

SUMMARY OF REASONS FOR DECISION

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

HEADNOTE

Title of publication:	The Keeping Room
Other known title(s):	Not stated
OFLC ref:	1600491.000
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:	Violence, sexual violence and content that may disturb
Display conditions:	None

The disc contains a feature from the United States, four trailers with similarities to the feature, and some brief distributor's notices. There is a total running time of just over 100 minutes.

The Keeping Room is a drama set in the state of Georgia as the American Civil War is ending and the soldiers are marching home. Sisters, Augusta and Louise, remain on their isolated farm with Mad, their housekeeper/worker and freed slave. Their men long gone and their land ravaged, these women continue to hoe their garden and hope. They have to fend for themselves against Union soldiers who are moving across country searching for food, alcohol, weapons and women. A drunken pair, supposedly acting as scouts for General Sherman, spy Augusta when she desperately seeks out medicine for her sister Louise at a nearby saloon. Moses and his sidekick, Henry, are determined to hunt her down.

Under matters of sex (s3(1)), the narrative presents incidents of sexual violence and a recounting where a woman remembers her sexual violation as a child. The fictional context, the anti-war-purpose of the film and the way the incidents are captured mean that discussion under s3(2) is not necessary, however, their manner and extent are considered under the following relevant clauses of s3(3). Very soon after the film opens, a distressed woman is seen escaping from a horse-drawn carriage. She is shot in the back by a man who follows her. He then does up his trousers implying that rape has occurred. Further on it is implied that Louise is raped. She is a teenager but her exact age is unclear (s3(3)(a)(iv)). One of the soldiers has found his way into the room where she is sheltering. He pushes her onto the bed, hold her down, stuffs a rag into her mouth and rips her dress. The camera returns a little later staying above his head and shoulders and capturing the sexual movements as he finishes. He then aims a gun at her. Her fear throughout is palpable but she lives and the incident gives Mad the opportunity to tell her story of her childhood suffering in the "keeping room" of the title. This was a slaver's flesh pit, a mysterious shed on the plantation where she grew up. When she turned 10, she was thrilled to learn that she could go inside. That was the day her childhood ended. Inside the windowless hut there was a "low cot... a man came in and he had me... he was so big and I was so small". She continues "That was the first time and there were many more. Sometimes they cut the baby out,

other times they keep them." The story has two-fold purpose -- to show that the country, the area, were poisoned before the war and also to help the violated Louise. The man who raped her has been killed by Mad. "Your monster is dead" she tells Louise, leaving unsaid that the men who raped her when she was a child carried on their monstrous behaviour inflicting further damage and being a constant daily presence. Most of the narrative has lingering dread and terror underlining the women's vulnerability to sexual force and violation and the classification rests upon these incidents and the accompanying violence.

Under matters of violence and cruelty (also s3(1)), the storyline holds a number of strong depictions of serious physical harm, some with tones of cruelty (s3(3)(a)(i)). A woman is pistol whipped across the face, another is beaten and shot. A man is shot in the back and for another, the bullet goes through his hand. These come with imagery of blood but they are restrained in manner and brief. A strong image of horror (s3(1)), is seen when the decaying face of a woman who has committed suicide is dwelt upon. The skin is mouldering and flies settle. Her eyes are open and vacant. The empty medicine bottle in her lap is evidence of suicide (s3B), most probably because of fear and terror although her particular circumstances are not clarified.

Under s3A, the word 'fuck' is heard to a very low extent. Of more concern, is the highly offensive word 'nigger' which is encountered a few times and used in a derogatory way which adds some weight to restricting the feature. The usage makes it clear that the word is derogatory and is understood to be so by the characters who use it.

The feature (seen through contemporary gender politics) is a slow melancholic recreation of the aftermath of the American Civil War where three women with hard-bitten pioneer spirit fight to survive. There is merit in the way the narrative treats war and how war can challenge the ideas of free will (a man points out that he can't stop raping and killing), and how the devastation of war can easily obliterate any sense of shared humanity. There is a clear sense of what people are when everything keeping them human and humane gets scraped away.

Given the sexual violence and violence as well as the ongoing tones of danger, terror, threat and tension the film targets older audiences. Its unrestricted availability is likely to be injurious to the public good. The content described above is likely to disturb and shock children and young people, however, older audiences will have the experience and knowledge to consider the intent of the film and make sense of the stronger material and the historical and cultural contexts.

The above harms are considered against the right to freedom of expression as set out in the New Zealand Bill of Rights Act 1990. Restricting the availability of the publication to older teenagers and adults is the lowest reasonable restriction which can be applied in order to prevent injury to the public good. Therefore, *The Keeping Room* is classified as objectionable unless its availability is restricted to persons who have attained the age of 16 years.

Note:

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CONSIDERATION SHEET

OFLC ref: 1600491.000

Submission channel: s12(1)

Title of publication: The Keeping Room

Other known title: Not stated

Medium: DVD

Distributor: Vendetta Films

Director: Daniel Barber

Producer: Jordan Horowitz
et al.


Country of origin: United States

Language: English

Applicant: Film & Video Labelling Body

Examination transcript No: 692 p.86

Examination date: 13 July 2016

Classification Officer(s): 

Other identifying information: N/A

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

	Components	Running time
Menu:	Play Scenes Trailers	
Feature(s):	The Keeping Room	90:52
Timed component(s):	The Legend Of Barney Thomson Extraction Dare To Be Wild The Physician Notices	1:51 2:05 2:07 2:26 0:52
Total running time:		100:13

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:

In the state of Georgia, the Civil War is ending and the soldiers are marching home. Sisters, Augusta and Louise, remain on their isolated farm with Mad, their housekeeper and freed slave. Their men long gone and their land ravaged, these women continue to hoe their garden and hope. They have to fend for themselves against Union soldiers who are moving across country searching for food, weapons and women. A drunken pair, supposedly acting as scouts for General Sherman spy the desperate Augusta when she seeks out medicine for her sister Louise at a nearby saloon. Moses and his sidekick, Henry, are determined to hunt her down.

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 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.				

<p>Other Sources (please specify and reference):</p> <p>IMDb</p> <p>Wikipedia</p>
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CLASSIFICATION

New Zealand Bill of Rights Act 1990:

Section 14 of the New Zealand Bill of Rights Act 1990 (NZBORA) states that 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". Under s5 of the NZBORA, this freedom is subject "only to such reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society". Section 6 of the NZBORA states that "Wherever an enactment can be given a meaning that is consistent with the rights and freedoms contained in this Bill of Rights, that meaning shall be preferred to any other meaning".

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.*

Sexual violence and sexual conduct with a child – discussed under s3(3), below.

Matters such as horror

Dead putrefying body seen in close-up. It appears that the victim has taken poison – further discussion under s3B, below.

Matters such as crime

War crimes in historical fiction – soldiers looting, pillaging and raping. No promoting or encouraging. Anti-war film.

Matters such as cruelty

Aspects of this discussed below under s3(3)(a)(i).

Matters such as violence

Discussed along with cruelty under s3(3)(a)(i).

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

N/A

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 NZBORA. 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

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

² Above n2 at para 29.

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, 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.

Rape – does not reach the threshold required for full consideration under this section. The fictional context, the anti-war-purpose of the film and the way the incidents are captured mean that it is more properly discussed under s3(3)(a)(ii), below.

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

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

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 Conclusion.

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.

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 storyline holds a number of strong depictions of serious physical harm, some with tones of cruelty. A woman is pistol whipped across the face, another is beaten and shot. A man is shot in the back and for another, the bullet goes through his hand. These come with imagery of blood but they are restrained in manner and brief. A strong image of horror is seen when the decaying face of a woman who has committed suicide is dwelt upon. The skin is mouldering and flies settle. Her eyes are open and vacant. The empty medicine bottle in her lap is evidence of suicide, most probably because of fear and terror although her particular circumstances are clarified.

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

The narrative presents incidents of sexual violence and a recounting where a woman remembers her sexual violation as a child.

Very soon after the film opens, a distressed woman is seen escaping from a horse-drawn carriage. She is shot in the back by a man who follows her. He then does up his trousers implying that rape has occurred. Further on it is implied that Louise is raped. She is a teenager but her exact age is unclear. One of the soldiers has found his way into the room where she is sheltering. He pushes her onto the bed, hold her down, stuffs a rag into her mouth and rips her dress. The camera returns a little later staying above his head and shoulders and capturing the sexual movements as he finishes. He then aims a gun at her. Her fear throughout is palpable bit she lives and the incident gives Mad the opportunity to tell her story of her childhood suffering in the "keeping room" of the title. This was a slaver's flesh pit, a mysterious shed on the plantation where she grew up. When she turned 10, she was thrilled to learn that she could go inside. That was the day her childhood ended. Inside the windowless hut there was a "low cot... a man came in and he had me... he was so big and I was so

small". She continues "That was the first time and there were many more. Sometimes they cut the baby out, other times they keep them." The story has two-fold purpose – to show that the country, the area, was poisoned before the war and also to help the violated Louise. The man who raped her has been killed by Mad. "Your monster is dead" she tells Louise, leaving unsaid that the men who raped her when she was a child carried on their monstrous behaviour inflicting further damage and being a constant daily presence. Most of the narrative has lingering dread and terror underlining the women's vulnerability to sexual force and violation and the classification rests upon these incidents and the accompanying violence.

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.

Louise is raped. She is a teenager but her exact age is unclear. See discussion above under s3(3)(a)(ii).

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.

Fiction with crime as historical context. Criminal acts such as war crimes and acts of violence for self-preservation cannot be said to promote and encourage such crimes. The publication works with anti-war messages.

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

Mad is treated as an equal by Augusta – contrast with Louise.

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).

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.

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 word 'fuck' is heard to a very low extent. Of more concern, is the highly offensive word 'nigger' which is encountered a few times and used in a derogatory way which adds some weight to restricting the feature. The usage makes it clear that the word is derogatory and is understood to be so by the characters who use it.

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.*

A woman has used poison to commit suicide. It is assumed that she could not bear to think about what would happen to her when the Union soldiers reached her home. See above discussion under s3(3)(a)(i).

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.*

Discussed above and below in the conclusion.

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 feature (seen through contemporary gender politics) is a slow melancholic recreation of the aftermath of the American civil war where three women with hard-bitten pioneer spirit fight to survive.

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

A DVD – material can have greater impact due to functions such as pause and replay. Easily copied and lent or borrowed.

- 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.*

Has merit in the way it treats war and how war can challenge the ideas of free will (a man points out that he can't stop raping and killing), and how the devastation of war can obliterate any sense of shared humanity. There is a slow careful screenplay with an admirable score.

- 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.*

Given the sexual violence and violence as well as the ongoing tones of danger, threat and tension the film is intended for older audiences.

- s3(4)(e) *The purpose for which the publication is intended to be used.*

Classification

Intended to entertain but also makes comments about the cruel nature of war and the history.

s3(4)(f) *Any other relevant circumstances relating to the intended or likely use of the publication.*

None identified

CONCLUSION (INCLUDING NZBORA CONSIDERATIONS)

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**.

Any classification that limits the right to freedom of expression affirmed by s14 of the NZBORA must be **reasonable** and **demonstrably justifiable**.

Classification:

R16.

Given the sexual violence and violence as well as the ongoing tones of danger, terror, threat and tension the film targets older audiences. Its unrestricted availability is likely to be injurious to the public good. The content described above is likely to disturb and shock children and young people, however, older audiences will have the experience and knowledge to consider the intent of the film and make sense of the stronger material and the historical and cultural contexts.

The above harms are considered against the right to freedom of expression as set out in the New Zealand Bill of Rights Act 1990. Restricting the availability of the publication to older teenagers and adults is the lowest reasonable restriction which can be applied in order to prevent 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"/>
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.

Matters of sex, crime cruelty and violence.

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.

None required.

Date: 11 July 2016 DFCL Ref: 1600491 VR: 3@88

Applicant: FVLB

Distributor: Vendetta

Title: The Keeping Room

Other known title(s):

Director(s): Daniel Barber

Producer(s): Jordan Horowitz, et al

Medium: _____ Language(s): English

Country(ies): USA

Disc Group? Yes / No

Classification <u>R16</u>	Descriptive no: <u>Violence, Sexual Violence & content that may disturb</u>		
Content criteria	No of excisions	Excisions made?	Date excis. made
Other information <u>(8)</u>			
Total running time <u>100:13</u>		Total running time w/ excisions	

Warning }
Pinnacle } :15

Anti Piracy : 37

MA 15+

The Legend of Barney Thomson 1:51

PG Don't be Wild 2:07

Extraction
Viol/crime/ 2:05

Mr. "C England / viol / terror / horror
The Physician. 2:26

Miami: Play
Scenes
Travler

Wno Dancer
GF
Sierra Affluents.

'War Is Cruelty. - quite
Union General.

1865. The American South.

1:00 walk pov of dirt track.
f-black - carries cane.
dog - ugly. f barks bark.
of in horse-cart. Black of.
Whike f runs w ii shet.
" of soldier exits w gun.
does up drawers. #
drinks from alcohol bottle. implied
another white f behind black f - edge
- shoot her at viol?
set fr to cart

3:45. The Keeping Room

- flaming cart on road.

4:10 f in forest.
black f dog.
f water.

- 4:53 ♀ blonde w. gun in forest.
 g.p catches black ♀ dog
 ♀ w. gun washes.
- 6:05 g.p puts flowers on grave.
 "Swamp / white horse
 — lean shelf
- 6:54 — cooking. 3 ♀ in kitchen.
 eat.
- 9:10 3 ♀ in big house / barricade w.
 form.
- 10:35 ♂ on horse / battlefield / dead ♂.
 "dream?" saw "Daddy..."
- 12:50 a.m. / sheep / dress / garden
 argue w/ dress
 she's the negger she should do it
 "Like I told you Louise —
 u — all neggers now"
- 16:11 ♂ w. horse — hit from rider
 ♀ chop wood. / hears screaming.
 run to L. —
 bleeding leg.
 hits back of hand
 hits her back
- 18:30 goes to fetch Louise
 ♀ rider for medicine
 @ neighbors. Clara? dead
 decomposing. — wet bottles lay. how
 moulder & this dead face
 shifts eyes.
 rides on
- 21:45 @ "Kuchin + Negro sales" post.
 rider drunk Caleb.

Krocker... "Marty dead" track from
telli Caleb & Louise Racoon but Len
- C telli Len to get out.
♀ passes her glass of alcohol.
no medicine.

24:30 leaning over in corner begin to take white.

26:10 ♂ Jane Mem (shooters ♂ ♀ & buggy)
♀ in red dress. "I boyr hungry for me"
♂ follow K. upstairs

28:40 K has ~~dog~~ gun on ♂
red dress ♀ butler ♂ there' blot
try to distract hitting

29:35 - dog. Battle
red shirt ♂ talk her to go
she ♂ pretend shoot her.
all look @ red dress ♀
K order them up!

32:20 Len in bath - silver / Whimper
K puts positive shuff on her leg.
"telli King & Silver story."
cries.

37:50 2 ♂ & dog walk.
♂ find pred dress fabric.
2 ♀ in cabin. / get drunk.

42:35 Len - hungry. refuel

43:42 rider first dead Caleb + red dress, #
white horse down. blood

44:37 - K naked. - gun with her
- shoots ♀ panic. - get L + other
Men heard outside.

48:00 bullets fired over King as she lies on floor.

49:05 fire - Aug beats out w. dress.
o's break window.
- she shoots him.
- hant wound scream

teach of abt using gun
o yell - come out - can't come

52:35 o in house.
Aug outside w. o.
"I wanted to keep you for a while."

inside/outside interact - tension
"o breaks in. Her gun doesn't go off."
"damp powder"
prst o shuts her. VIA

55:20 'Why u come like you want a war'
inside o bannakes door.
shuts @ Aug.
outside o - put down the gun.
she shoots him LIF

56:42 Lou & bloodied hand o.

57:30 gets Lou on bed - stuffs mouth
w. rag. - lift dress } beg
sex?
wot?
outside o - abdo wound.
- Aug is down - but hits him
w. gun #

58:40 - rape implied - back of o's
head & shoulder as he
franches. } sex
- aims gun @ her. + } violence
shot - o drops. Black of has
killed her
confab Augus Louie.
Aug. returns 39 any

1:00:15 - big wound in Aug's arm
- grab in it / grab up.
drink & attend to Lou.

father ask "shed" - told not to go in...
we made all sorts of stories.
one day Dad - man told me to go to
the shed.

I had group to be there to tell all
the other. -
low cut, no windows.

to come in - & he hit me
- he was so big & I was so small
that just time & there were
many more

Sometimes they cut the baby out
other times they kicked them

"many kinds of monster in this world."

"Yr monster is dead"

1:04:50 - hear noise - go out w gun. (night)
mat sees big dark figure.
- her's.
- he's shot in back by Aug.

Dry. - it's over - (war)
take shelter - Ray coming. dies

1:07:11 Mat in w. Lou. & Aug arrived
- Aug creeps on knees. Mat knob.
answer? out there.
he group to hunt him.

fracking's. - blood. - to house.

1:11:20 to on bed. - then father was blood.
"kromshipe."
- gun on Aug.
"wishing for you"

1:13:00 - name in notes.
Boomer - sent ahead for food...

Uncle Billy - "it will be cruel"
"he can hit him"

1:14:35 I fuck u & beautiful' off top
put his gun down.
wounded - bloody

1:17:15 - who shoots him
of bury bodies
Aug first paper - / photo in News paper
3 bodies in grave.

1:20:50 pink sky - fire. They come.
stay & defend home.
dress as men

1:23:00 burn big house
leave.
top shot - soldiers arrive @ here.

1:24:20 Dr Daniel Barber
prod Jordan Hovowitz
Tubb Payne et al

2014

1:30:52

Scenes - 16.

1600491

Menu: Play
Scenes
Trailers

Feature: The Keeping Room 90:52

The Legend of Barney Thomson 1:51

Extraction 2:05

Dare To Be Wild 2:07

The Physician 2:26

¹⁵
³⁷
⁵² TV Special :52

TRT 100:13

