RU-486), a synthetic, steroidal antiprogesterone and antigluccorticoid drug. *Medical* abortion using mifepristone plus prostaglandin is considered [by pro-abortionist doctors] an appropriate method of abortion for women in the 7–9 week gestation band.

In 2011 the FPA announced that it was intending to seek abortion licences for each of its 30 clinics in New Zealand. Right to Life believes that the FPA delayed seeking further abortion licences, in addition to the Tauranga one, until the High Court has made its Declaratory Judgement.

Although it is *not* a registered charity at present, Right to Life, is using the Courts to seek to uphold the law as they see it, and/or effect change in the law, in the same manner in which a number of *registered* charities have done. The latter include a number of environmental charities, those seeking to highlight the plight of those in poverty or who have been allegedly been discriminated against, in contravention of the Human Rights Act. Charities that lobbied for “marriage-equality” (i.e. promoting “same-sex marriage”), and/or promoted the anti-child smacking laws, are other examples.

Note: FPA is a *registered* charity. It recently appeared before the Committee of CEDAW (The Convention on the Elimination of All Forms of Discrimination Against Women) laying a complaint to this UN General Assembly body, directed against the NZ government for allegedly not decriminalising abortion. FPA not only lobbies our government to change to our abortion laws, but extends its lobbying to the UN, criticising our government’s actions, while at the same time being funded by it and by taxpayers opposed to its pro-abortion lobbying.

Reports of teachers’ misconduct increase



Hundreds of New Zealand teachers have been investigated for inappropriate conduct in the past five years. Sexual misconduct, pornography, violence, alcohol, drugs, dishonesty, fraud and theft are some of the serious breaches of conduct by teachers. And the number of teachers being reported is on the rise, figures obtained by Fairfax Media show the following:

In 2014, 427 conduct reports were referred by the New Zealand Teachers Council to the Complaints Assessment Committee (CAC), compared to 252 referrals in 2010. Of the 427 referrals last year, 69 were as a result of complaints from members of the public. Conduct issues reported by current or former employees accounted for 214 referrals while 144 referrals were because a teacher recorded a criminal conviction.

In the past five years, 1781 teachers have come under the scrutiny of the CAC with 118 struck off the teachers register. For many others, there was no further action or an agreement was reached between the teacher and the person who made the complaint. Subsequently 45 teachers were referred to the Teachers Disciplinary Tribunal and 27 of those were deregistered. Other sanctions handed down by the tribunal included censure, suspension and conditions on the teacher’s practising certificate.

Source:

<http://www.stuff.co.nz/national/education/67617060/reports-of-teachers-misconduct-increase>

[Note: As part of its Constitution “Objects” (S. 2), the Society seeks: “*To focus attention on the harmful nature and consequences of pornography, violence, fraud, dishonesty ... abuse of alcohol and drugs, and other forms of moral corruption, for the purpose of moral and spiritual improvement.*” S. 2(d)]



Is Censorship Dead in a Digital Age?



Dr Andrew Jack (TV One News)

Criteria for reporting serious misconduct

Rule 9 of the New Zealand Teachers Council (Making Reports and Complaints) Rules 2004 sets out the criteria for reporting serious misconduct. Rule 9 is set out in full below:

The criterion for reporting serious misconduct is that an employer suspects on reasonable grounds that a teacher has engaged in any of the following:

- a. the physical abuse of a child or young person (which includes physical abuse carried out under the direction, or with the connivance, of the teacher).
- b. the sexual abuse of a child or young person (which includes sexual abuse carried out under the direction, or with the connivance, of the teacher).
- c. being involved in an inappropriate relationship with any person under the age of 16 years.
- d. being involved in an inappropriate relationship with a student with whom the teacher is, or was when the relationship commenced, in contact with as a result of his or her position as a teacher.
- e. viewing, accessing, or possessing pornographic material while on school premises or engaged on school business
- f. viewing, accessing, or possessing pornographic material that depicts children or young persons or that depicts animals engaged in sexual acts with humans

Source:

<https://www.teacherscouncil.govt.nz/content/criteria-reporting-serious-misconduct>

**“If I’m watching
pornography that’s
R18, there’s nothing
wrong with that.
Except that if I watch
large quantities of it, it
may be influencing the
way I interact with real
life people.”**

Chief Censor Dr Andrew Jack

Dr Andrew Jack, appointed Chief Censor on 22 December 2010, and Deputy Chief Censor Ms Nicola (Nic) McCully, argue that censorship is more important than ever because of the sheer volume of entertainment now available online. However, given that (1) the Office of Film and Literature Classification (“OFLC”) has very limited powers to actually censor online content (including live-streaming) hosted on *overseas-based* internet websites, and (2) the sheer volume of “objectionable content” now emerging online, the censor’s power is progressively being eroded.

Nikki Macdonald has pointed this out in a recent Stuff News article (see link below), noting that with the arrival of video-on-demand service Netflix, and the replacement of adult DVDs with online hardcore porn, the censor’s office may well be an expensive anachronism.

The OFLC received \$1.96 million in funding from the Crown in the 2013/14 financial year. Dr Jack was paid an annual salary of between \$220-230,000, his deputy between \$190-200,000 and the third highest censor between \$110-120,000. This is a total of about \$535,000 paid out to just three staff members!

In 2013/14– classified 2,054 publications, including 1,538 films, DVDs and related advertisements, 67 digital games, 7 magazines or books were referred to the OFLC by the Department of Internal Affairs for classification. 320 publications were banned (i.e. classified “objectionable”) – more than double the previous year’s total.

Banned material included 308 computer images and videos, 2 computer text file printouts, 7 DVDs, 1 magazine, 1 film (House on the Edge of the Park) and 1 book (The Everything Marijuana Book).

Of the publications classified “objectionable” 88% was banned for contents involving child sex abuse and 4% for sexual violence. Bestiality, necrophilia, the use of urine or excrement, violence and torture all featured in the bans.

“What did not feature this year,” says the Chief Censor, “was material banned or cut for degrading, dehumanising or demeaning sexual conduct.” According to him omission was “the result of the main distributor of adult DVDs [Calvista Australia] no longer supplying the New Zealand market due to online competition offering cheap or free content.”

However, SPCS finds this explanation unconvincing. It has argued for many years that censors like Ms Nicola McCully have become desensitised to the real toxic moral impact of porn upon viewers, over their years of exposure to sexually explicit images depicting the degradation, dehumanising and demeaning of women, paedophile content and sexual violence. As a consequence they have lost the ability and will to properly apply the law when determining classifications, evidenced by their failure to demand excisions or apply bans with respect to so many publications containing content that degrades, demeans and dehumanises women in particular.

Dr Jack says that there is a growing recognition that you are what you watch.

“If I’m watching pornography that’s R18, there’s nothing wrong with that. Except that if I watch large quantities of it, it may be influencing the way I interact with real life people. I think people perhaps are beginning to become more aware that you are the totality of your experience.”

He argues that the classification officers in his office are a resilient bunch who remain in the job for an average of 10 years – paid to watch porn and play video games.



Ms Nicola McCully

Dr Jack argues that the classification officers in his office are a resilient bunch who remain in the job for an average of 10 years – paid to watch porn and play video games. His deputy, Ms Nicola (Nic) McCully (photo above c. 2002) has been scrutinising hard core porn and sexual violence etc. since 1994. After working briefly in special education in Christchurch, she applied for a job at the Video Recordings Authority, an organisation that was amalgamated into the Classification Office that same year.

McCully was originally appointed as Deputy Chief Censor on 17th September 2002 on the recommendation of the former Minister of Internal Affairs, Hon. George Hawkins, with the concurrence of the Minister of Justice, Hon. Phil Goff, and the Minister of Women's Affairs, Hon. Laila Harre.

McCully has been reappointment four times to this statutory position – that is four, three year terms of office, with her current term expiring on 2 August

2015. Prior to her appointment as Deputy Chief Censor, she had worked in the Classification Office in the OFLC for eight years which included her role as Classification Unit Manager and Senior Classification Officer. She was also previously an examiner for the Video Recordings Authority in 1994 as noted earlier. Prior to that, the only employment experience she had was working for one year with special needs children as a teacher aide, a job she got without any teacher qualifications (e.g. Dip. Tchg.) or specialist training certificate.

"Those [Adult R18 sex] tapes really are tedious," McCully sighs. "You might have six hours of sex DVDs to classify, and you have to watch them from beginning to end. There's no fast-forwarding, in case you miss a section where things are verbally or physically rough. The misogyny in these sex tapes is very depressing. There's the underlying idea that women are only on this earth to satisfy men in whatever way those men want to be satisfied, no matter how painful or humiliating."
Nicola McCully
<http://www.sexshops.co.nz>



Nic McCully (Stuff News 3/03/15)

McCully acknowledged that some aspects of her “dirty job” have taken their toll emotionally.

See: <http://www.scoop.co.nz/stories/PO0209/S00004.htm>

On the 5 February 2015 her job was advertised by the Department of Internal Affairs, the closing date for applications given as 27 February 2015. It offers an attractive salary of close to \$200,000.

McCully has estimated that about 80% of her team's work is classifying the kind of sexually explicit DVDs that will end up in sex shops and the "adult" sections of video stores from North Cape to Bluff. These are the DVDs that censors regularly describe in their classification reports as “demeaning, dehumanizing and degrading” to woman. Yet, very rarely under McCully’s “watch”, has the level of sexual degradation of women in these Adult DVDs been considered to have reached such a level as to require excisions or a banning order. The vast bulk of them are just classified R18 and there are hundreds available in the Adult sections of most large DVD lending outlets. (Note: The OFLC happily classified the French rape film Baise-Moi [transl. F### Me] as R18).

OFCL Annual Report 2013/14

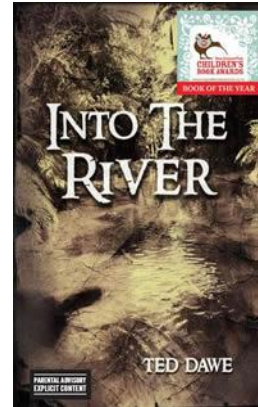
Quotes from Discussion of Outcome and Outputs

The Office’s work, according to the Chief Censor,

“... contributes to reducing harm to the public good which can be caused by the availability of restricted and objectionable publications. The idea of ‘public good’ and how this may be ‘harmed’ are fairly intangible concepts and measuring such things is fraught. It is far more than physical or emotional injury to an individual, it includes changes in attitudes, behaviour and beliefs and it includes how these changes affect other members of our society, either directly or indirectly”.

The Annual Report deals with the role of the Film and Literation Board of Review (“the Board”)

The Report notes (p. 9): The Board undertook only two reviews of OFLC classifications in 2013/14. It is significant that in both it overturned the OFLC decisions, issuing more restrictive classifications.



The first review was of the OFLC classification of the novel Into The River by NZ English school teacher Ted Dawe. It had been submitted to the OFLC by the Secretary for Internal Affairs on 8/07/13 following complaints from the **Society for Promotion of Community Standards (SPCS)** and Family First (NZ). The OFLC classified it “Unrestricted; Suitable for mature audiences 16 years of age and over” in a decision dated 11/09/13 signed by Deputy Chief Censor N.J. McCully. Family First NZ sought a Board review of this classification. In its Majority decision dated 20/12/13, the Board re-classified it “R14 Parental Advisory – Explicit Content.” - thereby overturning the “unrestricted” decision issued earlier by the OFLC. In a minority view of the Board, President Don Mathieson QC, LLD, argued that it should be classified R18. The Board decision was registered on 8/01/14. See:

<http://www.censor.org.nz/resources/case-studies/into-the-river.html>

The second review by the Board dealt with “five chat logs from mobile phone records” [texts], originally submitted to the OFLC for classification by the NZ Police as part of its pending court case, following prosecution of a 35 year-old man who had allegedly sent the texts to girls aged 11-12 years old. The texts allegedly consisted almost entirely of explicit sexual comments and questions to the girls. The girl’s responses were not recorded except for one log. Because the recipients were young girls, the issue of whether the conversation logs promoted or supported the exploitation of children for sexual purposes was considered.



The Office concluded that the man's behaviour while highly inappropriate; was not abusive or predatory. The texts themselves did not show clear evidence that the man even knew that the recipients were young girls. One text indicated that one of the recipients lied that she was 17 and the male appeared to believe this. The texts did not unequivocally show that the sender knew he was communicating with children and therefore did not meet the required threshold to result in a ban.

Given the sexually explicit nature of the texts the Office classified them R18. The Crown Solicitor sought a review of the chat logs and the Board, while acknowledging that the male's conduct was "abhorrent", found no grounds for determining that the publications could be said to be objectionable as defined in s3 of the Act. The chat logs were classified as unrestricted by the Board."

The Chief Censor Dr Jack responded to this overturning of his Office's classification decision, arguing that new legislation needs to be enacted to 'capture' such 'publications':

"This case [involving the classification of text messages] illustrates a gap in the current legislation given technological advances as we move further into a digital world. This case will be better dealt with under the new Objectionable Publications and Indecency Legislation Bill's section concerning indecent communication with a young person, currently before Parliament." (see pp. 14-15).

The Bill he refers to here was introduced into the House on 27 May 2013 and passed into law on 2 April 2015 (see below pp. 8-9).

It appears that the Chief Censor finds section 3 of the Films, Videos and Publications Classification Act 1993 ("FVPC") woefully deficient given that it cannot be applied by his Office to classify written communications between individuals (such as text messaging), as "objectionable".



Dr Andrew Jack

(Stuff News 3/03/15)

Dr Andrew Jack appears to believe that his Office has a right in law, or should have a right, to "censor" and/or ban written communications between individuals, when they do not even constitute (by their very nature) "publications" as such. Interestingly, his predecessor, Mr Bill Hastings expressed his desire publicly to implement this same grandiose vision of an ever-widening power of censorship jurisdiction, that would enable him to scrutinize and censor personal diary entries, formal notes recorded in a lecture and even the doodlings made on paper by a person listening to one of his public lectures about his job as chief censor!

Gender make-up of OFLC staff

The 2013/14 Annual Report states: "Women make up 62% and men 38% of total employees. 71% of managers are women, and 29% are men. In the Classification Unit (Classification Officers and Senior Classification Officers), 53% are women and 47% men."

It is significant that under the years of leadership of Ms Nicola McCully, over a period where women dominated the censor's office, and still do; literally thousands of DVDs have found their way into NZ lending stores as R18 items, despite containing sexually explicit content that degrades, demeans and dehumanises women to a *high* degree.

The SPCS has successfully appealed to the Board overturning a number of OFLC R18 classifications (e.g. The Matador Series) proving that they should have been classified "objectionable".

New Censorship Legislation in the Making



House of Representatives in session

Report of the Justice and Electoral Committee on the

Objectionable Publications and Indecency Legislation Bill

The Justice and Electoral Committee has examined the Objectionable Publications and Indecency Legislation Bill and recommends that it be passed without amendment.

The Objectionable Publications and Indecency Legislation Bill seeks to modernise the law regarding objectionable publications to keep pace with technology, and to ensure that penalties for objectionable publication offences regarding children reflect the seriousness of the offending.

- The bill proposes to achieve these aims by the following means:
- increasing the maximum penalties for the possession, importing and exporting, supply, distribution, and making of objectionable material (including child exploitation material)
- clarifying that a person could have possession of an objectionable electronic publication without saving it (or a copy of it)
- providing for a presumption of imprisonment for repeat child exploitation material offenders.
- removing the requirement for the Attorney-General's consent for public prosecutions of objectionable publications and indecency offences
- creating a new offence of indecent communication with a young person (under 16 years).

Indecent communication with a young person Clause 13 would create a new offence under the Crimes Act 1961 of indecent communication with a young person (anyone under the age of 16). This would also apply to indecent communication with a police constable where the constable is believed to be a young person.

The proposed offence seeks to close a gap between objectionable publications offences (where an offender records a communication with a young person) and the sexual grooming offence (where an offender takes steps to meet a young person). Clause 13 would insert new section 124A(3) into the Crimes Act providing a defence that before making the indecent communication, the person charged took reasonable steps to find out whether the young person was 16 years or older, and believed on reasonable grounds that they were at the time of the communication.

Some submitters expressed concern about entrapment, where a person charged communicated indecently with a police constable, believing the constable to be a young person. This provision is necessary to enable law enforcement officials to prosecute. We are satisfied that law enforcement agencies are fully aware of and experienced with the issues concerning entrapment, and note that judges have the discretion to exclude evidence if they believe it has been improperly or unfairly obtained.

Submitters also expressed concern that the proposed new offence was too broad, and that naïve rather than criminally motivated conduct might be unintentionally captured by the provision, leaving a young person with a criminal record.

We consider this risk is mitigated by the requirement for the communication to be “indecent”, which the courts have held must be judged in light of time, place, and circumstances as warranting the sanction of the law; and we are confident that law enforcement agencies would use their discretion wisely.

There would also be the defence of not knowing the material was indecent, provided the person charged had no reasonable opportunity of knowing this, and that in the circumstances their ignorance was excusable.

The absence of a definition of “indecent” in the Crimes Act 1961 also raised concern. We are aware that “indecent” is used throughout the Crimes Act, and in other statutes including the Summary Offences Act 1981, and the Telecommunications Act 2001.

Although the term is used in a slightly different context in this bill, the courts can draw on a well-established body of case law on the definition of “indecent”.

The bill increases the maximum penalties for possession, importing and exporting of an objectionable publication from 5 to 10 years; and the maximum penalty for the supply, distribution or making of an objectionable publication from 10 to 14 years.

On Thursday 2 April 2015 the NZ Parliament passed the **Objectionable Publications and Indecency Legislation Bill** by a unanimous vote.

See: Media Release by the Minister responsible for the bill: the Hon. Amy Adams.

HEED THIS GOOD ADVICE ON...



Sexting (a combination of sex and texting) is the act of sending sexually explicit messages or photos electronically, primarily between cell phones. It shows poor judgment when using digital technology by sending an image, video or text message of an explicit or risque nature to another individual. Sexting is serious, dangerous, has consequences and can ruin your future.

UNDERSTAND THE CONSEQUENCES of what could happen if you take, send or forward sexual photos of you or someone underage. You could get kicked out of clubs, sports teams and even out of school, be humiliated, not get into college or be accepted for jobs...and you could even be in trouble with the law.

BEFORE HITTING SEND remember that what gets posted on the internet stays there! Once on the internet, your photo can become a viral marketing campaign -- meaning others can spread your photo all over the internet. You may trust your girlfriend or boyfriend but consider the fact that they can send your photo to their friends which can be sent to many others, or they could post it online.

NEVER TAKE images of yourself that you wouldn't want anyone else to see. This includes family, classmates, teachers, employers.

CONSIDER THAT IF YOU FORWARD a sexual picture of someone underage, you are as responsible as the original sender of this image. You could face child pornography charges, go to jail, and have to register as a sex offender.

REPORT any nude pictures you receive on your cell phone to an adult you trust. Do not delete the message. Instead, get your parents or guardians, teachers, and school counselors involved immediately.

THINK CAREFULLY before you send a sext. It could change your life forever.

Source: http://dasas.net/internet_safety/sexting

The Chief Censor's Office on “Selfies”



The OFLC Annual Report, states:

The Office has also dealt with “selfies” where young teenagers have taken and sent sexually suggestive or explicit images of themselves. The Office is able to deal with these following the 2005 amendments to the Act that extended the definition of matters of 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.

To date explicit “selfies” of children and teenagers sought by men, apparently in some instances for cell phone top ups or cash, have been dealt with by the Office. However, it is only a matter of time before the Office deals with teenagers sharing such images amongst themselves.

Criminalising young people is clearly not the outcome Parliament intended with the 2005 amendments and it is hoped that enforcement agencies take an educational rather than prosecutorial approach to these cases.”

Comment:

The SPCS understands why critics of the role of the OFLC consider it to be “somewhat anachronistic”, given the overwhelming evidence that its power is being progressively eroded due to the impact of digital technology platforms including the internet, mobile phones, “live-streaming” and social media. One only needs to do a google search for the words “selfie” and “nude” to comprehend the extent of the problem censors face dealing with explicit sexual content. Any child can access this “inappropriate material” at the click of his/her mouse and then ‘progress’ to more explicit “objectionable” material etc. Add to this the plethora of online services offering unrated movies and hardcore porn and sexual violence, all easily accessible to children and young people. Thousands of Kiwis are reported to be accessing unrated movies and television programmes through the likes of the US-based version of Netflix, which also offers films banned in New Zealand such as Maniac and I Spit on Your Grave 2.

A **burgeoning prostitution services/Escort Agency industry in NZ** aggressively promotes its wares online with competing agencies engaged in acrimonious ‘turf wars’ over disputed domain names and copyright/”intellectual property” issues involving explicit photos of their “Girlies 4 U”. The pimps who run these operations, inextricably entwined with the hardcore porn ‘erotica’ industry, have been known to engage in bullyboy tactics, blackmail and extortion to defend their “patch” against rivals. Some of these pimps even use the public pages of their Facebook entries to market prostitutes.

Presidential Urgent Appeal for Funding Support for 2014/15



Dear members, friends and supporters of SPCS

As the Society embarks soon on its 15th year of operation since the passing of its founder Patricia Bartlett OBE and its 40th year since becoming an Incorporated Society, the executive is very conscious of the challenges it faces to continue the “Stand For Decency” and the “Promotion of Community Standards” begun back in 1970 by our Founder and the thousands of financial Society members throughout the country who so valiantly supported her and the national executive.

On behalf of the executive I appeal to you to please help us find funding sources for the Society so it can continue its important work. We are struggling ☹

We are most grateful for some very generous donations received in the last few weeks which is indicative of the wonderful goodwill that exists among members. God bless you !

[Note: The prompt renewal of your membership donations for the new financial year, which commenced on 1 Jan. 2015, would be greatly appreciated. All donations (\$5 and over) are tax deductible (33% deductible against all taxable income) and we will send you a receipt for your donation if requested].

The hard working SPCS executive is in good heart and we are always encouraged by your support. ☺

Please send your donations – cheques made out to “SPCS Inc” (or use full name) to P.O. Box 13-683 Johnsonville, 6440 marked “Presidential Appeal”. Alternatively YOU CAN MAKE A DONATION DIRECT TO THE SPCS BANK ACCOUNT online, or over the counter at your local bank. The Society’s Johnsonville ANZ Bank Account number is: 06-0541-0116866-00.

Kind regards

John Mills – SPCS President elect

Harmful Digital Communications Bill

The Justice and Electoral Committee has reported this Government Bill back to the House, following extensive consultation from interested parties and stakeholders. The Report states in its Introduction:

“The Bill seeks to mitigate the harm caused to individuals by electronic communications and to provide victims of harmful digital communications with a quick and effective means of redress. We recognise that technology has made possible the rapid, anonymous distribution to a potentially huge audience, and the bill aims to strike a careful balance between preserving freedom of expression and preventing and reducing harm.

“The bill would create a new civil enforcement regime and new criminal offences to deal with the most seriously harmful digital communications, and would make small amendments to legislation to clarify its application to digital communications and to cover potential technological advances.

“Complaints about harmful digital communications would be submitted to the Approved Agency, a body which would be appointed by the Governor-General by Order in Council as the first step in the civil enforcement regime. The agency would assess complaints, where appropriate investigating and using negotiation, mediation, or persuasion to resolve matters. The agency’s primary functions would include education.

“The bill sets out ten communication principles to guide the court and the Approved Agency in assessing whether a digital communication has caused or is likely to cause someone harm. “Harm” is defined as “serious emotional distress”. We consider that the principles would provide a useful reference to help infer a common set of values when assessing whether behaviour was acceptable.

“The bill would also include a safe harbour provision setting out a process for online content hosts to follow to limit their liability for content authored by others.

“The bill would implement the Government’s decisions on addressing harmful digital communications, which are based on the Law Commission’s 2012 ministerial briefing paper Harmful Digital Communications: The adequacy of the current sanctions and remedies. This commentary covers the main amendments we recommend to the bill; it does not cover minor or technical amendments.”

On 24 March 2015 the Bill, in the name of the Hon. Amy Adams, completed its Second Reading in Parliament and it is set down on the Order Paper to be examined by the Committee of the whole House.

SPCS Programme for remainder of 2015

AGM: The SPCS Executive and its members will have the opportunity at the forthcoming AGM (see P.1) to submit remits if they wish to seek any changes to our constitution. If a change(s) is to be sought to the SPCS objects (section 2), such a remit(s) would need to be forwarded to the executive no later than three weeks prior to the date of the AGM so that postal voting (a requirement of our Constitution) can be arranged. Remits on other matters will need to be received at least two weeks prior to the AGM to be put on the agenda and voted on. Please keep an eye on our website for more details: www.spcs.org.nz If you are a member and want to view our latest Financial Statements for 2014 prior to the AGM, please email the executive: spcs.org@gmail.com

Next SPCS Newsletter: Call for Members’ contributions. Please email us your material and/or suggestions.

Research Reports. Through ongoing regular consultation with government agencies, and research partners SPCS is preparing a number of reports relating to its “core” objects which it will made widely available to interested parties and members “for the purpose of moral and spiritual improvement”.

Networking: Continuing regular contact by our executive members with a range of charities and organisations pursuing similar goals enables us to build up our knowledge base so that we can be more effective and assist like-minded organisations to achieve their goals. SPCS is a bronze-level member of Transparency International NZ and this involvement has been very worthwhile.

Forward Planning Document: Details will be released to members once ratified by next executive meeting. Financial funding to support our programme continues to be a major challenge. Please contact us with your suggestions or any other matter (e.g. donation receipts, change of address, recommended new members, and action alerts etc.). Thank you.

YOU CAN MAKE A DONATION DIRECT TO THE SPCS BANK ACCOUNT online, or over the counter at your local bank. The Society’s National Bank Account number is: 06-0541-0116866-00.

Alternatively please mail us a cheque made out to “SPCS Inc.” (or full name) – “Donation” to P.O. Box 13-683, Johnsonville 6440.

Please add a reference note to any online deposit record identifying yourself and/or your organisation AND email us and/or send us a letter if you wish to receive a receipt for your donation for tax rebate purposes. Please supply your postal address. Thankyou

**The Society Welcomes
New Members
How to Become a Member**

Please visit our Society on the Internet to obtain application forms, or email us, or write to us or cut out this form, complete it and send it to us.

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

Email: spcs.org@gmail.com

Mail – SPCS. PO Box 13-683 Johnsonville 6440

Note: Membership of SPCS is by way of a donation. Cheques should be made out to “SPCS Inc.” or “Society for Promotion of Community Standards Inc.” PLEASE INDICATE IF YOU WANT A RECEIPT SENT TO YOU. Yes/ No (Circle/delete. *Please send stamped addressed envelope*). We try and acknowledge by letter all those who send donations of \$50 or more.

Having read the Society’s Objectives I wish to support your work and apply for one Full Year’s Membership. I support the Society’s objectives – see inset to the right of this colum, or visit www.spcs.org.nz

My Contact details are:

Name.....

Postal Address
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Tel. No. and E-mail
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Signed.....

My membership donation is enclosed (suggested voluntary minimum is \$45 per individual). Yes/No

Please answer: I would like to recommend as a potential SPCS member (Please provide contact details on separate sheet to us so we can send out information) Yes/No. I wish to receive regular news updates by email Yes/No

**The objectives of SPCS –
From Section 2 of the
Constitution**

(a) To encourage self-respect and the dignity of the human person, made in the image of God.

(b) To uphold the universally held principles: “Every human being has the inherent right to life”.

(c) To promote wholesome personal values, consistent with the moral teachings of the Bible, including strong family life and the benefits of lasting marriage as the foundation for stable communities.

(d) To focus attention on the harmful nature and consequences of sexual promiscuity, obscenity, pornography, violence, fraud, dishonesty in business, exploitation, abuse of alcohol and drugs, and other forms of moral corruption, for the purpose of moral and spiritual improvement.

(e) To foster public awareness of the benefits to social, economic and moral welfare of the maintenance and promotion of good community standards.

(f) To support responsible freedom of expression which does not injure the public good by degrading, dehumanising or demeaning individuals or classes of people.

(g) To raise money that will be used... to promote the moral and spiritual welfare of sectors of society that need special help.

For more details see our website:

www.spcs.org.nz/objectives/