

## SUMMARY OF REASONS FOR DECISION

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

### HEADNOTE

<b>Title of publication:</b>	Grave Halloween
<b>Other known title(s):</b>	Not stated
<b>OFLC ref:</b>	1400801.000
<b>Medium:</b>	DVD
<b>Classification:</b>	Objectionable except if the availability of the publication is restricted to persons who have attained the age of 16 years.
<b>Descriptive note:</b>	Violence, horror and suicide
<b>Display conditions:</b>	None

*Grave Halloween* is a film with a supernatural theme with a running time of around 91 minutes. Set in Japan, it is about a group of international University students who venture into the 'Suicide Forest', a public forest where many people choose to commit suicide. They are focused on making a documentary about a Maiko, a young woman who has lost her birth mother to suicide. Her mother left a note asking Maiko to find her body and perform a ritual over her body to ensure her journey to the afterlife. Accompanying Maiko are Amber and Terry, budding documentarians, and Kyle, a level-headed student who is filming the experience. They soon realise the forest is haunted by scores of unhappy ghosts who begin to kill them one by one. Maiko's mother is the most evil of all, and has lured Maiko back so she can kill her and force her to stay in the afterlife with her. This is a rough distributors copy and has no menu or notices.

Under s3(1) of the FVPC Act the main consideration is matters of horror. Serious violence is discussed under s3(3)(a)(i), and suicide is dealt with under 3B(3)(a)(i).

This film is a horror and contains gore and supernatural elements to frighten and entertain the viewer. Some of the horrific images (and much of the plot) deals with suicide, and requires discussion under 3B(3)(a)(i). A list of some of the supernatural aspects to the film will be dealt with here.

- The group find a car in the car park at the forest. It has clearly been abandoned by its owner, who they realise has probably committed suicide. As they walk away from the vehicle, a silhouette of a ghostly figure can be seen throwing itself up against the rear windscreen.
- Three immature men from the university try and scare the group in the forest, as it is Halloween. They find themselves disorientated and lost. They stumble across an abandoned tent and peer inside. One of the men, Kyle, spots an expensive wristwatch and steals it. As they walk away from the tent, a contorted face suddenly presses itself up against the tent from the inside, screaming silently.
- Two female ghosts (Maiko's mother and sister) follow the group around the forest and show themselves occasionally. They both wear filthy, long tattered dresses and have

scary, ghoulish faces. Their hair is long and stringy. They are able to move and hurt people without touching them. Other ghosts appear throughout the feature. Their bodies are degraded due to decomposition – their skin is black and grey and they have a variety of wounds consistent with some methods of suicide (neck wounds and bruises, slashed wrists). At one point they emit a fluorescent green mist and multiply in order to chase the group.

- The location has been carefully constructed to be as isolating and as frightening as possible. The forest is dense and dark, and it begins to rain as the group get lost.
- Loud music is used as a way to foreshadow danger and create a stressful atmosphere.

The ghosts use paranormal powers to hurt their victims. All of these depictions lack realism due to the supernatural nature. Typical examples of this will be listed here.

- Kyle is suddenly spirited away into an alternate reality, where the forest looks the same but he cannot be seen or heard by his friends. He is thrown to his feet by an invisible force, and he somehow gets a massive splinter in his hand. He is shown pulling it out – this is very gory. He staggers to his feet and is shown falling onto a broken tree stump. It impales him through the throat, and he is shown spluttering blood and dying. A ghost with long stringy hair is shown levitating above him.
- Amber is injured in a similar way. She is pushed by a force and snaps her leg. The bone is shown coming out of the wound. This is very gory and bloody.
- Amber is eventually killed by Maiko's mother, who uses her powers to make Amber vomit a huge swarm of flies, which eat Terry's face, killing him. This is not particularly gory as the swarm obscures the activity.
- One man is killed when an invisible force forces him to the forest floor and lashes his hands and feet apart, using what appears to be human hair as the restraints. He is pulled apart by the force. Blood is shown pumping out of his arm socket.
- Kyle is killed when he is pushed and pulled by an invisible force, and then choked on the ground. Blood comes out of his mouth, and his neck suddenly contorts and snaps.

Suicide is dealt with as a central part of the plot. Maiko is a young woman who was adopted out as a child. Her birth mother has recently committed suicide, and Maiko is planning on performing a ritual that will put her soul to rest. The forest attracts a considerable amount of people who are planning on committing suicide. Signs are dotted about the forest urging people to call a suicide hotline. Several bodies are shown in various states of decomposition. Some have ropes around their necks or wounds on their wrists. One woman is shown with a gaping wound to her neck. These images are brief but startling. There are also several depictions of ghosts swinging from trees with nooses around their necks. The topic of suicide in terms of dialogue between the friends is generally respectful. None of the conduct is imitable, and it does not glamorise or encourage suicide.

The dominant effect is of a creepy horror film with a supernatural theme. It is well made and the location is very moody. All of the sympathetic characters perish, which lends the feature a gloomy and hopeless atmosphere. The unrestricted availability of the publication is likely to be injurious to the public good due to its treatment of matters of horror, violence, and the central theme that surrounds suicide. The images of violence, suicide, gore and horror are likely to be disturbing to younger teenagers and children and inure them to gruesome violence. The supernatural theme would frighten and disturb younger viewers who may not instinctively know that such things exist. Adults are considered more likely to be able to put the images and themes of the film into the context of the story and treatment. Therefore the publication is restricted to persons who have attained the age of 16 years. Considerations under s3 have been weighed

against the right to freedom of expression as set out in s14 of the NZBR Act. The availability of the publication is likely to be injurious to the public good unless it is restricted. This restriction is reasonable, justified and in accordance with the law. This limitation on the publication's availability is the minimum restriction that can be applied in order to prevent likely injury to the public good.

**Note:**

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## CONSIDERATION SHEET

OFLC ref: 1400801.000

Submission channel: s12(1)

Title of publication: Grave Halloween

Other known title: Not stated

Medium: DVD

Distributor: Madman Entertainment

Director: Steven R. Monroe

Producer: John Prince


Country of origin: Canada

Language: English, Japanese

Applicant: Film & Video Labelling Body

Examination transcript No: 641,p41

Examination date: 24 September 2014

Classification Officer(s): 

Other identifying  
information:

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

	<b>Components</b>	<b>Running time</b>
<b>Feature(s):</b>	Grave Halloween	90:52
<b>Total running time:</b>		90:52

**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:**

*Grave Halloween* is a film supernatural theme with a running time of around 91 minutes. Set in Japan, it is about a group of international University students who venture into the 'Suicide Forest', a public forest where many people choose to commit suicide. They are focused on making a documentary about a Maiko, a young woman who has lost her birth mother to suicide. Her mother left a note asking Maiko to find her body and perform a ritual over her body to ensure her journey to the afterlife. Accompanying Maiko are Amber and Terry, budding documentarians, and Kyle, a level-headed student who is filming the experience. They soon realise the forest is haunted by scores of unhappy ghosts who begin to kill them one by one. Maiko's mother is the most evil of all, and has lured Maiko back so she can kill her and force her to stay in the afterlife with her.

This is a rough distributors copy and has no menu or notices.

Statutory Submissions

**Section 20 – Synopsis of Written Submissions**

Not Applicable	<b>x</b>
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**Section 21 Other Assistance**

None Requested	<b>x</b>
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 **copyright bodies, research, books, articles, reviews**, and information obtained from the **Internet**. If you have used any of this information please record this below.

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

<b>Other Sources</b> (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.

N/A

#### *Matters such as horror*

This is a horror and contains gore and supernatural elements to frighten and entertain the viewer. Some of the horrific images (and much of the plot) deals with suicide, and requires discussion under 3B(3)(a)(i). A list of some of the supernatural aspects to the film will be dealt with here.

- The group find a car in the car park at the forest. It has clearly been abandoned by its owner, who they realise has probably committed suicide. As they walk away from the vehicle, a silhouette of a ghostly figure can be seen throwing itself up against the rear windscreen.

- Three immature men from the university try and scare the group in the forest, as it is Halloween. They find themselves disorientated and lost. They stumble across an abandoned tent and peer inside. One of the men, Kyle, spots an expensive wristwatch and steals it. As they walk away from the tent, a contorted face suddenly presses itself up against the tent from the inside, screaming silently.
- Two female ghosts (Maiko's mother and sister) follow the group around the forest and show themselves occasionally. They both wear filthy, long tattered dresses and have scary, ghoulish faces. Their hair is long and stringy. They are able to move and hurt people without touching them. Other ghosts appear throughout the feature. Their bodies are degraded due to decomposition – their skin is black and grey and they have a variety of wounds consistent with some methods of suicide (neck wounds and bruises, slashed wrists). At one point they omit a fluorescent green mist and multiply in order to chase the group.
- The location has been carefully constructed to be as isolating and as frightening as possible. The forest is dense and dark, and it begins to rain as the group get lost.
- Loud music is used as a way to foreshadow danger and create a stressful atmosphere.

*Matters such as crime*

N/A

*Matters such as cruelty*

N/A

*Matters such as violence*

Violence tends to be serious so is discussed 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"<sup>1</sup> 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.<sup>2</sup>

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

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

<sup>2</sup> Above n2 at para 29.

something so that it is more likely to endure. A publication must therefore advance, encourage, 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.<sup>3</sup>

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

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

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.

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 ghosts use paranormal powers to hurt their victims. All of these depictions lack realism due to the supernatural nature. Typical examples of this will be listed here.

- Kyle is suddenly spirited away into an alternate reality, where the forest looks the same but he cannot be seen or heard by his friends. He is thrown to his feet by an invisible force, and he somehow gets a massive splinter in his hand. He is shown pulling it out – this is very gory. He staggers to his feet and is shown falling onto a broken tree stump. It impales him through the throat, and he is shown spluttering blood and dying. A ghost with long stringy hair is shown levitating above him.
- Amber is injured in a similar way. She is pushed by a force and snaps her leg. The bone is shown coming out of the wound. This is very gory and bloody.
- Amber is eventually killed by Maiko’s mother, who uses her powers to make Amber vomit a huge swarm of flies, which eat Terry’s face, killing him. This is not particularly gory as the swarm obscures the activity.
- One man is killed when an invisible force forces him to the forest floor and lashes his hands and feet apart, using what appears to be human hair as the restraints. He is pulled apart by the force. Blood is shown pumping out of his arm socket.
- Kyle is killed when he pushed and pulled by an invisible force, and then choked on the ground. Blood comes out of his mouth, and his neck suddenly contorts and snaps.

*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

<i>s3(3)(b)</i>	<i>Exploits the nudity of children or young persons, or both.</i>
N/A	
<i>s3(3)(c)</i>	<i>Degrades, dehumanises or demeans any person.</i>
N/A	
<i>s3(3)(d)</i>	<i>Promotes or encourages criminal acts or acts of terrorism.</i>
N/A	
<i>s3(3)(e)</i>	<i>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.<sup>4</sup></i>
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.*

N/A

### **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.*

Suicide is dealt with as a central part of the plot. Maiko is a young woman who was adopted out as a child. Her birth mother has recently committed suicide, and Maiko is planning on performing a ritual that will put her soul to rest. The forest attracts a considerable amount of people who are planning on committing suicide. Signs are dotted about the forest urging people to call a suicide hotline. Several bodies are shown in various states of decomposition. Some have ropes around their necks or wounds on their wrists. One woman is shown with a gaping wound to her neck. These images are

<sup>4</sup> 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.

brief but startling. There are also several depictions of ghosts swinging from trees with nooses around their necks. The topic of suicide in terms of dialogue between the friends is generally respectful. None of the conduct is imitable, and it does not glamorise or encourage suicide.

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

See above

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 above

### 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 dominant effect is of a creepy horror film with a supernatural theme. It is well made and the location is very moody. All of the sympathetic characters perish, which lends the feature a gloomy and hopeless atmosphere.

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

The publication is a DVD which means the viewer has a high degree of control over the publication, with the ability to freeze, fast forward and rewind images.

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.*
- No particular merit
- 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.*
- Older teenagers, adults, fans of horror
- 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 conclusion



## 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
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The unrestricted availability of the publication is likely to be injurious to the public good due to its treatment of matters of horror, violence, and the central theme that surrounds suicide. The images of violence, suicide, gore and horror are likely to be disturbing to younger teenagers and children and inure them to gruesome violence. The supernatural theme would frighten and disturb younger viewers who may not instinctively know that such things exist. Adults are considered more likely to be able to put the images and themes of the film into the context of the story and treatment. Therefore the publication is restricted to persons who have attained the age of 16 years. Considerations under s3 have been weighed against the right to freedom of expression as set out in s14 of the NZBR Act. The availability of the publication is likely to be injurious to the public good unless it is restricted. This restriction is reasonable, justified and in accordance with the law. This limitation on the publication's availability is the minimum restriction that can be applied in order to prevent likely injury 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"/>
<b>Number of Excisions/Alterations:</b>	
<b>Brief Description:</b>	

**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.*  
Horror/violence/suicide

*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.*  
None.

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	24/9/14	ICL Ref.	1400801	Fool	VR	4
Applicant	FVLB					
Director	Madman					
Title	Grave Halloween					
Country (ies)	Canada					
Language(s)	English Japanese					
Disc Import?	Yes / <input checked="" type="radio"/> No					

Rating	R16		
Violence, horror, and suicide			
Content Restrictions			
Parental Information			
Net running time	90:52		
Total running time after trailers			

Rough distribs. copy

Storm. Woods. Woman long gun.  
walking

2:52 "Mother?" Whispering voice.

3:00 finds box.

(h) ghost? hanging from tree.  
looks up! Raises arms.

(S) steps of stump. screams. Wakes up.  
dorm room.

Int. Uni.

6:15 Steven R. Monroe.  
Sham not coming.

7:00 Terry.

7:50 filming doc. Maiko. Birth mothers  
Suicide 2 mths ago. body.

10:02 driving to forest. "Suicide Forest".

12:32 Visions of woman in white

13:40 Abandoned car. Suicide manual.  
glas a picture of tree.

(h) Steam / fingerprints appear.

14:57 Walking in.  
Suicide help on wooden sign &  
hotline.

16:13 to policeman. carrying body.  
chatting.

(h) drop body  
face & head visible. } purple  
grey.  
greenish.

18:30 Man. Tells them off about camera.  
 19:06 fin.

(h)

21:12 sees Terry's face. blood - 7 eyes.

23:55 sad music. Reading letter. wanted burial.

27:45

hanging man. falls on. them.

~~chasing~~  
 chasing

Hits w/ stick. Craig. 2 other  
 joke. idiot.

28:19

equipment fail.

(h)

ghost of a

30:44

3 buttoons find a tent & other  
 things. Near whispers.

opens. Sees a watch. Rolex.

32:08

(h)

Man's face presses screaming aginst tent.

Sees mum's body. led away. falls.

33:30

Black face leaning. Choking.

(h)

Body. flies.

Skyler missing. Invisible.

Brody Craig  
 Gus.

whispering.

(h)

thrown. massive slinkak. hand.  
 pull out.

(v)

yoke.

(W)

35.59 falls onto a tree branch.

(V) Impales him thru neck. Spurts blood.  
Black face.

31.28 Body } gory corpse - rotting.  
Blackened face.

(S)  
(H)

police.

Looking for Skylar.  
phone disappears.

38.57 Rings.

(H) Blood & hair on tree. finds boot.

40.55 Remembering.

42.32 Other 2 guys - tell about Skylar.

44.19 Terry & Craig. ppl gone.

45.16 Compass / crazy.

(H) See women w/ long hair.  
appears closer w/out moving. | child.  
face wounded.

47.01 - says something.  
finds watch.

49:07 Amber & guy arguing.

50:22 In circles - Lost. Amber / lost.

-7 Kyle & M Running.

51:26 Calling to Maiko. / Struggles on / corr.

(V) tasered.

52:53 Handcuffed. In shed.

53:47 Amber alone.

(W) Sees creepy chick.

falls. leg broken.

(gore) bone sticking out.

(h) picture of dead woman.

very grey. Neck.

look around in shed.

(h) Bodies.

57:01 tries to move.

(h) maggots.

Lashed by hair. four corners of body

A Body Rips apart.



tt

2323

61-42 Kyle yelling at Maiko.  
hand - holding scissors. Knock -> flock.

knif  
w) face falls. Jin

(h) 62-52 cop dragged backward. takes his hand?  
blood

64-20 Jin. / furs around. face is mouldy  
craig.

65-29 approaching. Was yin's watch.

\*  
(su) noose around craig's neck.  
swinging. strangles. dying. feet.

little girl ghost.  
(h) 67-23 holding. metal axe/pick.  
blood. wound-face. (eyes) milky.

69-20 Maiko still wants man.  
map takes map.

69-13 Terry helps Amber.

72-76 trying to find their way.  
whispers.

47

74

7.30

suicid

several people fall from trees.  
Begin to move & fall down from  
a mist. Multiply.  
yin.

76.49 finds tree. finds body.

Body is quiet. old? dry. finds locket.  
photo of her.

78.03 Remembers - sister. men fighting.  
pulls a chunk. grabs her hair.  
scarf. Runs.

grabs weapon. Maiko -  
Kill sister.

78.53 a noose of hair - neck.

79.76 Body begins to twitch.

vomts thick rope of hair.

Amber faints.  
→ Amber.

(h)

awful / monster looking. flies

sunken in. veiny feel. flies at his face.

she disappears.

80.36 Sister knows way.  
pulled / pushed / invis. force. drag.

Blood - mouth. Dark, Rain. snaps his neck.

82.44 dragging. Stops.

84.07 /police/ Body bags.

90.52

86.32 yin - drawing.