

Terms of Reference – Pornography Working Party

2018

Purpose

This Working Party is established to investigate the impacts of New Zealanders' use of pornography in the modern digital environment, coordinate work and advice relevant to this issue between agencies and to provide a centre of knowledge for government on the subject and advice on potential policy responses.

Background

Modern digital technology has meant that very high volumes of free, highly diverse and sometimes extreme pornographic material is available to almost anyone with a smart phone or internet connection.

This issue was highlighted in a select committee hearing in May, 2018, on a petition calling for the appointment of an expert panel *“to investigate the public health effects and societal harms of pornography to both children and adults, and to make policy recommendations to Parliament”*.

Discussions between agencies concerned with sexual violence; sexual health; youth mental health and other relevant areas on this issue highlighted the fact that significant work on this issue was already underway by individuals and organisations around New Zealand. An opportunity to help co-ordinate this work and provide a centre for collaboration on the topic was identified, and the Working Party was established.

Objectives

1. The Working Party will inform research or work undertaken by government agencies relating to pornography, and ensure that relevant work is known and available across government. For example, the Working Party will help inform the work the Office of Film and Literature Classification has commenced researching the prevalence and effect of pornography use by young New Zealanders.
2. The Working Party will represent a centre of knowledge on pornography use and impacts in New Zealand, and will be available to advise agencies on work programmes or initiatives relevant to those impacts.
3. The Working Party will be available to provide collective advice to government on relevant policy initiatives and responses.

Rules of engagement

The parties agree that they will:

- Work together in good faith, balancing the interests of all parties
- Hold Working Party discussions in confidence and on a without prejudice basis
- Agree to any external communications or releases as circumstances arise.

If the parties are unable to reach agreement on recommendations, the Working Party will develop briefings that outline:

- The areas where the parties have reached agreed recommendations, and
- The areas of difference.

Approach

Membership

To enable an effective process and discussion the parties will keep membership of the Working Party tight. There are currently twelve members from eight government agencies and one independent agency operating under legislation.

The parties agree that consistency of attendees will be important – though not essential – for the Working Party to achieve its objectives, and will aim to ensure that representatives will not be changed unless this is unavoidable. If any change in representatives is required, the party concerned will ensure the new attendee/s have been well briefed on previous discussions and progress.

The parties will each ensure that their constituents/stakeholders are informed and have appropriate opportunity to have input into development of recommendations.

Chief Censor David Shanks of the Classification Office is chair of the Working Party.

Parties

The current parties are: the Classification Office, Netsafe, Ministry of Health, Department of Internal Affairs, Ministry for Women, Ministry of Social Development, Ministry of Education, ACC, and New Zealand Police.

Parties may work together in smaller groups relating to specific work streams and report back to the full Working Party.

Meetings

The Working Party will determine a schedule of meetings as required to make progress on agreed objectives.

The Classification Office will make practical meeting arrangements (for example the venue and catering) as required by the Working Party.

Timeframes and reporting

Timeframes

The Working Party met for the first time on 8 May 2018. By the end of the 2018 calendar year it is expected that:

- The first stage of the Classification Office research (developed and disseminated in consultation with the Working Party) will be published
- A draft analysis/insights paper summarising the group's response to research results will be prepared.
- Other briefings may be generated as required on policy recommendations relating to:
 - (a) regulation
 - (b) education and appropriate support services

(c) other available steps aimed at preventing, mitigating or reducing harm.

Reporting

Each party will be responsible for reporting to their stakeholders, in accordance with any messaging agreed during Working Party discussions and as required by their internal governance mechanisms. In doing so, the parties agree to honour the confidentiality of the Working Party discussions.

Government representatives will provide progress reports to Ministers as required.