

Part 7

Appendices

Appendix A: Section 3 of the Films, Videos, and Publications Classification Act 1993

3. Meaning of "objectionable"—(1) For the purposes of this Act, a publication is objectionable if it describes, depicts, expresses, or otherwise deals with matters such as sex, horror, crime, cruelty, or violence in such a manner that the availability of the publication is likely to be injurious to the public good.

- (2) A publication shall be deemed to be objectionable for the purposes of this Act if the publication promotes or supports, or tends to promote or support:
- (a) the exploitation of children, or young persons, or both, for sexual purposes; or
 - (b) the use of violence or coercion to compel any person to participate in, or submit to, sexual conduct; or
 - (c) sexual conduct with or upon the body of a dead person; or
 - (d) the use of urine or excrement in association with degrading or dehumanising conduct or sexual conduct; or
 - (e) bestiality; or
 - (f) acts of torture or the infliction of extreme violence or extreme cruelty.
- (3) In determining, for the purposes of this Act, whether or not any publication (other than a publication to which subsection (2) of this Section applies) is objectionable or should be given a classification other than objectionable, particular weight shall be given to the extent and degree to which, and the manner in which, the publication:
- (a) Describes, depicts, or otherwise deals with
 - (i) acts of torture, the infliction of serious physical harm, or acts of significant cruelty
 - (ii) sexual violence or sexual coercion, or violence or coercion in association with sexual conduct
 - (iii) other sexual or physical conduct of a degrading or dehumanising or demeaning nature
 - (iv) sexual conduct with or by children, or young persons, or both
 - (v) physical conduct in which sexual satisfaction is derived from inflicting or suffering cruelty or pain:
 - (b) exploits the nudity of children, or young persons, or both
 - (c) degrades or dehumanises or demeans any person
 - (d) promotes or encourages criminal acts or acts of terrorism
 - (e) represents (whether directly or by implication) that members of any particular class of the public are inherently inferior to other members of the public by reason of any characteristic of members of that class, being a characteristic that is a prohibited ground of discrimination

specified in Section 21 (1) of the Human Rights Act 1993.

- (4) In determining, for the purposes of this Act, whether or not any publication (other than a publication to which subsection (2) of this Section applies) is objectionable or should be given a classification other than objectionable, the following matters shall also be considered:
- (a) the dominant effect of the publication as a whole
 - (b) the impact of the medium in which the publication is presented
 - (c) 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
 - (d) the persons, classes of persons, or age groups of the persons to whom the publication is intended or is likely to be made available
 - (e) the purpose for which the publication is intended to be used
 - (f) any other relevant circumstances relating to the intended or likely use of the publication.

Appendix B: Pilot Censorship Offenders Questionnaire

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Part 1: Demographics

1. Name
2. Nickname/s
3. Gender
4. Date of Birth
5. Ethnicity NZ European
 Māori
 Pacific Island
 Asian
 Other (please specify):.....
6. Address
7. Type of residence Flat/apartment
 House/unit
 Other (please specify):.....
8. Description of residence (tick all those that apply):
 Well maintained
 Poorly maintained
9. Estimated socio-economic level Low
 Medium
 High

Part 2: Isolation

10. Location of home address
- City (specify):
 - Town (specify):
 - Semi-rural/lifestyle block (specify):
 - Rural (specify):
11. Household composition
- Living alone
 - Living with partner
 - Living with own children*
 - Living with step children*
 - Living with other (non-family) children* (please specify):
.....
 - Living with parents or grandparents
 - Living with other (non family) adults (please specify):
.....
 - Other (please specify):
.....
12. Work environment
- Not working and not participating in an education/training course
 - Works/studies alone
 - Works in a team
 - Other (please specify):
.....
13. Other factors
- Physical health problems (please specify):
.....
 - Mental health problems (please specify):
.....

* Also relates to Access

Part 3: Detection

15. Date of warrant

16. Location of offending Home
 Work
 Other (please specify):
.....

17. Location of computer in residence	Private (access limited to the offender)	Open and/or communal space	Other (please describe):
• Bedroom	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• Office space	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• Communal space (i.e. living or dining room)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• Removed from main premises (where?)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

.....

18. At the time of investigation, how many objectionable images were identified in the offenders possession?

19. Was any other objectionable material discovered in the possession of the offender at the time of investigation? Yes (what?).....
 No

20. Details of detection Complaint
 Trade of objectionable material on the Internet
 Identified from another offender's computer log
 Identified as creating objectionable material
 Identified by other Government agency (specify):
.....
 Other (please specify):
.....

21. Nature of offending (tick as many as applicable)
- Large collection of objectionable material containing specific themes
 - Engaged in the production of objectionable material for trade and/or exchange
 - Collection is indexed and well organised
 - Wide range of images containing all sorts of sexual/objectionable oddities (no particular theme)
 - Small amounts of material
 - Develops web sites, or sells CD-ROMS of images etc.

Part 4: Nature of Objectionable Images and Material

22. Nature of the **objectionable** material: under which of the following sections of the Films, Videos and Publications Classification Act (1993) is the material deemed objectionable (for each section tick all of the subcategories that apply).

- Section 3(2)a: The exploitation of children, or young persons, or both, for sexual purposes (tick all that apply)

Gender: the children or young people shown in the images appear to be mainly (tick one):

- Females/Girls
- Males/Boys
- Both Females and Males

Ethnicity: the children or young people shown in the images mostly look (tick as many as apply):

- Caucasian
- Hispanic
- Māori/Pacific
- African
- Asian
- Other (please specify):
.....

Age: the children or young people shown in the images appear to be mainly (tick as many as apply):

- Babies (under 2 years old)
- Young Children aged 2 - 7 years
- Older Children aged 8 - 12 years
- Teenagers aged 13 - 16 years

Were the children or young people shown (tick as many as apply):

- Alone

With other children or young people

With adults

Other (please specify):

.....

What sort of surroundings were evident in the images? (tick as many as apply)

Domestic environment

School

Public place

Commercial/professional looking studio environment

Masked/controlled environment

Other (please specify):

.....

Was there any evidence that drugs and/or alcohol had been used in the creation of the images?

No

Yes (please specify):

.....

.....

In the majority of the images, the children or young people appeared to be engaged in the following activities or actions (tick as many as apply):

Naturalist type nudity or partial nudity

Posed nudity or partial nudity without display of genitals

Posed nudity or partial nudity with display of genitals

Explicitly sexual acts or actions

Explicitly harmful acts or actions including involvement of weapons, torture instruments or bondage

Physical and/or verbal expression of fear and/or distress

Incest or implied incest

Dehumanising and degrading activities (including extreme close-ups, use of body as an inanimate object)

Other (please specify):

.....

.....

Where images involve a sexual act being performed on children or young people, what gender are most of the individuals **upon whom these acts are being performed** (tick one)?

- Females/Girls
- Males/Boys
- Both Females and Males

Where images involve a sexual act being performed on children or young people, what ethnic group are most of the individuals **upon whom these acts are being performed** (tick as many as apply)?

- Caucasian
- Hispanic
- Māori/Pacific
- African
- Asian
- Other (please specify):
.....

Where images involve a sexual act being performed on children or young people, what age are most of the individuals **upon whom these acts are being performed** (tick as many as apply)?

- Babies (under 2 years old)
- Young Children aged 2 - 7 years
- Older Children aged 8 - 12 years
- Teenagers aged 13 - 16 years

Section 3(2)b: The use of violence or coercion to compel any person to participate in, or submit to, sexual conduct

Gender: the individuals shown in the images appeared to be mainly (tick one):

- Females/Women
- Males/Men
- Both Males and Females

Age: the individual shown in the images appeared to be mainly (tick as many as apply):

- Youth aged 17 - 20 years
- Adults aged 21 - 65 years
- Elderly aged over 65 years
- Other (please specify):
.....

What sort of surroundings were evident in the images (tick as many as apply)?

- Domestic environment
- Public place
- Commercial/professional looking studio environment
- Masked/controlled environment
- Other (please specify):
.....
.....

Was there any evidence that drugs and/or alcohol had been used in the creation of the images?

- No
- Yes (please specify):
.....
.....

In the majority of the images, the individuals appeared to be engaged in the following activities or actions (tick as many as apply):

- Explicitly harmful acts or actions including involvement of weapons, torture instruments or bondage
- Rape or implied rape scenes (including all forced sexual activities)
- Physical and/or verbal expression of fear and/or distress
- Incest or implied incest
- Dehumanising and degrading activities (including extreme close-ups, use of body as an inanimate object)
- Physical expression of fear and/or distress
- Other (please specify):
.....
.....

Where images involve a violent or coercive act being performed on one or more individuals to compel them to engage in sexual conduct, what gender are most of the individuals **upon whom these acts are being performed** (tick one)?

- Females/Women
- Males/Men
- Both Females and Males

Where images involve a violent or coercive act being performed on one or more individuals to compel them to engage in sexual conduct, what age are most of the individuals **upon whom these acts are being performed** (tick as many as apply)?

- Youth aged 17 - 20 years
- Adults aged 21 - 65 years
- Elderly aged over 65 years
- Other (please specify):
.....

Section 3(2)c: Sexual conduct with or upon the body of a dead person

Gender: the individuals shown in the images appeared to be mainly (tick one):

- Females
- Males
- Both Females and Males

Age: the individual/s shown in the images appeared to be mainly (tick as many as apply):

- Children and/or young people aged 16 years and under
- Adults (including young adults) aged 17 years and over

What sort of surroundings were evident in the images (tick as many as apply)?

- Domestic environment
- Public place
- Medical location (please specify):
.....
- Commercial/professional looking studio environment
- Masked/controlled environment
- Other (please specify):
.....

Where images involve an act being performed upon a body of a dead person, what gender are most of the individuals **upon whom these acts are being performed** (tick one)?

- Females/Women
- Males/Men
- Both Females and Males

Where images involve an act being performed upon a body of a dead person, what age do most of the individuals **upon whom these acts are being performed** (tick as many as apply)?

- Children and/or young people aged 16 years and under
- Adults (including young adults) aged 17 years and over

Section 3(2)d: The use of urine or excrement in association with degrading or dehumanising conduct or sexual conduct

Gender: the individuals shown in the images appeared to be mainly (tick one):

- Females
- Males
- Both Females and Males

Age: the individual shown in the images appeared to be mainly (tick as many as apply):

- Children and/or young people aged 16 years and under
- Adults (including young adults) aged 17 years and over

What sort of surroundings were evident in the images? (tick as many as apply):

- Domestic environment
- Public place
- Commercial/professional looking studio environment
- Masked/controlled environment
- Other (please specify):
.....

Where images involve a degrading or dehumanising act being performed upon one or more individuals, what gender are most of the individuals **upon whom these acts are being performed** (tick one)?

- Females
- Males
- Both Females and Males

Where images involve a degrading or dehumanising act being performed upon one or more individuals, what age are most of the individuals **upon whom these acts are being performed** (tick as many as apply)?

- Children and/or young people aged 16 years and under
- Adults (including young adults) aged 17 years and over

Section 3(2)e: Bestiality

What sort of surroundings were evident in the images (tick as many as apply)?

- Domestic environment
- Public place
- Farm or related buildings
- Veterinary or medical establishment
- Commercial/professional looking studio environment
- Masked/controlled environment
- Other (please specify):
.....

Section 3(2)f: Acts of torture or the infliction of extreme violence or extreme cruelty

Gender: the individuals shown in the images appeared to be mainly (tick one):

- Females
- Males
- Both Females and Males

Age: the individual shown in the images appeared to be mainly (tick as many as apply):

- Children and/or young people aged 16 years and under
- Adults aged 17 years and over

What sort of surroundings were evident in the images (tick as many as apply)?

- Domestic environment
- Public place
- Commercial/professional looking studio environment
- Masked/controlled environment
- Other (please specify):
.....

Where images involve an act of torture, violence or cruelty being performed upon one or more individuals, what gender are most of the individuals **upon whom these acts are being performed** (tick one)?

- Females
- Males
- Both Females and Males

Where images involve an act of torture, violence or cruelty being performed upon one or more individuals, what age are most of the individuals **upon whom these acts are being performed** (tick as many as apply)?

- Children and/or young people aged 16 years and under
- Adults aged 17 years and over

- Section 3.3c: Degrades, dehumanises or demeans any person (other than those identified under section 3(2))

Please describe the nature of the images including the age, gender and ethnic group of those individuals being degraded, dehumanised, or demeaned:

- Section 3.3d: Promotes or encourages criminal act or acts of terrorism (other than those identified under section 3(2))

Please describe the nature of the images including the type or act being promoted:

- Section 3.3e: Represents that members of any particular class of the public are inherently inferior to other members of the public

Please describe the nature of the images including the class of public identified and the way in which members of this class are represented as inferior:

Part 6: Non-Objectionable Images and Material

26. Nature of any **non-objectionable** images: please indicate what, if any, other images were obtained from the offender that could not be classified as objectionable but which were considered suspicious in the context of the offending?

- Other images of children
- Visibly physically or mentally impaired individuals
- Autopsy or dissemination of body parts
- Other pornography/erotic images
- Other (please specify):
.....

27. Nature of any other **non-objectionable** material: please indicate what, if any, other material was observed in the offenders home or work environment that could not be classified as objectionable but which, **by its nature**, was considered suspicious in the context of the offending

- Children's toys, appliances and/or articles of clothing
- Articles indicating an interest in weaponry, martial arts and/or bondage (please specify):
.....
- Erotic/pornographic material other than images (please specify):
.....
- Other (please specify):
.....

28. Please indicate the nature of the "**non-objectionable**" images and material identified (tick as many as applicable):

- Large collection of objectionable material containing specific themes
- Engaged in the production of objectionable material for trade and/or exchange
- Collection is indexed and well organised
- Wide range of images containing all sorts of sexual oddities (no particular theme)
- Small amounts of material
- Develops web sites, or sells CD-ROMS of images etc.

Part 7: History, Occupation and Associates

30. Known associates
(frequent, direct contact)

31. Criminal History

	Police intelligence	Charge	Conviction	Date of charge
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None

- Non-violent, non-sexual offence (theft, burglary etc.)
- Minor offence of sexual nature (stealing underwear/peeping Tom, offensive behaviour etc.)
- Sexual offence with girl under 16 years old
- Sexual offence with boy under 16 years old
- Sexual offence against an adult
- Other violent offence
- Involvement with the sex industry
- Not known
- Other (specify).....

32. Customs Intelligence (tick as many as apply)

- Passport recorded in Customs Intelligence
- Travel to suspect destinations (where?)
.....
- Frequent traveller (please specify last travel date):
.....
- Recorded overseas for offending (please specify offence/s):
.....
- Associations with suspect individuals (please specify):
.....
- Associations with suspect organisations (please specify):
.....

33. Occupation
- Student (specify course):
 - Information Technology (specify job):.....
 - Educational profession (specify job):.....
 - Medical profession (specify job):.....
 - Other Caregiver (specify job):
 - Farm worker (specify job):
 - White collar/administrative (specify job):.....
 - Clergy (specify job):.....
 - Unemployment beneficiary (please specify how long they have been a beneficiary and what their usual occupation would be if they were employed):
.....
 - Sickness beneficiary (please specify what their usual occupation would be if they were not a beneficiary):
.....
 - Retired/superannuitant (please specify former occupation):
.....
 - Other (please specify):
.....

34. Access
- Works or has frequent contact with children
 - Works or has frequent contact with animals
 - Works or has frequent contact with the general public
 - Is mobile in job (job involves frequent travel of any type)
 - Works primarily with computers
 - Frequently sole caregiver of children/dependants
 - Other access to children or animals (specify).....
 - Access to other subjects (specify).....

Part 8: Computer use and Skills

35. Computer literacy level (need to operationalise ask censorship) High (i.e.define)
 Medium (i.e. define)
 Medium low (i.e. define)
 Low (i.e. define)
36. Approximately how much time did the offender spend on the computer during the week prior to the warrant being served? Less than 10 hours
 10 - 30 hours
 More than 30 hours (how much?):
.....
37. Internet application used for offending IRC
 Websites
 ICQ
 Newsgroups
 Email
 Other (specify).....
38. Storage of objectionable images Hard drive
 Floppy
 Zip drive
 CD ROM
 Hard copy
 Other (please specify):
39. Where were the images stored?
40. Security of images None
 Saved to ambiguously named directory
 Password protected
 Encrypted application used (please specify):
.....
 Other (please specify):.....

41. Does the individual possess
- Camera (mechanical, including video)
 - Camera (digital)
 - Scanning equipment and/or software
42. Estimate total cost of all computer and imaging equipment in the possession of the offender (VUW)
-
-
-

Part 9: Apprehension and Prosecution

43. What was the offender doing at the time the warrant was executed?

.....

.....

.....

.....

.....

.....

44. Reaction to warrant
- Expressed intent to continue offending and/or commit other crimes (what?).....
 - Expressed pride in behaviour/abilities
 - Freely admitted offence
 - Partly admitted offence
 - Not prepared to admit skill level/provide details
 - Tried to shift blame (how?).....
 - Admitted but minimised offence (how?).....
 - Pleaded ignorance in relation to offence (how?).....
 - Completely denied offence
 - Refused to answer questions
 - Expressed feelings of shame and/or a desire to hide activities from loved ones
 - Became physically threatening and/or intimidating (how?).....
 - Threatened or completed self harm/suicide
 - Other (specify)

Appendix C: Discussion of issues arising during piloting of the Censorship Offenders Questionnaire

The profiling tool provided in Appendix B was piloted for 35 offenders. The results of this pilot suggest a number of difficulties associated with its implementation, and possibilities for improvement.

A range of issues were identified in the development of the profiling tool. The fact that the data were collected by the inspectors, rather than directly from the offenders, provided greater scope for error and misinterpretation. It is also likely that, due to the very nature of their work, and their personal circumstances, the inspectors were biased against specific types of offenders. Such biases may have led them to pay more attention to certain offence types than others.

However, data collection by the inspectors also provided the research with a level of objectivity and consistency that would not otherwise have been possible. The inspectors are generally aware of a wider range of offence activities than individual offenders and are therefore better able to identify distinctions between them and similarities across them. Furthermore, given that the inspectors are very familiar with the subject matter, they are well placed to notice subtle differences between images, circumstances and attitudes.

Even if offenders had been given the opportunity to provide input, their data would have been subject to problems of recall and demand characteristics influencing the way that they interpret their activities. By employing inspectors to provide information about them, the scope for motivational inference was greatly reduced and the data were refined to that which was immediately visible and measurable.

Of course, because of the secondhand nature of the data, it was impossible to obtain direct information about what attracted the offenders to the images and therefore assumptions were made on the basis of salient features. The quantitative nature of the data collection makes qualitative differences hard to interpret.

The fact that questions frequently referred to most of the images, or to the majority of images, also affected the level of detail available regarding qualitative differences between them. One problem arising from this was that the inspectors frequently identified the majority of individuals portrayed in images as female and the majority of people to which actions were being done as female.

This distinction was intended to account for the lack of activity being performed upon the subjects of some pictures. However, it meant that only the subjects of the pictures tended to be identified and it was not clear who was performing any activities in the images, or how. As such, no detail could be obtained about possible differences in the way different types of individuals (i.e. females and males, older and younger children, Caucasian and Asian) were viewed by the same offender. It is therefore recommended that in future questionnaires, the questions pertain to the subject and object of the images.

Although space was available for inspectors to make comments about the images, the questions asked specifically about unusual or striking features of the images. Given the desensitisation that inevitably results from exposure to significant amounts of this type of information, it is impractical to expect inspectors to have provided other observations about less salient features.

In some cases the questionnaire did not provide space to collect data that could have provided significant qualitative interpretative function because the importance of this information was not recognised at the outset. For instance, in the case of bestiality, it was assumed that the offender's interest focused on sexual activity with animals. However, the finding that variables classified under section 3(2)(e) frequently correlated with those from section 3(2)(d) suggests that this type of activity also serves a degrading or dehumanising function. As such, it would have also been useful to collect information about whether the sexual activities were being done to or done by the animals and upon whom. Similarly, the type of animal might also be significant within this context.

The results of the SSA analysis also suggest that there are a number of variables that define offender interest in objectionable material that were not identified in the data. It is recommended that additional qualitative questions regarding specific details of images be included under each of the section categories of Part 4, so that insight might be obtained regarding the nature of these variables.

It is also clear that, because more questions were asked about images classified under section 3(2)(a), the variables associated with this section were more salient across the factors, while the variables associated with section 3(2)(e) were largely hidden. Given that the largest proportion of offenders were identified in possession of, or trading in, images associated with section 3(2)(a), the over representation of these variables is acceptable. However, it is recommended that in future questionnaires, additional questions be included under the other sections.

It was also found that inspectors completed the questionnaire in a range of ways. In some cases inspectors only completed variable details under those sections for which the offender was formally prosecuted. In others they completed all sections to which the images applied. Furthermore, some images were associated with more than one section, but variables were only identified under the section that was prosecuted. As section 3(2)(a) was most commonly prosecuted, data from images pertaining to this Section were over represented.

In terms of providing a representative analysis, the sample was less than ideal. The offenders were selected on the basis of ease of access to information and the Censorship Compliance Unit identified them all. Given these limitations, it is recommended that future analyses include a minimum of 50 subjects. An increase in offender sample size would not only increase the generalisability of results, but would also strengthen the conclusions that could be drawn from the MDS analysis. Furthermore, a greater number of subjects would allow effective MSA analysis regarding individual offender preferences and associations between their lifestyle and demographic details.

In terms of the demographic and lifestyle variables identified in the questionnaire, a number of

difficulties were also identified regarding their interpretation. These include:

- the word “flat” being confused with shared rental accommodation (that could be a house), rather than apartment
- the definition of “poorly maintained” and the absence of an average category regarding maintenance level
- distinction between towns and cities and the separation between cities and regions.

Few inspectors identified more than one category when indicating who an offender was living with. Given that “with partner” was the first option provided, this could well have led to a decrease in the number of times offenders were recorded as living with children. Furthermore, comments from the inspectors indicate that it may be necessary to distinguish between those living with grown children and those living with young children.

There was also an abundance of “other” responses to the question regarding whether offenders worked or studied alone or with others. It is recommended therefore that this question be more clearly defined in terms of whether or not offenders spend most of their employed/study time with other professionals/students.

Some of the categories regarding the nature of the offending (Question 21) were difficult to answer because they covered more than one concept. These need to be simplified and defined according to whether they are part of the offending (i.e. collecting large amounts of images) or offence-related activities (organising and classifying images).

In addition, a number of questions were found to be relatively redundant in terms of yielding relevant information. These have been excluded from the modified version of the questionnaire (Appendix D).

Despite the difficulties with the pilot research, use of the profiling tool yielded a number of insights into offender behaviour that would not otherwise have been available. Most importantly, it facilitated the systematic collection of potentially significant information in terms of comparing offenders across time and offences. It is recommended that the questionnaire be modified and that inspectors continue to use it.

The following notes provide additional explanation regarding changes made to the questionnaire presented in Appendix D.

Question 2: Nickname/s

In cases where the nickname was not known, inspectors frequently wrote “Unknown”. It is recommended that where nicknames are not known the question be left blank as “Unknown” could actually be a nickname.

Question 4: Date of Birth

To aid analysis and future comparison between results, it is recommended that an additional question regarding the offender's age at the time they were identified be added.

Question 7: Type of residence

Comparison across the results suggests that the word "flat" may have been confused with the concept of shared rental accommodation. The question was aimed at distinguishing between whether offenders resided in apartment-style accommodation as opposed to detached houses or units. Therefore, it is recommended that the word "flat" be removed from future questionnaires.

Question 8: Description of residence

The question provided a category labelled "poorly maintained" and a category labelled "well maintained". In response to the descriptions provided by inspectors it is recommended that the poorly maintained label be changed to "excessively unkempt, messy, filthy, and/or cluttered". The well maintained label could similarly be replaced by "excessively well kept, tidy, clean and uncluttered". In order to account for the responses of those inspectors who wrote "average" onto the questionnaire at this point, an additional average category could be included.

Question 10: Location of home address

The results showed significant confusion over the difference between towns and cities and between cities and regions. It is recommended that in future, this information be determined from the data pertaining to the offender's address.

Question 11: Household composition

The results suggested that inspectors were only ticking one option within this category, regardless of how many applied. It is recommended that an instruction to "tick all that apply" be added. It is also recommended that individuals living with children aged under 25 years be distinguished from those living with children aged 25 years and over.

Question 12: Work environment

The results yielded a sizable number of "other" responses to this question. Many of these concerned the type of work undertaken by the offenders, or their work status. The purpose of this question was to assess whether the individual spent most of their time alone or with others. In order to distil this information from information about the nature of the work undertaken by the individual, it is recommended that question 12 be moved to follow on from question 33 (concerning the occupation of the individual).

Question 13: Other factors - Mental health problems

A number of responses were made regarding the inspector's opinion of the offender's mental health. It is recommended that the question indicate that only clinically identified issues should be reported.

Part 3: Detection

These questions are largely targeted at electronic offences. They were very limiting in terms of information regarding non-electronic offences. It is recommended that additional questions be developed to account for such offences.

Question 15: Date of warrant

In some cases the files indicate that no warrant was executed. It is recommended that this question be modified to "Date of warrant/interview".

Question 21: Nature of offending

A number of issues were identified in response to this question. In particular, many of the categories included more than one concept. For instance, large collections and specific themes are grouped together, as are collections containing a wide range of images and those containing all sorts of oddities. These categories need to be broken down and presented as parts.

Inspectors recorded individuals engaged in a wide range of activities as "producing" objectionable material. These included trading and scanning as well as actually making, photographing, writing, or filming. It is recommended that these variations be identified separately.

The results also suggest a difference between the nature of various offending types (i.e. the size and scope of collections) versus offence-related activities (i.e. the way in which offenders organise offence related material). It is recommended that these be developed as separate questions.

Question 22: Nature of objectionable material and images

Section 3(2)(e): Under bestiality, it is recommended that a list of who is engaged with the animals be included, e.g. females, males etc. It is also recommended that the data be defined according to whether these individuals are perpetrating the sexual act, or having the sexual act done to them.

Greater definition is also required regarding multiple classification. It is recommended that images portraying activities that can be classified under more than one section be coded under all of those that are appropriate (i.e. section 3(2)(a) and 3(2)(e)), except where it relates to section 3.3(c) and 3.3(d).

Question 24: How old are the most recent of the images obtained?

The results suggest confusion regarding whether this question refers to the date the pictures were accessed or the date they were produced. It is recommended that the question be reworded to specify information about when the images were made.

Question 25: Please comment on any unusual or striking features of the images

In order to target this question it is recommended that it be asked separately after each of the categories identified in Part 4.

Part 6: Non-Objectionable images and material

In order to focus this part, it is suggested that it begin with a question about whether or not there were any images or material that could not be classified as objectionable but were considered suspicious within the context of offending.

Question 28: Please indicate the nature of the "non-objectionable" images and material identified

This question largely reflects the result of the question regarding the nature of the objectionable material. It is suggested that it be left out of the final questionnaire.

Question 31: Criminal history

This question is quite complex and was not completed well during the pilot. It is recommended that it be simplified.

Question 34: Access

This question yielded variable results. Some inspectors provided very specific information regarding offenders' access to subjects, whilst others gave results that were inconsistent with other data (particularly with regards to work with the general public) or very general. It is recommended that response categories be separated according to whether or not the offender "works with" or has "other access to" subjects.

Questions 38 and 39: Storage of objectionable images and Where were the images stored?

Question 39 was intended to identify specific location of disks etc, i.e. under the floorboards, but the results largely replicate those of question 38. Therefore, it is recommended that question 39 be deleted from the final questionnaire.

Question 43: What was the offender doing at the time the warrant was executed?

Question 43 yielded some interesting but largely useless comments. It is suggested that it be deleted from the final questionnaire.

Question 44: Reaction to warrant

The results showed that few offenders threatened self-harm but a number were reported to have undertaken such steps. Therefore, it is recommended that this question be separated according to the offenders reaction to the warrant and notable activities during or since the warrant was executed. Furthermore, several of the reaction types that were identified were very similar or frequently co-

existing. These included partly admitting offence/admitting but minimising offence, completely denying offence/trying to shift blame for offence, and refusing to answer questions/not being prepared to admit skill level or provide details. It is recommended that these be combined in the final questionnaire.

Appendix D: Modified Censorship Offenders **Questionnaire**

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Part 1: Demographics

1. Name
2. Nickname/s
3. Gender
 - Male
 - Female
4. Date of Birth
5. Age at time of identification
 - under 10 years 36-45 years
 - 10-15 years 46-55 years
 - 16-17 years 56-65 years
 - 18-25 years over 65 years
 - 26-35 years
6. Ethnicity
 - NZ European Pacific Island
 - Māori Asian
 - Other (please specify):.....
7. Address
8. Type of residence
 - Apartment
 - House/unit
 - Other (specify):
9. Description of residence
 - Average level of cleanliness/tidiness (*e.g. nothing particularly notable about the levels of dirt or the tidiness of personal effects*)
 - Residence is excessively unkempt, messy, filthy, and/or cluttered (*eg. difficult to move through, layers of dirt, lots of food and personal effects left lying around*)
 - Other (specify):
10. Estimated socio-economic level
 - Low
 - Medium

High

Part 2: Isolation

11. Location of home address

- Main Urban Area – e.g. *Auckland, Wellington, Christchurch, Hamilton, Dunedin*
(specify):
- Secondary Urban Area – e.g. *Palmerston North, Tauranga, Hastings, Rotorua, Napier, Invercargill, New Plymouth, Nelson, Whangarei, Wanganui, Gisborne, Timaru, Whakatane, Taupo, Blenheim, Masterton* (specify):
- Town – e.g. *Gore, Thames, Foxton, Clutha, Westport* (specify):
- Semi-rural/lifestyle block (specify):
- Rural (specify):

12. Household composition (tick all that apply)

- Living alone
- Living with partner
- Living with own children
- Living with step children
- Living with other (non-family) children (specify):
- Living with parents or grandparents
- Living with other (non family) adults (specify):
- Other (specify):

13. Other factors

- Clinically identified physical health problems (specify):
- Clinically identified mental health problems (specify):

Part 3: Detection

14. Date of warrant/interview

.....

15. Method of offending (tick all that apply)

- Static Computer images
- Moving Computer Images
- Computer Audio files
- Other Static Images (specify):
- Other Moving Images (specify):
- Other Audio (specify):
- Other (specify):

16. Location of offending (tick all that apply)

- Home
- Work
- Other (specify):

17. Location of computer, or other vehicle of offending

	Private <i>Access limited to the offender</i>	Open <i>Individuals other than the offender also have access</i>	Other <i>Describe:</i>
Bedroom	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Office space	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Communal space <i>(i.e. living or dining room)</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Removed from main premises (where?)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

18. How many objectionable images were identified in the offender's possession?

.....
.

19. Was any other objectionable material discovered in the possession of the offender?

- Yes (what?).....
 No

20. Details of detection

- Complaint
 Trade of objectionable material on the Internet
 Identified from another offender's computer log
 Identified as creating objectionable material
 Identified by other Government agency (specify):
 Other (specify):

21. How would you describe the offender's collection of objectionable images and/or material?

- Small
 Medium
 Large

22. Nature of offending (tick as many as applicable)

- Collecting objectionable material containing specific themes (eg. images where subjects appear obviously distressed, images of very specific age groups, images portraying the subject being caught unaware)
 Collecting a wide range of images containing all sorts of sexual/objectionable oddities (no particular theme/s)
 Classifying and offering objectionable material for trade and/or exchange
 Generating new objectionable material for trade and/or exchange (involving photographing, writing, filming, recording)
 Developing web sites, or selling CD-ROMS, of objectionable images etc. for financial gain
 Other (specify):

23. Offence related activities (tick as many as applicable):

- Collection is indexed and well organised
- Offender deletes/disposes of objectionable material after viewing
- Offender hides objectionable material after viewing
- Other (specify):

Part 4: Nature of Objectionable Images and Material

Nature of the **objectionable** material: under which of the following sections of the Films, Videos and Publications Classification Act (1993) are the images and material deemed objectionable (complete all of the sections to which they apply, not just those that were prosecuted)

24. Are any of the images deemed objectionable under **Section 3(2)(a)** of the Films, Videos, and Publications Classification Act (1993): **The exploitation of children, or young persons, or both, for sexual purposes?**

- Yes (complete all of the following questions)
- No (proceed to question 25)

24(i). In the majority of the images, the children or young people appeared to be engaged in the following activities or actions (tick as many as applicable):

- Naturalist type nudity or partial nudity
- Posed nudity or partial nudity without display of genitals
- Posed nudity or partial nudity with display of genitals
- Explicitly sexual acts or actions
- Explicitly harmful acts or actions (eg. Physical violence, involvement of weapons, use of torture instruments, bondage)
- Physical and/or verbal expression of fear and/or distress
- Incest or implied incest
- Dehumanising and degrading activities (including extreme close-ups, use of body as an inanimate object)
- Other (please specify):

24(ii). Were the children or young people shown: (tick as many as applicable)

- Alone
- With other children or young people
- With adults
- Other (please specify):

24(iii). Were series' of related images with narrative qualities identified: (tick one)

- No
- Yes (please specify):

24(iv). Individuals portrayed in the images (tick all that apply)

	<i>Children or young people portrayed as the <u>subject</u> of images, or as <u>having activities done to them</u>, were:</i>	<i><u>Perpetrators of activities</u> portrayed in the images were:</i>
<i>Gender</i>	<input type="checkbox"/> Females <input type="checkbox"/> Males	<input type="checkbox"/> Females <input type="checkbox"/> Males
<i>Ethnic group</i>	<input type="checkbox"/> Caucasian <input type="checkbox"/> Hispanic <input type="checkbox"/> Māori/Pacific <input type="checkbox"/> African <input type="checkbox"/> Asian <input type="checkbox"/> Other (specify):.....	<input type="checkbox"/> Caucasian <input type="checkbox"/> Hispanic <input type="checkbox"/> Māori/Pacific <input type="checkbox"/> African <input type="checkbox"/> Asian <input type="checkbox"/> Other (specify):.....
<i>Age</i>	<input type="checkbox"/> Babies (under 2 years old) <input type="checkbox"/> Young Children aged 2 - 7 years <input type="checkbox"/> Older Children aged 8 - 12 years <input type="checkbox"/> Teenagers aged 13 - 16 years	<input type="checkbox"/> Babies (under 2 years old) <input type="checkbox"/> Young Children aged 2 - 7 years <input type="checkbox"/> Older Children aged 8 - 12 years <input type="checkbox"/> Teenagers aged 13 - 16 years <input type="checkbox"/> Young adults 17 - 25 years <input type="checkbox"/> Adults over 25 years

24(v). What sort of surroundings were evident in the images? (tick as many as applicable)

- Domestic environment
- School
- Public place
- Commercial/professional looking studio environment
- Masked/controlled environment
- Other (please specify):

24(vi). Please comment on any unusual or striking features of the images identified under section 3(2)(a).

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25. Are any of the images deemed objectionable under Section 3(2)(b) of the Films, Videos, and Publications Classification Act 1993: **The use of violence or coercion to compel any person to participate in, or submit to, sexual conduct?**

- Yes (complete all of the following questions)
- No (proceed to question 26)

25(i). In the majority of the images, the individuals appeared to be engaged in the following activities or actions (tick as many as applicable):

- Explicitly harmful acts or actions (eg. Physical violence, involvement of weapons, use of torture instruments, bondage)
- Rape or implied rape scenes (including all forced sexual activities)
- Physical and/or verbal expression of fear and/or distress
- Incest or implied incest
- Dehumanising and degrading activities (including extreme close-ups, use of body as an inanimate object)
- Other (specify):

25(ii). Were series' of related images with narrative qualities identified: (tick one)

- No
- Yes (please specify):

25(iii). Individuals portrayed in the images (tick all that apply)

	<i>Individuals portrayed as the <u>subject</u> of images, or as <u>having activities done to them</u> were::</i>	<i>Perpetrators of activities portrayed in the images were</i>
<i>Gender</i>	<input type="checkbox"/> Females <input type="checkbox"/> Males	<input type="checkbox"/> Females <input type="checkbox"/> Males
<i>Age:</i>	<input type="checkbox"/> Youth aged 17 – 20 years <input type="checkbox"/> Adults aged 21 – 65 years <input type="checkbox"/> Elderly aged over 65 years <input type="checkbox"/> Other (specify):	<input type="checkbox"/> Youth aged 17 – 20 years <input type="checkbox"/> Adults aged 21 – 65 years <input type="checkbox"/> Elderly aged over 65 years <input type="checkbox"/> Other (specify):

25(iv). What sort of surroundings were evident in the images? (tick as many as applicable)

- Domestic environment
- Public place
- Commercial/professional looking studio environment
- Masked/controlled environment
- Other (specify):

25(v). Please comment on any unusual or striking features of the images identified under section 3(2)(b).

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26. Are any of the images deemed objectionable under **Section 3(2)(c)** of the Films, Videos and Publications Classification Act (1993): **Sexual conduct with or upon the body of a dead person?**

- Yes (complete all of the following questions)
- No (proceed to question 27)

26(i). Were series' of related images with narrative qualities identified: (tick one)

- No
- Yes (please specify):

26(ii). Individuals portrayed in the images (tick all that apply)

	<i>Individuals portrayed as the <u>subject</u> of images, or as <u>having activities done to them</u> were:</i>	<i>Perpetrators of activities portrayed in the images were:</i>
<i>Gender</i>	<input type="checkbox"/> Females <input type="checkbox"/> Males	<input type="checkbox"/> Females <input type="checkbox"/> Males
<i>Age</i>	<input type="checkbox"/> Children and/or young people aged 16 years and under <input type="checkbox"/> Adults (including young adults) aged 17 years and over	<input type="checkbox"/> Children and/or young people aged 16 years and under <input type="checkbox"/> Adults (including young adults) aged 17 years and over

26(iii). What sort of surroundings were evident in the images? (tick as many as applicable)

- Domestic environment
- Public place
- Medical location (please specify):
- Commercial/professional looking studio environment
- Masked/controlled environment
- Other
(specify):.....

26(iv). Please comment on any unusual or striking features of the images identified under section 3(2)(c).

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27. Are any of the images deemed objectionable under **Section 3(2)(d)** of the Films, Videos, and Publications Classification Act (1993): **The use of urine or excrement in association with degrading or dehumanising conduct or sexual conduct?**

- Yes (complete all of the following questions)
- No (proceed to question 28)

27(i). Were series' of related images with narrative qualities identified: (tick one)

- No
- Yes (please specify):

27(ii). Individuals portrayed in the images (tick all that apply)

	<i>Individuals portrayed as the <u>subject</u> of images, or as <u>having activities done to them</u> were:</i>	<i>Perpetrators of activities portrayed in the images were:</i>
<i>Gender</i>	<input type="checkbox"/> Females <input type="checkbox"/> Males <input type="checkbox"/> Both Females and Males	<input type="checkbox"/> Females <input type="checkbox"/> Males <input type="checkbox"/> Both Females and Males
<i>Age</i>	<input type="checkbox"/> Children and/or young people aged 16 years and under <input type="checkbox"/> Adults (including young adults) aged 17 years and over	<input type="checkbox"/> Children and/or young people aged 16 years and under <input type="checkbox"/> Adults (including young adults) aged 17 years and over

27(iii). What sort of surroundings were evident in the images? (tick as many as applicable)

- Domestic environment
- Public place
- Commercial/professional looking studio environment
- Masked/controlled environment
- Other (specify):

27(iv). Please comment on any unusual or striking features of the images identified under section 3(2)(a).

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28. Are any of the images deemed objectionable under **Section 3(2)(e)** of the Films, Videos, and Publications Classification Act (1993): **Bestiality**?

- Yes (complete all of the following questions)
- No (proceed to question 29)

24(i). Were series' of related images with narrative qualities identified: (tick one)

- No
- Yes (please specify):

28(ii). Human individuals portrayed in the images

	<i>Individuals <u>having sexual acts performed upon them</u> by animals were:</i>	<i>Individuals <u>performing sexual acts upon animals</u> were:</i>
<i>Gender</i>	<input type="checkbox"/> Females <input type="checkbox"/> Males <input type="checkbox"/> Both Females and Males	<input type="checkbox"/> Females <input type="checkbox"/> Males <input type="checkbox"/> Both Females and Males
<i>Age</i>	<input type="checkbox"/> Children and/or young people aged 16 years and under <input type="checkbox"/> Adults (including young adults) aged 17 years and over	<input type="checkbox"/> Children and/or young people aged 16 years and under <input type="checkbox"/> Adults (including young adults) aged 17 years and over

28(iii). What sort of surroundings were evident in the images? (tick as many as applicable)

- Domestic environment
- Public place
- Farm or related buildings
- Veterinary or medical establishment
- Commercial/professional looking studio environment
- Masked/controlled environment
- Other (specify):

28(iv). Please comment on any unusual or striking features of the images identified under section 3(2)(e).

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29. Are any of the images deemed objectionable under **Section 3(2)(d)** of the Films, Videos, and Publications Classification Act (1993): **Acts of torture or the infliction of extreme violence or extreme cruelty?**

- Yes (complete all of the following questions)
- No (proceed to question 30)

29(i). Were series' of related images with narrative qualities identified: (tick one)

- No
- Yes (please specify):

29(ii). Individuals portrayed in the images (tick all that apply)

	<i>Individuals portrayed as the <u>subject</u> of images, or as <u>having activities done to them</u> were:</i>	<i>Perpetrators of activities portrayed in the images were:</i>
<i>Gender</i>	<input type="checkbox"/> Females <input type="checkbox"/> Males <input type="checkbox"/> Both Females and Males	<input type="checkbox"/> Females <input type="checkbox"/> Males <input type="checkbox"/> Both Females and Males
<i>Age</i>	<input type="checkbox"/> Children and/or young people aged 16 years and under <input type="checkbox"/> Adults (including young adults) aged 17 years and over	<input type="checkbox"/> Children and/or young people aged 16 years and under <input type="checkbox"/> Adults (including young adults) aged 17 years and over

29(iii). What sort of surroundings were evident in the images? (tick as many as applicable)

- Domestic environment
- Public place
- Commercial/professional looking studio environment
- Masked/controlled environment
- Other (specify):

29(iv). Please comment on any unusual or striking features of the images identified under section 3(2)(f)?

.....

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31. Are any of the images deemed objectionable under **Section 3(3)(c)** of the Films, Videos and Publications Classification Act (1993): **Degrades, dehumanises or demeans any person** (other than those identified under section 3(2))?

- Yes (complete the following question)
- No (proceed to question 32)

31(i). Please describe the nature of the images, including the age, gender and ethnic group of those individuals being degraded, dehumanised, or subjected to demeaning activity:

.....
.....
.....
.....

32. Are any of the images deemed objectionable under **Section 3(3)(d)** of the Films, Videos and Publications Classification Act (1993): **Promotes or encourages criminal act or acts of terrorism** (other than those identified under section 3(2))?

- Yes (complete the following question)
- No (proceed to question 33)

32(i). Please describe the nature of the images, including the type of act being promoted:

.....
.....
.....
.....

33. Are any of the images deemed objectionable under **Section 3(3)(e)** of the Films, Videos, and Publications Classification Act (1993): **Represents that members of any particular class of the public are inherently inferior to other members of the public?**

- Yes (complete the following question)
- No (proceed to question 34)

33(i). Please describe the nature of the images, including the class of public identified, and the way in which members of that class are represented as inferior:

.....
.....
.....
.....

Part 5: Details of the Objectionable Images and Material

34. Are any of the images new to the censorship officer? (i.e. not previously come to their notice)

- Yes (how many?):.....
- No

35. Estimate when the most recent of the images were made?

- less than 5 years ago
- 5 - 10 years ago
- more than 10 years ago
- cannot tell

Part 6: Non-Objectionable Images and Material

36. Were any other images or material obtained from the offender that could not be classified as objectionable, but which were considered suspicious in the context of the offending?

- Yes
- No

37. Nature of any **non-objectionable** images and material: please indicate what, if any, other images or material was obtained from the offender that could not be classified as objectionable but which were considered suspicious in the context of the offending?

- Other images of children
- Images of autopsies or dissection of body parts
- Other pornography/erotic images
- Children's toys, appliances and/or articles of clothing
- Articles indicating an interest in weaponry, martial arts and/or bondage (specify):
- Erotic/pornographic material other than images (specify):
- Other (specify):

38. Please comment on any unusual or striking features of the “**non-objectionable**” images or material?

.....

.....

.....

.....

.....

Part 7: History, Occupation and Associates

39. Known associates (frequent, direct contact)

.....
.....

40. Previous censorship convictions (DIA)?

- Previous DIA censorship convictions (date of conviction):
.....
- Previous detection by censorship enforcement officers without conviction
(date of detection):
- Any other previous contact with the censorship enforcement unit
(what?):

41. Criminal History – police intelligence (tick as many as applicable)

Date of conviction

- None
- Non-violent, non-sexual offence (theft, burglary etc.)
- Minor offence of sexual nature (stealing underwear/peeping
Tom, offensive behaviour etc.)
- Sexual offence with girl under 16 years old
- Sexual offence with boy under 16 years old
- Sexual offence against an adult
- Other violent offence
- Involvement with the sex industry
- Not known
- Other (specify).....

42. Customs Intelligence (tick as many as applicable)

- Passport recorded in Customs Intelligence
- Travel to suspect destinations (where?)
- Frequent traveller (specify last travel date):
- Recorded overseas for offending (specify offence/s):
- Associations with suspect individuals (specify):.....
- Associations with suspect organisations (specify):

43. Occupation

- Student (specify course):
- Information Technology (specify job):.....
- Educational/training profession (specify job):.....
- Medical profession (specify job):.....
- Other Caregiver (specify job):
- Farm worker (specify job):
- Other professional/administrative (specify job):.....
- Clergy (specify job):.....
- Retail (specify job):.....
- Trades-person (specify job):.....
- Unemployment beneficiary (specify how long they have been a beneficiary and what their usual occupation would be if they were employed):
- Sickness beneficiary (specify what their usual occupation would be if they were not a beneficiary):
- Retired/superannuitant (specify former occupation):
- Other (specify):

44. Work environment (Is the majority of the offender's work/study time spent alone or with other workers/students?):

- Not working and not participating in an education/training course
- Works/studies alone
- Works/studies with others
- Other (specify):

45. Does the offender engage in any known voluntary activities?

- Yes (specify):
- No

46. Does the offender have **above average** access to subjects or computer time through his job or voluntary activities?

- Works with children
- Works with animals
- Works with the general public
- Is mobile in job (job involves frequent travel of any type)
- Works primarily with computers
- Frequently caregiver of children/dependants
- Other access to children or animals (specify)
- Access to other subjects (specify).....

Part 8: Computer use and Skills

47. Computer literacy level

- High (*define*).....
- Medium (*define*).....
- Medium low (*define*).....
- Low (*define*).....

48. Estimate how much time the offender spent on the Internet during the week prior to the warrant

being served?

- less than 10 hours
- 10 - 30 hours
- more than 30 hours (specify):.....

49. Internet application used for offending

- IRC
- Websites
- ICQ
- Newsgroups
- Email
- Other (specify):.....

50. Storage of objectionable images

- Hard drive/large capacity fixed storage device
- Floppy/small capacity portable storage device
- CD ROM/medium capacity portable storage device
- Zip drive/large capacity portable storage device
- Hard copy
- Other (specify):

51. Security of images

- None
- Saved to inconspicuously named directory
- Password protected
- Encrypted application (specify):.....
- Other (please specify):.....

52. Does the individual possess any of the following? (tick all that apply)

- SLR Mechanical Camera
- Film or Video Camera
- Digital Camera
- Scanning equipment and/or software

53. Estimate the resale value of all computer and imaging equipment in the possession of the offender at the time of seizure

.....

Part 9: Apprehension and Prosecution

54. Reaction to warrant

- Freely admitted offence
- Partly admitted offence/admitted but minimised offence
- Completely denied offence/tried to shift blame
- Refused to answer questions/ not prepared to admit skill level or provide details
- Other (specify)

55. Notable offender activities during or since executing the warrant

- Mentioned self harm/suicide

