

SUMMARY OF REASONS FOR DECISION

Under the Films, Videos, and Publications Classification Act 1993 (FVPC Act)

HEADNOTE

Title of publication:	Dom Hemingway
Other known title(s):	Not stated
OFLC ref:	1400149.000
Medium:	DVD
Classification:	Objectionable except if the availability of the publication is restricted to persons who have attained the age of 16 years.
Descriptive note:	Graphic violence, drug use, offensive language and sexual material
Display conditions:	None

The DVD contains a feature from the UK with a running time of 89 min 42 sec, and two short components about the titular main protagonist.

Dom Hemingway is a comedic drama about a violent criminal who, after serving a lengthy prison sentence, tries to collect a sum of money owed to him and reconnect with his estranged daughter. Dom is a thief who served 12 years in prison. During that time he protected the identity of his accomplice, a Russian crime boss named Ivan Fontaine. Upon his release from prison Dom travels to France to meet Ivan, and demands a large sum of money for keeping his silence. Ivan gives Dom his reward, but the money is stolen by Ivan's lover after Dom accidentally kills Ivan by crashing his sports car. Dom returns to London without any money and tries to reconnect with his daughter, Evelyn, but she wants nothing to do with him. Dom attempts to re-enter the criminal world (he is allegedly an expert safe cracker) but nearly winds up being killed. At the end of his tether Dom visits the grave of his wife, who died from cancer while he was in prison. Afterwards he runs into Evelyn and her young son. In the first step towards reconciliation, Evelyn offers to let Dom take her son to school the following week.

Regarding matters of sex the film contains crass verbal sexual references and brief scenes of drug-fuelled sexual activity. The film opens with a lengthy monologue by Dom about his "cock" which he variously describes as being made of titanium and is a work of art. During the monologue, Dom appears to be receiving fellatio – at one point he puts his right arm down below frame and reacts with greater pleasure. At the climax of the monologue the scene cuts to a wide shot to show a man kneeling in front of him, and Dom apologises to the man for the lack of warning. After he is released from prison Dom goes to a bar and receives the first of his "presents" from Ivan – two young women. A quick cutaway shows Dom and the two women cavorting naked and snorting cocaine. One of the women appears to be doing a handstand with her legs spread apart, though her genitals are not visible. A later montage depicts Ivan, Dom, and his friend Dicky partying with women in bikinis. One of the women is topless. There are shots of Dom and Dicky kissing the women intercut with them drinking and using cocaine, but sexual

activity is implied by the context rather than explicitly depicted. Sexual content is a relatively minor part of the publication overall.

The publication deals with matters of crime under s3(1) of the FVPC Act. Dom is a violent career criminal who snorts cocaine on a number of occasions, alone and with other people. Criminal matters are considered further below.

The publication also deals with cruelty and violence under s3(1). The infliction of serious physical harm and acts of significant cruelty are discussed below under s3(3)(a)(i).

The publication does not promote or support, or tend to promote or support, any s3(2) matters.

The publication depicts the infliction of serious physical harm and acts of significant cruelty to a low extent but in one instance a high degree. The strongest scene occurs immediately after Dom is released from prison and goes to visit his deceased ex-wife's partner, Sandy. Dom head butts Sandy and knees him in the groin several times. Sandy falls to the ground. Dom lectures him about sleeping with his wife, and then punches Sandy in the face repeatedly. Most of the blows land off-screen but are accompanied by loud sound effects which heighten the impact. Dom bends forward and appears to bite Sandy's ear and then leans back and has a cigarette. Sandy's unconscious face is depicted afterwards covered in blood. After Dom crashes Ivan's car, Ivan is depicted stumbling comically around with a large piece of twisted metal piercing his stomach.

The threat of serious physical harm is dealt with when an old contact of Dom's, Lester, promises to cut Dom's penis off if he fails to unlock a safe within 10 minutes. Dom successfully opens one safe but does not realise there is another safe inside the first safe which he has failed to open. Two men grab Dom's arms then make him take his trousers down. Lester pulls out a knife and is about to use it when two men from the safe security company burst into the room. Dom reacts by hitting the two men in the stomach and face with a sledgehammer and escaping.

Dom's violent assault on Sandy and subsequent out-of-control behaviour can be viewed as a result of his flawed, narcissistic personality and addictions to drugs and alcohol. While his behaviour is exploited to some extent for comedic effect, there is little sense that drug taking or other illegal behaviour is promoted or encouraged, (s3(3)(d)) especially given Dom's eventual arc towards redemption and reconciliation with his daughter.

Under s3A the film contains frequent use of highly offensive language, in particular use of the word "fuck" and "cunt". The language is often used in an aggressive manner and would be highly offensive to the public in general and if emulated likely to result in serious harms such as alienation or intimidation.

The publication's dominant effect is a comedic crime drama about an obnoxious, narcissistic and violent criminal's search for redemption.

The unrestricted availability of the publication is likely to be injurious to the public good. The cruelly violent assault at the beginning of the film would be greatly disturbing and shocking to most young viewers while for some it may trivialise acts of extreme violence – the repercussions of the violent assault are not explored and Dom is otherwise portrayed as a moderately sympathetic (underdog) character. Children and young teenagers' attitudes and behaviour may also be negatively affected by exposure to the adult material contained in the film, such as the rampant drug use and sexual activity and the way women are objectified. The widespread highly offensive language, often used in an intimidating and aggressive manner, supports the need for an age restriction. The DVD's availability is therefore restricted to people who are at least 16 years

of age. This classification interferes with the freedom of expression contained in the New Zealand Bill of Rights Act 1990 but is consistent with s3(3) of the FVPC Act to limit the availability of publications likely to be injurious to the public good.


Note:

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CONSIDERATION SHEET

OFLC ref:	1400149.000
Submission channel:	s12(1)

Title of publication:	Dom Hemingway
Other known title:	Not stated
Medium:	DVD
Distributor:	Sony Pictures Home Entertainment
Director:	Richard Shepard
Producer:	Jeremy Thomas
Country of origin:	United Kingdom
Language:	English
Applicant:	Film & Video Labelling Body

Examination transcript No:	623, p57
Examination date:	10 March 2014
Classification Officer(s):	

Other identifying information:

COMPONENTS OF FILM**Components of film originally examined:**

	Components	Running time
Feature(s):	Dom Hemingway	89:42
Timed component(s):	Dom Hemingway: The Story Edit	1:54
	Who Is Dom Hemingway	2:32
	Notices	0:37
Total running time:		94:45

Components of film excised:

EXAMINATION

Section 23 Examination and classification –

...the Classification Office shall examine the publication to determine the classification of the publication.

Section 24 Soundtrack to be considered -

Where a film is intended to be viewed with an accompanying soundtrack (whether or not the soundtrack is an integral part of the film), an examination of the film under s23 of the Act shall also take into account the content of the soundtrack and its relationship to the film.

Description of Publication:

The DVD contains a feature from the UK with a running time of 89 min 42 sec, and two short components about the titular main protagonist.

Dom Hemingway is a comedic drama about a violent criminal who, after serving a lengthy prison sentence, tries to collect a sum of money owed to him and reconnect with his estranged daughter. Dom is a thief who served 12 years in prison. During that time he protected the identity of his accomplice, a Russian crime boss named Ivan Fontaine. Upon his release from prison Dom travels to France to meet Ivan, and demands a large sum of money for keeping his silence. Ivan gives Dom his reward, but the money is stolen by Ivan's lover after Dom accidentally kills Ivan by crashing his sports car. Dom returns to London without any money and tries to reconnect with his daughter, Evelyn, but she wants nothing to do with him. Dom attempts to re-enter the criminal world (he is allegedly an expert safe cracker) but nearly winds up being killed. At the end of his tether Dom visits the grave of his wife, who died from cancer while he was in prison. Afterwards he runs into Evelyn and her young son. In the first step towards reconciliation, Evelyn offers to let Dom take her son to school the following week.

Statutory Submissions

Section 20 – Synopsis of Written Submissions

Not Applicable	X
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Section 21 Other Assistance

None Requested	X
See Record of Assistance	

Other Relevant Information

None Considered	<input checked="" type="checkbox"/>
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In reaching a classification decision the Classification Office may consider a variety of information including **previous decisions** of the Classification Office or other **ensorship bodies, research, books, articles, reviews,** and information obtained from the **Internet**. If you have used any of this information please record this below.

Previous decisions				
Classification Body	OFLC	<input type="checkbox"/>	VRA	<input type="checkbox"/>
	Chief Censor of Film	<input type="checkbox"/>	IPT	<input type="checkbox"/>
Title:				
Publication/Certificate/Decision No.				

Other Sources (please specify and reference):

CLASSIFICATION

Section 3 Meaning of “objectionable”-

s3(1) ... 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.

Subject Matter Gateway

The Court of Appeal's interpretation of the words "matters such as sex, horror, crime, cruelty or violence" in s3(1), as set out in *Living Word Distributors v Human Rights Action Group (Wellington)* [2000] 3 NZLR 570; (2000) 6 HRNZ 28, must also be taken in to account in the classification of any publication:

[27] The words "matters such as" in context are both expanding and limiting. They expand the qualifying content beyond a bare focus on one of the five categories specified. But the expression "such as" is narrower than "includes", which was the term used in defining "indecent" in the repealed Indecent Publications Act 1963. Given the similarity of the content description in the successive statutes, "such as" was a deliberate departure from the unrestricting "includes".

[28] The words used in s3 limit the qualifying publications to those that can fairly be described as dealing with matters of the kinds listed. In that regard, too, the collocation of words "sex, horror, crime, cruelty or violence", as the matters dealt with, tends to point to activity rather than to the expression of opinion or attitude.

[29] That, in our view, is the scope of the subject matter gateway.

The content of the publication must bring it within the "subject matter gateway". In classifying the publication therefore, the question is whether or not it deals with the following:

Matters such as 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.*

The film contains crass verbal sexual references and brief scenes of drug-fuelled sexual activity. After Dom is released from prison he goes to a bar and receives the first of his “presents” from Ivan – two young women. A quick cutaway shows Dom and the two women cavorting naked and snorting cocaine. One of the women appears to be doing a handstand with her legs spread apart, though her genitals are not visible. A later montage depicts Ivan, Dom, and his friend Dicky partying with women in bikinis. One of the women is topless. There are shots of Dom and Dicky kissing the women intercut with them drinking and using cocaine, but sexual content is a minor part of the publication overall.

Matters such as horror

N/A

Matters such as crime

The publication deals with matters of crime under s3(1) of the FVPC Act. Dom is a violent career criminal who is depicted snorting cocaine on a number of occasions, sometimes alone and sometimes with other people. His drug and alcohol abuse contributes to his erratic behaviour and rejection by his daughter.

Matters such as cruelty

See violence

Matters such as violence

The publication deals with matters of cruelty and violence in terms of s3(1) of the FVPC Act. The infliction of serious physical harm and acts of significant cruelty are discussed below under s3(3)(a)(i).

Or – The content of the publication does not bring it within any "subject matter gateway".

For publications that fall outside the "subject matter gateway" go to s3A and s3B

Section 3(2) Certain publications are deemed to be objectionable –

Under s3(2) of the FVPC Act, a publication is deemed to be objectionable if it promotes or supports, or tends to promote or support, certain activities listed in that subsection.

In *Moonen v Film and Literature Board of Review (Moonen I)*, the Court of Appeal stated that the words "promotes or supports" must be given "such available meaning as impinges as little as possible on the freedom of expression"¹ in order to be consistent with the Bill of Rights. The Court then set out how a publication may come within a definition of "promotes or supports" in s3(2) that impinges as little as possible on the freedom of expression:

Description and depiction ... of a prohibited activity do not of themselves necessarily amount to promotion of or support for that activity. There must be something about the way the prohibited activity is described, depicted or otherwise dealt with, which can fairly be said to have the effect of promoting or supporting that activity.²

Mere depiction or description of any of the s3(2) matters will generally not be enough to deem a publication to be objectionable under s3(2). When used in conjunction with an activity, the Classification Office defines "promote" to mean the advancement or encouragement of that activity. The Classification Office interprets the word "support" to mean the upholding and strengthening of something so that it is more likely to endure. A publication must therefore advance, encourage,

¹ *Moonen v Film and Literature Board of Review* [2000] 2 NZLR 9 at para 27.

² Above n2 at para 29.

uphold or strengthen, rather than merely depict, describe or deal with, one of the matters listed in s3(2) for it to be deemed to be objectionable under that provision.

s3(2)(a) The exploitation of children, or young persons, or both, for sexual purposes.

In *Moonen v Film and Literature Board of Review (Moonen II)* [2002] 2 NZLR 754, the Court of Appeal stated that the absence of definitions of "young persons" and "children" in s3(2)(a) was deliberate. The provision does not require proof of the models' ages; it requires an assessment of whether or not the publication in which the models appear promotes or supports the exploitation of children or young persons for sexual purposes:

The legislation is concerned with the vulnerability of young people and with the corrosive injury to the public good of depicting persons perceived to be children or young people as subjects for exploitation. The Board properly assessed whether the publication of the photographs would tend to promote or support the exploitation of children or young persons, not limited to the impact on the particular persons photographed. The inquiry under s3 does not require the ascertainment of the precise age of the person photographed.³

It was Parliament's intention therefore that s3(2)(a) should apply to any publication as defined in the Act, that promotes, supports, or tends to promote or support, the exploitation of children or young persons for sexual purposes. As long as a publication at least tends to promote or support such exploitation, whether or not it depicts underage models, no underage models or no models at all is irrelevant to the proper application of s3(2)(a). The issue is whether, on the evidence presented by the publication itself, the publication at least tends to promote or support the exploitation of children or young persons for sexual purposes.

N/A

s3(2)(b) The use of violence or coercion to compel any person to participate in, or submit to, sexual conduct.

N/A

s3(2)(c) Sexual conduct with or upon the body of a dead person.

N/A

s3(2)(d) The use of urine or excrement in association with degrading or dehumanising conduct or sexual conduct.

N/A

s3(2)(e) Bestiality.

N/A

s3(2)(f) Acts of torture or the infliction of extreme violence or extreme cruelty.

N/A

If the publication promotes and supports, or tends to promote and support, any of the 3(2) provisions above and is deemed objectionable go to the Bill of Rights section.

However, section 32 of the FVPC Act directs the Classification Office to consider whether it would classify the publication differently if the material falling under s3(2) were excised or altered. If an excision were made, the publication would no longer fall under 3(2) of the FVPC Act. If the publication contains material that falls under 3(2) which can be excised or altered, go the Excisions section and then return to s3(3) and 3(4) below.

³ *Moonen v Film and Literature Board of Review* [2002] 2 NZLR 754 at para 40.

Otherwise, if the publication does not fall under s3(2) consider the following matters:

Section 3(3) Matters to be given particular weight –

In determining, for the purposes of the Act, whether or not any publication (other than a publication to which subsection 3(2) of this section applies) is objectionable or should in accordance with section 23(2) be given a classification other than objectionable, the following matters shall also be considered:

...particular weight shall be given to the **extent** and **degree** to which, and the **manner** in which, the publication describes, depicts, or otherwise deals with...

s3(3)(a)(i) *Acts of torture, the infliction of serious physical harm, or acts of significant cruelty.*

The publication depicts the infliction of serious physical harm and acts of significant cruelty to a low extent but in one instance a high degree. The strongest scene occurs immediately after Dom is released from prison and goes to visit his deceased ex-wife's partner, Sandy. Dom head butts Sandy and knees him in the groin several times. Sandy falls to the ground. Dom lectures him about sleeping with his wife, and then punches Sandy in the face repeatedly. Most of the blows land off-screen but are accompanied by loud sound effects which heighten the impact. Dom bends forward and appears to bite Sandy's ear and then leans back and has a cigarette. Sandy's face is depicted afterwards covered in blood. After Dom crashes Ivan's car, Ivan is depicted stumbling comically around with a large piece of twisted metal piercing his stomach. The threat of serious physical harm is dealt with when an old contact of Dom's, Lester, promises to cut Dom's penis off if he fails to unlock a safe within 10 minutes. Dom successfully opens one safe but does not realise there is another safe inside the first safe which he has failed to open. Two men grab Dom's arms and make him take his trousers down. Lester pulls out a knife and is about to use it when two men from the safe security company burst into the room. Dom reacts by hitting the two men in the stomach and face with a sledgehammer and escaping.

s3(3)(a)(ii) *Sexual violence or sexual coercion, or violence or coercion in association with sexual conduct.*
N/A

s3(3)(a)(iii) *Other sexual or physical conduct of a degrading or dehumanising or demeaning nature.*
N/A

s3(3)(a)(iv) *Sexual conduct with or by children, or young persons, or both.*
N/A

s3(3)(a)(v) *Physical conduct in which sexual satisfaction is derived from inflicting or suffering cruelty or pain.*
N/A

...particular weight shall be given to the **extent** and **degree** to which, and the **manner** in which, the publication

s3(3)(b) *Exploits the nudity of children or young persons, or both.*

N/A

s3(3)(c) *Degrades, dehumanises or demeans any person.*

N/A

s3(3)(d) *Promotes or encourages criminal acts or acts of terrorism.*

Dom's violent outburst at the beginning and subsequent out-of-control behaviour can be viewed as a result of his flawed, narcissistic personality and addictions to drugs and alcohol. While his behaviour is exploited to some extent for comedic effect, there is little sense that drug taking or other illegal behaviour is promoted or encouraged, especially given Dom's eventual arc towards redemption and reconciliation with his daughter.

s3(3)(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*

N/A

3A Publication may be age-restricted if it contains highly offensive language likely to cause serious harm

3A(1) A publication to which subsection 3A(2) applies may be classified as a restricted publication under section 23(2)(c)(i).

3A(2) *This subsection applies to a publication that contains highly offensive language to such an extent or degree that the availability of the publication would be likely, if not restricted to persons who have attained a specified age, to cause serious harm to persons under that age.*

3A(3) *In this section, **highly offensive language** means language that is highly offensive to the public in general.*

The film contains frequent use of highly offensive language, in particular use of the word "fuck" and "cunt". The language is often used in an aggressive manner and would be highly offensive to the public in general and if emulated likely to result in serious harms such as alienation or intimidation.

3B Publication may be age-restricted if likely to be injurious to public good for specified reasons

3B(2) This subsection applies to a publication that contains material specified in subsection (3) to such an extent or degree that the availability of the publication would, if not restricted to persons who have attained a specified age, be likely to be injurious to the public good for any or all of the reasons specified in subsection (4).

3B(3) *The material referred to in subsection (2) is material that*

3B(3)(a) *describes, depicts, expresses, or otherwise deals with—*

3B(3)(a)(i) *Harm to a person's body whether it involves infliction of pain or not (for example, self-mutilation or similarly harmful body modification) or self-inflicted death.*

Discussed elsewhere

⁴ The grounds of discrimination prohibited by s21(1) of the Human Rights Act 1993 are sex, marital status, religious belief, ethical belief, colour, race, ethnic or national origins, disability, age, political opinion, employment status, family status and sexual orientation.

3B(3)(a)(ii) *Conduct that, if imitated, would pose a real risk of serious harm to self or others or both.*

N/A

3B(3)(a)(iii) *Physical conduct of a degrading or dehumanising or demeaning nature.*

N/A

3B(3)(b) *is or includes 1 or more visual images—*

3B(3)(b)(i) *of a person's body; and*

3B(3)(b)(ii) *that, alone, or together with any other contents of the publication, are of a degrading or dehumanising or demeaning nature.*

N/A

3B(4) The reasons referred to in subsection (2) are that the general levels of emotional and intellectual development and maturity of persons under the specified age mean that the availability of the publication to those persons would be likely to—

3B(4)(a) *Cause them to be greatly disturbed or shocked; or*

3B(4)(b) *Increase significantly the risk of them killing, or causing serious harm to, themselves, others, or both; or*

3B(4)(c) *Encourage them to treat or regard themselves, others, or both, as degraded or dehumanised or demeaned.*

See below

3C Procedure for classification under sections 3A and 3B

In determining whether to classify a publication as a restricted publication in accordance with section 3A or section 3B, the Classification Office must consider the matters specified in paragraphs (a) to (f) of section 3(4).

Section 3(4) Additional matters to be considered –

In determining, for the purposes of the Act, whether or not any publication (other than a publication to which subsection 3(2) of this section applies) is objectionable or should in accordance with section 23(2) be given a classification other than objectionable, the following matters shall also be considered:

s3(4)(a) *The dominant effect of the publication as a whole.*

The publication's dominant effect is a comedic crime drama about an obnoxious, narcissistic and violent criminal's search for redemption.

s3(4)(b) *The impact of the medium in which the publication is presented.*

The publication is a DVD, which as a medium is potentially widely available and easily accessible. A DVD allows a viewer a great deal of control over the medium in that it may be played, paused and replayed at will, or even copied. Images on the DVD may be saved to disc or transmitted over the internet.

Classification

- s3(4)(c)* *The character of the publication, including any merit, value or importance it has in relation to literary, artistic, social, cultural, educational, scientific or other matters.*
- The publication has artistic and technical merit with regard to performances and production values.
- s3(4)(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.*
- Mature audiences
- s3(4)(e)* *The purpose for which the publication is intended to be used.*
- Entertainment
- s3(4)(f)* *Any other relevant circumstances relating to the intended or likely use of the publication.*
- None

BILL OF RIGHTS CONSIDERATIONS

New Zealand Bill of Rights Act 1990

Section 14 Freedom of expression -

Everyone has the right to freedom of expression, including the freedom to seek, receive, and impart information and opinions of any kind in any form.

Section 5 Justified limitations -

Subject to section 4 of this Bill of Rights, the rights and freedoms contained in this Bill of Rights may be subject only to such reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society.

Section 6 Interpretation consistent with Bill of Rights to be preferred -

Wherever an enactment can be given a meaning consistent with the rights and freedoms contained in this Bill of Rights, that meaning shall be preferred to any other meaning.

Discussion of Bill of Rights Considerations:

See below

CONCLUSION

Injury

If s3(1) applies to the publication the question is whether or not it deals with the matters discussed in a manner that **the availability of the publication is likely to be injurious to the public good**. In discussing injury consider the nature and severity of that injury, the likelihood of it occurring and who would be injured by the publication's availability. The classification recommended must remedy the injury identified.

If s3B applies to the publication, **the injury to the public good** must be explained in terms of s3B(4) of the FVPC Act.

If s3A applies to the publication, explain the age restriction in terms of **how the language is likely to cause serious harm to persons under the age of the restriction**.

Classification:

R16

The unrestricted availability of the publication is likely to be injurious to the public good. The cruelly violent assault at the beginning of the film would be greatly disturbing and shocking to most young viewers, while for some it may trivialise acts of extreme violence – the repercussions of the violent assault are not explored and Dom is otherwise portrayed as a moderately sympathetic character. Children and young teenagers' attitudes and behaviour may also be negatively affected by exposure to the adult material contained in the film, in particular the rampant drug use and sexual activity. The widespread highly offensive language, often used in an intimidating and aggressive manner, supports the need for an age restriction. The DVD's availability is therefore restricted to people who are at least 16 years of age. This classification interferes with the freedom of expression contained in the New Zealand Bill of Rights Act 1990 but is consistent with s3(3) of the FVPC Act to limit the availability of publications likely to be injurious to the public good.

EXCISIONS/ ALTERATIONS

Section 32 - Excisions from and alterations to film –

In the case of a film submitted for classification under any part of the Act other than s29(1) and 41(3) (court referrals), if the Classification is of the opinion that it would classify the film differently according to whether any specified part or parts of the film are excised from or left in the film, it shall, before making a final determination in respect of the classification of the film, follow the procedure prescribed by section 33.

Section 33(1) directs the Classification Office to notify the authorised distributor of the film of the classification that would be given if part or parts of the film were excised or altered, and, the classification that would be given if the specified part or parts were not excised or altered.

Section 33(5) provides that, in deciding whether or not to propose excisions or alterations, the Classification Office may consider the effect that any such excision or alteration may have on the continuity of the film or on its overall effect.

EXCISIONS SUMMARY	
None (for non-moving image and s29(1) / 41(3) publications)	<input type="checkbox"/>
No excisions recommended (for all other moving image publications)	<input checked="" type="checkbox"/>
Excisions/alterations recommended	<input type="checkbox"/>
Number of Excisions/Alterations:	
Brief Description:	

PUBLIC DISPLAY CONDITIONS

Not Applicable	
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Section 27 Conditions relating to the display of restricted publications –

Where the Classification Office classifies any publication as restricted, the Office shall in every case consider whether or not to impose conditions on the public display of that publication, and may impose such conditions at the time of classifying the publication.

In determining whether or not conditions in respect of public display should be imposed, the Classification Office must have regard to:

s27(2)(a) The reasons for classifying the publication as a restricted publication.

Because of the publication’s treatment of sex, crime, cruelty, violence and offensive language.

s27(2)(b) The terms of the classification given to the publication.

R16

s27(2)(c) The likelihood that the public display of the publication, if not subject to conditions or, as the case may be, any particular condition, would cause offence to reasonable members of the public.

No likelihood.

Section 27(3) directs that where the Classification Office considers that the public display of the publication, if not subject to conditions under this section, would be likely to cause offence to reasonable members of the public, the Classification Office shall, at the time of classifying the publication, impose such conditions under this section in respect of the public display of that publication as it considers necessary to avoid the causing of such offence.

Date	10/3/4	OFIC Ref.	11650149	VR	/
Applicant	EWRB				
Distributor	Song				
Title	Don	Henry			
Other known title(s)	/				
Director	Richard	Shepard			
Executive Producer	Jermy	Thorn			
Producer	ono				
Country of Origin	UK	English			
Disc Budget?	Yes	<input checked="" type="checkbox"/>			

Classification	R16	Graphic violence, drug use, sexual offensive language material		
Content	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Other	<input checked="" type="checkbox"/>			
Rating	94-45			

0.09 Disclaimer Nettle
 0.16 Paramount "
 0.12 Transmission "

00:00 Feature starts

1.00 Montage by man n his prison ability the
 virtues of man his prison ability the
 - "nobel prize" - parts hard down
 involving his peace being followed

- 2:00 Apology to Man 'Long for the lack of warning'
- 4:30 Prison Vaden says the call came in
- Dom Henning
- Leaves prison to chat with inmates.
- 5:00 Ashes given outside pod where is ~~prison~~ ~~Richard~~ ~~Richard~~ ~~Richard~~
- Prod. Jeremy Thomas
Dir. Richard Shepard
- 6:00 Kendrick says to guards how his in ^{guard} ~~guard~~ ~~guard~~ ~~guard~~
- punches him in face repeatedly & bites his ear.
- 8:00 Matt face covered in blood
- says he has anger issues
- 9:00 Reing & Matt is bad for your health
- Mr Fortune in France, expecting Dom
- 10:00 Shots of Jerry escape, etc.
picks down up over shoulder & leaves
- 11:30 picked up at train station
- A Weebler is the only thing there -
- 15:30 Nobby says the man is Fortune's property.
- 17:50 Calls Nobby "Lefty"
- 21:00 Dom raving about what Ivan owes him.
says "A fucking present"
- 22:10 "Conf" "fucker"
- 24:20 looking for Dom.
- Dom noted walking thru orchard

26:50 "Long / Mrs such a cunt"

28:30 Women singing a song watched by the men

30:20 Ivan tells story about how he turned his best friend after he crashed the into girlfriend

= Good thing come to those who wait -

32:20 Davey on big pile of cash
- snoring
- all just cocaine
- take in a big party of boys there

34:00 melody / Lisa. Chatter in swimming pool

36:00 Danny fast at night, Don raves,
- car accident.

38:20 Ivan has big piece of metal sticking from his mid-section.

40:40 Tries to do CPR on melody

42:20 "my fucking ass"
- see car leaving
- Women take the money.

44:10 Youie got to be fucking kidding re
- father of the year -

48:40 Guy invites Don to come to bar tonight

50:00 Daughter performing on stage

54:00 Man punches Don in the stomach for killing his cat.

57:10 Lester takes to Don, invites him to club.

- and just like that opportunity looks
"steady as a tapestry artist cunt"

1:00:40 Af club about to open safe
Amy for a beer

1:03:00 Smashes wall around safe
"Yams" a "cat" in gold chains

1:06:20 Gets the safe open

1:08:00 Takes a sweater safe inside Don by the bed

1:10:30 Don loses sweater - safe security people enter
Don & Nilly escape

1:13:20 Don talking w/ daughter, she doesn't want to
see him.

1:16:00 Talking w/ Melody on road.
- "my father now" what he wants most
- wants his daughter to forgive him

1:19:00 Don lying on ground talking to dead wife

1:22:10 Give my he can walk son to school
on Andy

1:23:20 Goes up to Pearlina's table thanks to
safe her nose off, gut her, shoot her body
etc
- takes my.

- Don Henryway -

1:29:42 end (89:42)

00:00 DK The story part

- writer & director & actor talking about the
Don character. (lips from film)

1:54 end

00:00 Who is Don Kennedy

People discuss the character + clips from
feature.

2:32 end

Composers

Feature:	Don Henning	89.42
TC	Don Henning: The Story of Who Is Don Henning Notables	1.54 2.82 <u>0.37</u>
		94.95