

REGISTER OF CLASSIFICATION DECISIONS

Date of entry in Register: 16 December 1999
Name of applicant/court: The District Court at Christchurch
Applicant to the Labelling Body: Not Applicable
Title of Publication: Lv3033.jpg
Other Known Titles: DIA Exhibit #6
Director: Not Applicable
Producer: Not Applicable
Publisher: Not Applicable
Author: Not Applicable
Format: Computer Image File
Country of Origin: Not Applicable
Language: Not Applicable

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Components of film originally examined: Not Applicable.

Feature: Running time:
Trailers: Running time:
Total Running time:

Excision/Alteration: Not Applicable.

Reason(s) for Excision:

Not Applicable.

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Classification Decision:

Unrestricted.

Display Conditions:

Not Applicable.

Descriptive Note:

Not Applicable.

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Direction to issue a label has been given on: Not Applicable.

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SUMMARY OF THE REASONS FOR DECISION:

The publication *Lv3033.jpg* is classified as:
Unrestricted.

The computer image file contains a black and white photograph of two naked boys, aged between 6 and 9 years, standing on what appears to be a beach. They look into the camera and rest their arms on each other. They are both wearing necklaces. The photograph has a high degree of clarity. The photograph does not emphasise the boys' nudity or focus upon their genitals. The photograph is not, therefore, overtly sexually suggestive. Subsequently, the computer image file's intended audience and use is ambiguous. The most evident purpose is that of a photographic record of the subjects.

Section 14 of the New Zealand Bill of Rights Act 1990 (NZBR Act), which deals with the right to freedom of expression, applies to this publication. Given the ambiguity as to the purpose and audience of the publication, its availability is unlikely to be injurious to the public good. In applying the NZBR Act, this publication is classified as unrestricted.

OFLC Ref: 9901765