

12 May 2023

By email: [REDACTED]

Tēnā koe [REDACTED],

Official Information Act request

Thank you for your request under the Official Information Act 1982 (OIA) about the classification of *High School DxD Series Collection*, which we received on 14 April 2023.

You said:

I would like to request the classification information for the DVD's "High School DXD Series Collection (Disc 1)", publication number "2200252.000" and "High School DXD Series Collection (Disc 2)", publication number "2200253.000".

The information I am requesting is the following:

- Examination transcript;
- Consideration Sheet;
- Summary of Reasons;
- Supplementary materials (video footage, content declaration questionnaires, debug information);
- Screenshots showing information from the database as seen by OFLC;
- Emails and their attachments to and/or from FVLB, OFLC, distributors, publishers, and developers;
- Forms and their attachments to and/or from FVLB, OFLC, distributors, publishers, and developers.

In responding to your request, we have weighed up the factors in the OIA, including the purposes in [section 4](#) and the principle of availability in [section 5](#).

Response to your request

Please find attached to this letter a file containing the information you have requested.

We did not receive any supplementary materials from the publisher of these publications. Supplementary materials are normally only provided for the classification of games.

Publication of response

This response may be published on the Classification Office's [website](#). If it is published there, your personal information will be redacted.

Right of review

You have the right to make a complaint and seek a review by the Ombudsman of this response, and decision to transfer part of your request, under [section 28\(3\) of the OIA](#). Information about this process is available at ombudsman.parliament.nz or freephone 0800 802 602.

Thank you for your interest in our mahi.

Ngā mihi nui,
Te Mana Whakaatu—Classification Office

High School DxD Series Collection

Release of information about reconsideration decision

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RECONSIDERATION UNDER s.42:
APPLICATION FOR LEAVE TO SUBMIT PUBLICATION

TO: The Chief Censor
Office of Film and Literature Classification
Level 1, 88 The Terrace
Wellington 6011

OFLC 1300957.000 - disc 1 OFLC 2200252.000 R2200202 leave
OFLC 1300957.001 - disc 2 OFLC 2200253.000 R2200203 leave
OFLC 1300957.002 - slick

Date of Application: 9/06/2022

Date of Previous Decision: 11/11/2013

Pursuant to section 42 of the Films, Videos, and Publications Classification Act 1993, I [state full name]

Dray James Mark

hereby seek the leave of the Chief Censor to submit the publication described below for reconsideration of its current classification.

A copy of the publication is enclosed. Yes No

Title of Publication: High School DXD Series Collection (Grouping of Disc 1 and Disc 2 and the Slick)

Other Known Title(s): ハイスクールD×D

Director/Author: Tetsuya Yanagisawa

Producer/Publisher: TNK

Format: DVD

Country of Origin: Japan Language: Japanese

CONTACT DETAILS

Applicant's address: s 9(2)(a)

Applicant's phone number: s 9(2)(a)

Applicant's email address: s 9(2)(a)

Reasons for seeking leave:

High School DxD was ruled objectionable in 2013 since then it's been widely regarded as a mistake in the Anime community and I think it's time for there to be a reconsideration. I understand the concerns of why it was classed as that as per my OIA request, however similar animes or as the OIA called it "ecchis" like Puni Puni Poemy that were originally considered objectionable are now considered R16. I feel would be appropriate for High School DxD as the material is similar. Its been 9 years since it was viewed as objectionable and feel very strongly that should be reconsidered as time has changed so has societies view of these art forms has changed.

Its also important to look at what the FVPC Act states. s3(2) of the FVPC Act states that "A publication shall be deemed to be objectionable for the purposes of this Act if the publication promotes or supports, or tends to promote or support,—

(a)

the exploitation of children, or young persons, or both, for sexual purposes;" but there is no definition of young persons or children, while I understand in *Moonen v Film and Literature Board of Review (Moonen II)* [2002] 2 NZLR 754, it was stated by the Court of Appeal the this absence of definitions was deliberate as to not require proof of the models ages. In High School DXD their age is never stated as well as the models are purposely shown to look older therefore it shouldn't fall under s3(2) of the FVPC Act . The models are not and should not be classified as young persons despite being in High School and participating in High School activities in episode 01 - I Got A Girlfriend! Issei always refers to them as "senpai" which is used in Japan when discussing someone older than them, and based off the same episode its assumed that the charcters would be in second year High School which in Japan would make Issei a minimum of 17 but its heavily implied he is in fact 18. By calling these girls "senpai" its clearly distinguishing that these characters are not "young persons" as set out s3(2) of the FVPC Act or should be viewed as "young persons" as set out in *Moonen v Film and Litration Board of Review* [2002] and are actually supposed to be viewed as older female; not High School students.

There are some points I would like for you to consider whether to grant leave. One being High School DXD is a popular anime by far with millions of viewers world wide who enjoyed the show with New Zealand being one of the very very few countries to have it classed as objectionable. As I stated before I think its time to reconsider based on how its been viewed by society over time, its important to view this anime as a piece of art, while having some dark undertones, it still should be able to be distributed in New Zealand so people can have the option of seeing it.

I would also like to request a reduced fee.

Papers for the Chief Censor

Cover Sheet

| | |
|-----------------|--|
| To | Acting Chief Censor |
| Copied to | |
| Date | 13/06/2022 |
| From | Submissions |
| Subject | S42(1) Reconsideration – High School DXD Series Collection (discs 1 and 2) R2200202 and R2200203 |
| Action Required | For approval |
| Date Required | 23/06/2022 |

Purpose

To grant or decline leave for reconsideration of two discs classified as Objectionable in 2013, applied for by member of the public.

Background / Context

Dray Mark, member of the public is seeking leave for Reconsideration of two disc set High School DXD Series Collection OFLC1300957.000 and 1300957.001 [recon numbers OFLC 2200252.000 and 2200253.000].

"High School DxD was ruled objectionable in 2013 since then it's been widely regarded as a mistake in the Anime community and I think it's time for there to be a reconsideration. I understand the concerns of why it was classed as that as per my OIA request, however similar animes or as the OIA called it "ecchis" like Puni Puni Poemy that were originally considered objectionable are now considered R16. I feel would be appropriate for High School DxD as the material is similar. Its been 9 years since it was viewed as objectionable and feel very strongly that should be reconsidered as time has changed so has societies view of these art forms has changed. "

Available online via streamers (may require VPN) and as discs through retailers.

Rated MA15+ in Australia, R18 in UK

Who else has been consulted? (select those that apply and add name of person / people)

- Communications _____
- Classification Unit **s 9(2)(a)** – see attached email **+** **s 9(2)(a)** _____
- Corporate Services _____
- CVE Team _____
- External _____

Any additional information that the Chief Censor should consider

Decisions and brief internet searches attached.

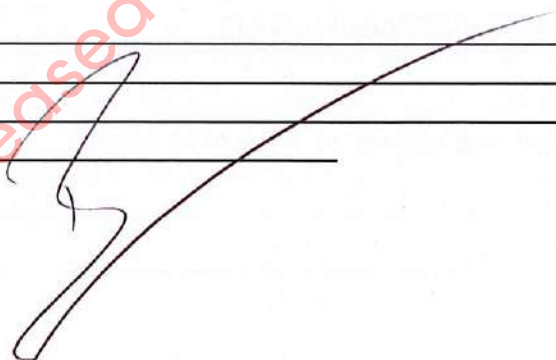
Applicant makes reference to 2021 reconsidered Puni Puni Poemy.

Chief Censor:

Approved / Not Approved / Noted / Need to discuss (or more info)

Comments:

Signed:



Date: 14 June 2022

REASONS FOR DECISION

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

| | |
|------------------------------|--|
| Title of publication: | High School DXD Series Collection (Disc 1) |
| Other known title: | Not stated |
| OFLC ref: | 1300957.000 |
| Medium: | DVD |
| Classification: | Objectionable. |
| Excisions: | No excisions recommended |
| Descriptive note: | None |
| Display conditions: | None |

The Office of Film and Literature Classification (Classification Office) examined the publication and recorded the contents in an examination transcript. A written consideration of the legal criteria was undertaken. This document provides the reasons for the decision.

Submission procedure:

The Film and Video Labelling Body submitted the publication on 04 October 2013 under s12 of the FVPC Act. It was submitted on behalf of Madman Entertainment.

Under s23(1) of the FVPC Act the Classification Office is required to examine and classify the publication.

Under s23(2) of the FVPC Act the Classification Office must determine whether the publication is to be classified as unrestricted, objectionable, or objectionable except in particular circumstances.

Section 23(3) permits the Classification Office to restrict a publication that would otherwise be classified as objectionable so that it can be made available to particular persons or classes of persons for educational, professional, scientific, literary, artistic, or technical purposes.

Description of the publication:

The publication is a DVD around 161 minutes long. It contains the first seven episodes of the Japanese anime series *High School DXD*. The series follows high school student Issei, obsessed with women and sex, and unexpectedly thrown into the supernatural world of angels and demons when he is taken into servitude by Rias, a high-powered and beautiful devil and fellow student. Rias and her

team of devils (all fellow high school students) must fight challenges posed from adversaries using their supernatural abilities whilst maintaining their cover as a high school club of occult enthusiasts. Issei's inauguration into the group, the development of his powers, and the furtherance of his sexual interest in the female characters are the primary narrative plot arcs. The DVD also contains notices and two commentaries.

The majority of the publication is in English or is in Japanese with English subtitles.

The meaning of "objectionable":

Section 3(1) of the FVPC Act sets out the meaning of the word "objectionable". The section states that 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.

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)*, must also be taken into 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 main question is whether or not it deals with the following matters in such a manner that the availability of the publication is likely to be injurious to the public good:

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 publication deals predominantly with matters of sex. All of the female characters are gratuitously sexualised. They are almost constantly depicted in a state of nudity or wearing limited and sexualised clothing. Extreme close up shots of their breasts and underwear are frequent and their breasts are animated with great detail, emphasising their size and movement. Each episode is split into two parts; this separation is indicated by multiple still images of the female high school characters, wearing

skimpy underwear or nude, posed in a hyper-sexualised manner so that the viewer may focus on their bodies, breasts and genitalia. The closing credits feature strip teases performed by all of the central female characters.

The character Issei often fantasises about having sex with these characters, mentally undressing them and touching their naked bodies. He briefly imagines fellow high school students Asia and Akeno engaging in sexual activity in the episode *07 - I Get A Familiar!* The imagery to support this fantasy shows the two girls naked together, one on top of the other, with tensed expressions. Towards the end of this episode, the female characters get covered in a supernatural slime that disintegrates their clothing and wraps around them. At one point a slime tentacle moves between the character Rias' legs and she cries out. The sexual implication is clear.

The series opens on Issei and his friends discussing sex, masturbation and pornography at length. Explicit sexual references are made by them and then more predominantly by Issei, as his character is further developed throughout the publication. His dominant preoccupation is the sexualisation of the female characters and the pursuit of engaging in sexual activity with them. This preoccupation is not in any way undermined by the revelation of the existence of the supernatural; if anything it fosters his sexual obsession by putting him in closer contact with the female characters.

The publication falls just shy of being described as “hentai” or sexually explicit animated content.¹ Instead, the relentlessness of the sexualised imagery (as well as the brief visual allusions to sexual activity) means it is more correct to describe the publication as “etchi” or “ecchi” rather than “hentai”.² The youthfulness of the characters in association with this sexual material is discussed below.

Matters such as horror

Due to the publication's supernatural themes, horror is depicted in a somewhat limited way. The fallen angels are often detailed with sharp teeth and crazed expressions. Their attacks are presented as ominous and frightening. The group also fight monsters on occasion, in the same frightening manner. However, due to the overall tone of the publication and the visual limitations of the anime medium, the publication cannot be said to be horrific in effect.

Matters such as violence

The publication deals regularly with matters of violence. In *01 - I Got A Girlfriend!* Issei is inaugurated into the supernatural world of angels and demons when his girlfriend Yuma turns into an angel and severely maims him. He is rescued by Rias. In *03 - I Made A Friend!* Rias and her team of devils battle a monster. The episodes *04 - I'm Saving My Friend!* and *05 - I Will Defeat My Ex-girlfriend!* are dedicated to Issei and Rias rescuing a young nun Asia from a group of sadistic fallen angels led by Yuma. This leads to a dramatic and violent showdown. The violence perpetrated against Asia is often sexualised, capitalising on her vulnerability, youthfulness and often nudity for titillating effect. The violence is of moderate impact overall.

¹ “Hentai: Perverted or abnormal person or behaviour: but adopted by English speakers to mean explicit or pornographic ANIME, MANGA and games...Retailers and fans called this ‘hentai’ to distinguish animated erotica from normal live-action pornography. Hentai anime typically has a bad image because the medium lends itself to experimentation, private fantasy, exaggeration and fetishism.” Galbraith, Patrick W. (2009). *The Otaku Encyclopedia: The Insider's Guide To The Subculture Of Cool Japan*. Tokyo, Japan: Kodansha International Ltd, 99.

² “Ecchi is an often used slang term in the Japanese language for erotic fantasy and sexual innuendoes...While the word *ecchi* could mean anything from mild to insulting in Japanese language, it is used in Western culture to divide between pornography (hentai) and playful usage of sexualised imagery. Works considered as ecchi don't show any sexual intercourse or primary sexual characteristics.” Wikipedia. (2013). *Ecchi*. Retrieved November 4, 2013, from <http://en.wikipedia.org/wiki/Ecchi>

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"³ 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.⁴

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.

The Classification Office has considered all of the matters in s3(2). The relevant matter is:

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.⁵

Parliament's intention therefore was that s3(2)(a) should apply to any publication 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

³ *Moonen v Film and Literature Board of Review* [2000] 2 NZLR 9 at para 27.

⁴ Above n3 at para 29.

⁵ *Moonen v Film and Literature Board of Review* [2002] 2 NZLR 754 at para 40.

publication itself, the publication at least tends to promote or support the exploitation of children or young persons for sexual purposes.

The publication tends to promote or support the exploitation of young persons for sexual purposes through the unrelenting sexualisation and fetishisation of young female characters. The characters are all in high school. Their youthfulness is evidenced by their being dressed in school uniforms, the high school setting, and they engage in high school activities. Two of the female characters, Asia and Koneko, present as younger than their high school peers due to their diminutive stature and small, undeveloped breasts. It is indicated that these characters serve a “lolikon” function in the publication (lolikon refers to a “Lolita complex” whereby one is attracted to children).⁶ The erotic appeal of these characters lies primarily in their ‘virginal innocence’ (the dominant sexual characteristic of children and young persons) and it is this which is most exploited by the publication in its efforts to hyper-sexualise young persons.

The thin supernatural narrative involving the high school students serves as a mere device to distract from the dominant purpose of the publication which is the sexual exploitation of the young female characters. Distinctions can thus be made between this particular publication and others which include “fanservice” and other forms of eroticised animation.⁷ The “soft porn” quality of this publication is primary to this distinction.

All of the characters appear to have an understanding of sex and the female characters are aware of their sexual prowess and the effect this has on the protagonist Issei, and as a function of this, on the viewer. For instance, the characters Rias and Asia regularly indulge Issei, and thus the viewer, in their nudity and sexual availability in order to gratify. Scenes regularly focus on their naked bodies in such a way that can only be for the sexual benefit of the viewer. Their awareness suggests to the viewer that the young female characters are complicit in their sexualisation and reinforces the notion that they are viable sexual partners and are ready for adult forms of sexual activity. This is, at times, juxtaposed against Issei’s reaction to the girls’ sexuality. He often demonstrates immaturity and inexperience when confronted with female nudity and the prospect of sexual intercourse. This juxtaposition reinforces the reality that the publication is dealing primarily with young persons, and in Issei’s case, young persons lacking in the sexual development necessary to justify such candid sexualisation and fetishisation.

The main purpose of this sexualised imagery and sexual content, reminiscent of adult entertainment material, is the titillation and arousal of the viewer; further, the titillation and arousal of those with a prurient interest in young persons. The animated medium does not detract from this purpose. If anything the medium allows for greater creative development of this sexual exploitation.

New Zealand Bill of Rights Act 1990:

Section 14 of the New Zealand Bill of Rights Act 1990 (NZBR Act) 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 NZBR Act, 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 NZBR Act states that “Wherever an enactment can be

⁶ “Fan service: Showing a series’ characters in risqué or compromising positions to give the fans a thrill. This can be as simple as a gust of wind blowing up a girl’s skirt, or as titillating as a naked girl stepping out of a shower, hidden only by steam...fan service rarely includes full nudity.” Above n1 at 69.

⁷ “Lolicon:...In Japan, “lolicon” is used to describe either a sexual attraction to prepubescent girls or an individual with that desire...the legal age of consent in Japan can be as low as thirteen, depending on the prefecture. The underage appearance of lolicon characters in ANIME is typically excused by the use of convoluted plot devices that suggest that these prepubescent-looking girls are actually much older.” Above n1 at 128.

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".

Conclusion:

The DVD is classified objectionable because it tends to promote and support the exploitation of young persons for sexual purposes.

The publication relentlessly depicts young female high-school students nude or in limited sexualized clothing, posing sexually and in such ways that emphasizes their bodies, breasts and genitalia. The only purpose of this hyper-sexualised imagery is the titillation and arousal of the viewer. It therefore attracts those with a prurient interest in young persons. It is intended that the viewer find these young characters' sexually desirable because of their youth and available for adult sexual gratification. This publication is therefore likely to create or reinforce a sexual interest in young persons and encourage the sexual exploitation of young persons.

The Classification Office has considered the effects of the NZBR Act on the application of the classification criteria elsewhere in these reasons. The classification of this publication interferes with the freedom of expression, but this is an outcome that is consistent with Parliament's intention that publications falling under s3(2) are deemed to be objectionable. The classification is also a reasonable limitation on the freedom of expression that reflects the concern of "a free and democratic society" to limit the availability of publications that sexually exploit young persons.

Note:

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REASONS FOR DECISION

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

| | |
|------------------------------|--|
| Title of publication: | High School DXD Series Collection (Disc 2) |
| Other known title: | Not stated |
| OFLC ref: | 1300957.001 |
| Medium: | DVD |
| Classification: | Objectionable. |
| Excisions: | No excisions recommended |
| Descriptive note: | None |
| Display conditions: | None |

The Office of Film and Literature Classification (Classification Office) examined the publication and recorded the contents in an examination transcript. A written consideration of the legal criteria was undertaken. This document provides the reasons for the decision.

Submission procedure:

The Film and Video Labelling Body submitted the publication on 04 October 2013 under s12 of the FVPC Act. It was submitted on behalf of Madman Entertainment.

Under s23(1) of the FVPC Act the Classification Office is required to examine and classify the publication.

Under s23(2) of the FVPC Act the Classification Office must determine whether the publication is to be classified as unrestricted, objectionable, or objectionable except in particular circumstances.

Section 23(3) permits the Classification Office to restrict a publication that would otherwise be classified as objectionable so that it can be made available to particular persons or classes of persons for educational, professional, scientific, literary, artistic, or technical purposes.

Description of the publication:

The publication is a DVD around 161 minutes long. It contains the last five episodes of the Japanese anime series *High School DXD*. The series follows high school student Issei, obsessed with women and sex, and unexpectedly thrown into the supernatural world of angels and demons when he is taken into servitude by Rias, a high-powered and beautiful devil and fellow student. Rias and her team of

devils (all fellow high school students) must fight challenges posed from adversaries using their supernatural abilities whilst maintaining their cover as a high school club of occult enthusiasts. Issei's inauguration into the group, the development of his powers, and the furtherance of his sexual interest in the female characters are the primary narrative plot arcs. The DVD also contains notices and a range of extra material including featurettes, trailers and the series' theme songs.

The majority of the publication is in English or is in Japanese with English subtitles.

The meaning of "objectionable":

Section 3(1) of the FVPC Act sets out the meaning of the word "objectionable". The section states that 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.

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)*, must also be taken into 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.

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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 publication deals predominantly with matters of sex. All of the female characters are gratuitously sexualised. They are almost constantly depicted in a state of nudity or wearing limited and sexualised clothing. Extreme close up shots of their breasts and underwear are frequent and their breasts are animated with great detail, emphasising their size and movement. Each episode is split into two parts; this separation is indicated by multiple still images of the female high school characters, wearing skimpy underwear or nude, posed in a hyper-sexualised manner so that the viewer may focus on their

bodies, breasts and genitalia. The closing credits feature strip teases performed by all of the central female characters.

The character Issei often fantasises about having sex with these characters, mentally undressing them and touching their naked bodies. In the episode *08 – I Pick A Fight!* Rias comes to Issei's bedroom strips naked and begs him to "take her virginity". During this scene the focus is on her breasts and naked body, positioned in such a way that resonates with explicit adult entertainment material. The scene's construction is wholly for the benefit of the viewer. Later in the episode when confronted by adversary Rex Pheonix, he trumps Issei by demonstrating he has complete sexual control over his devils, kissing and groping the naked breast of one of his female counterparts. She complies. Issei's desire to have a 'harem' of women at his sexual disposal is regularly commented on in the publication.

Issei and his friends discuss sex, masturbation and pornography at length. Explicit sexual references are made by them and then more predominantly by Issei, as his character is further developed throughout the publication. His dominant preoccupation is the sexualisation of the female characters and the pursuit of engaging in sexual activity with them. This preoccupation is not in any way undermined by the revelation of the existence of the supernatural; if anything it fosters his sexual obsession by putting him in closer contact with the female characters.

The component *Fantasy Jiggles Unleashed* is a series of featurettes dedicated to placing the female characters in adult pornographic scenarios such as massaging each other with tanning oil, engaging in bondage behaviour and bathing each other.

The publication falls just shy of being described as "hentai" or sexually explicit animated content.¹ Instead, the relentlessness of the sexualised imagery (as well as the brief visual allusions to sexual activity) means it is more correct to describe the publication as "etchi" or "ecchi" rather than "hentai".² The youthfulness of the characters in association with this sexual material is discussed below.

Matters such as horror

Due to the publication's supernatural themes, horror is depicted in a somewhat limited way. The fallen angels are often detailed with sharp teeth and crazed expressions. Their attacks are presented as ominous and frightening. The group also fights monsters on occasion, in the same frightening manner. However, due to the overall tone of the publication and the visual limitations of the anime medium, the publication cannot be said to be horrific in effect.

Matters such as violence

The publication deals regularly with matters of violence. Episodes *10 – The Showdown Begins!* to *12 –* feature a long-standing battle between Rias and her devil troop and Zex Pheonix and his troop of devils. The violence is purely fantasy violence and no one is severely injured during these episodes. The tone is dramatic and intense. A skill Issei learns, throughout the later episodes of the publication, is the ability to strip female characters naked. He does this as a method to distract his opponents and also to derive titillation for himself, and vicariously for the viewer. His victims cry out when he strips them of their clothes, humiliated and disgraced. This plainly amounts to sexual assault.

¹ "Hentai: Perverted or abnormal person or behaviour: but adopted by English speakers to mean explicit or pornographic ANIME, MANGA and games...Retailers and fans called this 'hentai' to distinguish animated erotica from normal live-action pornography. Hentai anime typically has a bad image because the medium lends itself to experimentation, private fantasy, exaggeration and fetishism." Galbraith, Patrick W. (2009). *The Otaku Encyclopedia: The Insider's Guide To The Subculture Of Cool Japan*. Tokyo, Japan: Kodansha International Ltd, 99.

² "Ecchi is an often used slang term in the Japanese language for erotic fantasy and sexual innuendoes...While the word *ecchi* could mean anything from mild to insulting in Japanese language, it is used in Western culture to divide between pornography (hentai) and playful usage of sexualised imagery. Works considered as ecchi don't show any sexual intercourse or primary sexual characteristics." Wikipedia. (2013). *Ecchi*. Retrieved November 4, 2013, from <http://en.wikipedia.org/wiki/Ecchi>

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"³ 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.⁴

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.

The Classification Office has considered all of the matters in s3(2). The relevant matter is:

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.⁵

Parliament's intention therefore was that s3(2)(a) should apply to any publication 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

³ *Moonen v Film and Literature Board of Review* [2000] 2 NZLR 9 at para 27.

⁴ Above n3 at para 29.

⁵ *Moonen v Film and Literature Board of Review* [2002] 2 NZLR 754 at para 40.

publication itself, the publication at least tends to promote or support the exploitation of children or young persons for sexual purposes.

The publication tends to promote or support the exploitation of young persons for sexual purposes through the unrelenting sexualisation and fetishisation of young female characters. The characters are all in high school. Their youthfulness is evidenced by their being dressed in school uniforms, the high school setting, and they engage in high school activities.

Two of the female characters, Asia and Koneko, present as younger than their high school peers due to their diminutive stature and small, undeveloped breasts. It is indicated that these characters serve a “lolikon” function in the publication (lolikon refers to a “Lolita complex” whereby one is attracted to children).⁶ The erotic appeal of these characters lies primarily in their ‘virginal innocence’ (the dominant sexual characteristic of children and young persons) and it is this which is most exploited by the publication in its efforts to hyper-sexualise young persons. One of the featurettes in the component *New Material From Ichiei Isibumi* is dedicated to the fetishisation of the “loli girls” in the publication. It combines all of the publication’s nude imagery of the characters with commentary about their sexual appeal which is intrinsically related to their youthfulness.

The thin supernatural narrative involving the high school students serves as a mere device to distract from the dominant purpose of the publication which is the sexual exploitation of the young female characters. Distinctions can thus be made between this particular publication and others which include “fanservice” (titillation which is intentionally added to excite and or please the audience or viewer) and other forms of eroticised animation.⁷ The “soft porn” quality of this publication is primary to this. This is particularly evident in the component *Fantasy Jiggles Unleashed*, which places the young female characters in adult pornographic scenarios. Other examples are discussed above under *Matters Of Sex*.

All of the characters appear to have a knowledgeable understanding of sex and the female characters are aware of their sexual prowess and the effect this has on the protagonist Issei, and as a function of this, on the viewer. For instance, the characters Rias and Asia regularly indulge Issei, and thus the viewer, in their nudity and sexual availability in order to gratify. In the episode *08 – I Pick A Fight!* Asia becomes jealous of Issei’s affection for Rias and directly offers to lift up her skirt so he can see him nude. He later stumbles on her in the shower. The scene gratuitously lingers on Asia’s naked youthful body and she suggests “they make the most of it” as the shot lingers on her undeveloped breasts. This awareness suggests to the viewer that the young female characters are complicit in their sexualisation and reinforces the notion that they are viable sexual partners and are ready for adult forms of sexual activity. These scenes are constructed wholly for the sexual benefit of the viewer. This is, at times, juxtaposed against Issei’s reaction to the girls’ sexuality. He often demonstrates immaturity and inexperience when confronted with female nudity and the prospect of sexual intercourse. This juxtaposition reinforces the reality that the publication is dealing primarily with young persons, and in Issei’s case, young persons lacking in the sexual development necessary to justify such candid sexualisation and fetishisation.

The main purpose of this sexualised imagery and sexual content, reminiscent of adult entertainment material, is the titillation and arousal of the viewer; further, the titillation and arousal of those with a prurient interest in young persons. The animated medium does not detract from this purpose. If anything the medium allows for greater creative development of this sexual exploitation.

⁶ “Lolicon:…In Japan, “lolicon” is used to describe either a sexual attraction to prepubescent girls or an individual with that desire…the legal age of consent in Japan can be as low as thirteen, depending on the prefecture. The underage appearance of lolicon characters in ANIME is typically excused by the use of convoluted plot devices that suggest that these prepubescent-looking girls are actually much older.” Above n1 at 128.

⁷ “Fan service: Showing a series’ characters in risqué or compromising positions to give the fans a thrill. This can be as simple as a gust of wind blowing up a girl’s skirt, or as titillating as a naked girl stepping out of a shower, hidden only by steam…fan service rarely includes full nudity.” Above n1 at 69.

New Zealand Bill of Rights Act 1990:

Section 14 of the New Zealand Bill of Rights Act 1990 (NZBR Act) 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 NZBR Act, 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 NZBR Act 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".

Conclusion:

It is the opinion of the classification office that this publication be classified objectionable because it tends to promote and support the exploitation of young persons for sexual purposes.

The publication relentlessly depicts young female high-school students nude or in limited sexualized clothing, posing sexually and in such ways that emphasizes their bodies, breasts and genitalia. The only purpose of this hyper-sexualised imagery is the titillation and arousal of the viewer. It therefore attracts those with a prurient interest in young persons. It is intended that the viewer find these young characters' sexually desirable because of their youth and available for adult sexual gratification. This publication is therefore likely to create or reinforce a sexual interest in young persons and encourage the sexual exploitation of young persons.

The Classification Office has considered the effects of the NZBR Act on the application of the classification criteria elsewhere in these reasons. The classification of this publication interferes with the freedom of expression, but this is an outcome that is consistent with Parliament's intention that publications falling under s3(2) are deemed to be objectionable. The classification is also a reasonable limitation on the freedom of expression that reflects the concern of "a free and democratic society" to limit the availability of publications that sexually exploit young persons.

Note:

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NOTICE OF DECISION UNDER SECTION 38(1)

TO: Phoenix Almeida-Amir

Title of publication: Puni Puni Poemy
Other known title: Not stated
OFLC ref: 2100071.000
Medium: DVD
Distributor: AV Channel NZ / Gamewizz Interactive
Director: Shinichi Watanabe
Producer: Shigeru Kitayama
Country of origin: Japan
Language: Japanese, English

| | |
|------------------------|---|
| Classification: | Objectionable except if the availability of the publication is restricted to persons who have attained the age of 16 years. |
|------------------------|---|

Excisions: No excisions recommended
Descriptive note: Violence, cruelty, sexual violence & content that may disturb
Display conditions: None

| | Components | Running time |
|-----------------------|---|---|
| Menu: | Episode One! Episode Two! Extras! Languages | |
| Feature(s): | Part 1: Poemy is in a Bad Mood Part 2: With a Dream Greater Than Earth | 30:03 29:41 |
| Timed component(s): | Warning / Madman Entertainment / ADV Films Notices Clean Opening Clean Closing Behind the Scenes Production Sketches Character Art Gallery Chrono Crusade Fist of the North Star Excel Saga Imperfect Collection Neon Genesis Evangelion: The Platinum Edition | 0:30 1:44 1:39 12:51 2:43 2:01 1:52 1:25 1:19 1:17 |
| Untimed component(s): | Credits Commentary | |
| Total running time: | | 87:05 |

REASONS FOR THE DECISION

The Office of Film and Literature Classification (Classification Office) examined the publication and recorded the contents in an examination transcript. A written consideration of the legal criteria was undertaken. This document provides the reasons for the decision.

Description of the publication:

The DVD *Puni Puni Poemy* contains two episodes from the feature series *Puni Puni Poemy*, a 'behind the scenes' documentary related to the making of the episodes, two sketch drawing portfolios of the characters, and several trailers for other animated features.

Originating in Japan, these episodes satirise the 'magical girl'¹ genre satirising various conventions associated with Japanese anime. The story is quite farcical and follows Poemy, an overly energetic 10-year-old girl who wants to be a voice actor. When her adoptive parents are killed she is taken in by her best friend, Futaba Aasu, and her six magical sisters. Poemy has power of her own, which she receives from a magic fish and together with the Aasu sisters, she defends the World against tentacled space aliens who want to 'ravish' the women of Earth.

¹ Magic Girl is a subgenre of Japanese fantasy media (including anime, manga, light novels, and live-action media) centered around young girls who possess magical abilities, which they typically use through an ideal alter ego into which they can transform.

Previous Classification Decisions:

The DVD was initially classified as objectionable by the Classification Office on 20 December 2004.

That decision focused on one particular scene that involved the rape of female characters interpreted as children:

The strongest example of this kind of material occurs during the culminating scene to the second and final episode. It opens with 10 year old Poemy bound in chains, talking to the Alien leader, who informs her that they have invaded earth to have sex with all earth women. Some explanation is given as to why he feels earth women are deemed such a prize. It then moves to depict the Aasu sisters bound and chained. Soon after, a sequence runs which implies that the sisters are being raped. This is presented through depictions of their faces shown in a grimace and the sounds of moaning heard in the background. Accompanying narrative dialogue also directly implies what activity is occurring. Included in this sequence is the rape of 3 year old Hitomi, 10 year old Futaba, and 15 year old Mitsuki.

Immediately after this event, Futaba is focused on, chained and gagged wearing a ball gag and leather bondage style outfit. The alien leader, who appears as a squid-like creature, then rubs against her in a sexual manner, as he continues talking to Poemy about how nice it is that she is now "broken in". This clearly refers to 10 year old Futaba having been sexually violated. During this sequence 10 year old Poemy continually asks the alien leader why he does not want to have sex with her, and states to him how she would very much like to be his sex slave. He replies to her that he is not much interested in her "skanky little" body. Soon after Poemy transforms into her super-hero character, breaks free, and helps rescue the sisters'.

The reasons for the objectionable classification included:

Having considered the criteria in s3(2), the Classification Office is of the opinion that the publication is objectionable because it tends to promote and support the exploitation of children, or young persons, or both, for sexual purposes. It does this by presenting images in which characters presented as being children or young teenagers are directly related to, or engaged, in sexual acts. This includes imagery relating to acts of sexual coercion, which are added as part of the publications storyline for no other reason than to be entertaining. Therefore, to a lesser extent the publication also tends to support the use of sexual coercion to compel persons to submit to sexual conduct.

Throughout the publication, characters who are portrayed as being children and young persons, are depicted engaging in sexual activity. In addition, constant references of a sexual nature are strewn throughout the dialogue and the imagery. Included is a scene where a number of child characters are sexually violated.

This deliberate exploitation of children is reinforced by individuals involved in the production of the publication itself. They acknowledge in the behind the scenes commentary that characters, portrayed as being children and young persons, are being presented in a deliberately exploitative and sexualised manner, including depictions of sexual coercion.

The DVD was submitted to the Film and Literature Board of Review and also classified as objectionable on 27 July 2005. That decision was by majority with two dissenting opinions:

[93] The [majority of the] Board finds that the applicable sections in respect to this publication include Section 3(2)(a) "The exploitation of children, or young persons, or both, for sexual purposes;".

[94] In the bath scene, although there are no genitalia exposed, there is innuendo of sexual acts.

[95] In the rape scene, it is cartooned and there are a number of possible interpretations about what has actually happened, but a likely interpretation for many viewers will be that at least some, if not all, of the sisters were raped.

[96] The rape scene obviously also has application for Section 3(2)(b) "The use of violence or coercion to compel any person to participate in, or submit to, sexual conduct". The expressions on the victims' faces, and the groaning will generally be seen as evidence that rape has occurred.

[97] The English commentary in "Puni Puni Poemy" acknowledges that there are sequences in the DVD which are of concern. The commentary includes statements such as "They're just children", "That's just wrong", "That's weird", "I'm only 3", "I definitely wouldn't let my children see this", and "I wouldn't let my Presbyterian Church Minister uncle see this either". Although the comments are said to increase the humour of the events, the Board accepts the Classification Office statement that "Although the comments may be said in jest, they acknowledge, and reinforce, the fact that child characters are sexualised within the storyline".

99] The Board finds that the Applicant is a devotee of, and expert in Japanese anime, but prefers the Classification Office view of how the general population in New Zealand may view the publication. The Classification Office states *"Although there is a distinct tongue-in-cheek element to the publication that satirises the conventions of this particular style of anime, the scenes described are nevertheless included as part of the entertainment value of the DVD. By attributing adult sexual characteristics to characters depicted as children, and by presenting the scenes of sexual coercion described above in a light-hearted manner designed to entertain and titillate the viewers, the publication tends to encourage a viewpoint that children and young persons are legitimate objects of adult sexual desire and sexually coercive acts"*.

[102] The Board finds that the depictions of such extreme violence, cruelty and torture is to some extent promoted and supported or tended to be promoted or supported as, although farcical at time. "Puni Puni Poemy" shows few consequences for such actions, thereby reducing their impact in the minds of viewers.

[115] The majority of the Board therefore deems the publication "Puni Puni Poemy" to be objectionable for the purposes of the Act in that it does "promote or support or tend to promote or support" the exploitation of children or young persons for sexual purposes. It also shows acts of torture or the infliction of extreme violence or extreme cruelty without showing consequences for the perpetrators. The Board finds that the amount of extreme violence and extreme cruelty does "tend to promote or support" the activities even if in anime form.

FIRST MINORITY DECISION

[117] After careful consideration of the publication "Puni Puni Poemy," we two are unconvinced that its availability to persons 18 years of age and older would be injurious to the public good. Our close consideration of this publication has led us to the view that it does not promote or support or tend to promote or support the exploitation for sexual purposes of children or young persons. We do not believe that the provisions of Section 3 (2) of the Act apply and therefore we are required to consider the provisions of Section 3 (3) of the Act.

[118] The presentation of the characters in this Japanese anime DVD is complicated and far from straightforward. There is a complex mix of frenetic parody, self-reflexivity and irony in its story of the youthful heroine Puni Puni Poemy. We accept [the applicant's] contention that

it is an “ironic, multi-leveled parody of clichés in Japanese animation” and that the content should not necessarily be taken at face value. Of course, the claims of parody cannot be used to exculpate a truly objectionable and injurious publication, but in our view “Puni Puni Poemy” does not fall into that category.

[119] In terms of its most contentious specific scene, we do not believe the publication promotes or supports the rapes of Puni and the sisters. Rather we believe that this particular scene definitely does not show rape positively, instead it stresses the distress and pain of the victims who clearly do not enjoy the treatment to which they are subjected. Furthermore, in the scenes depicting (a) the girls together in the bath and (b) Puni and Futaba rolling around in a mildly sexual manner, we do not find this material to be clearly objectionable in terms of the provisions of the legislation.

[120] In deciding on an appropriate classification, we took into particular account Sections 3(3)(a)(ii), and (iv) and Section 3(3)(b). After weighing up the extent and degree of material linked to these sub-sections of the Act, we suggest that an appropriate classification for “Puni Puni Poemy” would be: objectionable unless its availability is restricted to persons 18 years of age and older.

SECOND MINORITY DECISION

[121] I do not believe that the provisions of section 3(2) apply. I am therefore required to consider section 3(3) of the Act.

[122] Anime is an increasingly popular genre in many parts of Asia, particularly Japan and “Puni Puni Poemy” is commendable of its genre contextualised in Japan. In making the decision, consideration is given to differing media.

[123] The medium is the message and here the medium (anime) is probably akin to an animated cartoon and as such given the fast ‘montage effects’ the message is subliminal.

[124] Persons above 13 today are exposed to multimedia and have life experience and a moral code (that fits their age group and culture) to view “Puni Puni Poemy” and place scenes in context., For example: (a) two 10 year olds frolicking under the bedclothes is normal play amongst children in Asian Cultures and devoid of sexual connotations. (b) the communal bathtub scene, again is common practice in Japan and seven ‘sisters’ in a tub is culturally accepted.

[125] In deciding on an appropriate classification I took into particular account section 3(3)(a)(ii) and (iv) and section 3(3)(b). After weighing up the extent and decree of material linked to these subsections of the Act I suggest that an appropriate classification of “Puni Puni Poemy” would be objectionable unless its availability is restricted to persons aged 16 and over.

Submission procedure:

On 4 February 2021 an application was received from a resident of the UK, seeking leave to submit *Puni Puni Poemy* for reconsideration under s42(1) of the Films, Videos, and Publications Classification Act 1993 (FVPC Act) on the following grounds:

- It does not promote and support the exploitation of children and young persons for sexual purposes because it is parody
- It does not promote and support sexual violence as this conduct is presented as wrong within the narrative
- The animated medium does not exploit or harm real individuals
- Banning animations wrongly penalises animations and animation fans

- It is classified 18 by the British Board of Film Classification with a note for 'strong sex' [note is 'strong language, and moderate sex and violence']
- It has artistic merit, and should be available for criticism and discourse around the issues it presents.

The applicant states:

... *Puni Puni Poemy* uses sexual situations for purposes of parody and satire. The anime therefore does not promote or support exploitation of children and young people by never presenting itself as something to be taken seriously. It instead frankly mocks the risqué motifs in adult animation hyperbolically through parody, thus negating the prospect of malice.

In the case of *Puni Puni Poemy*, tropes of mature anime are parodied and lambasted by characters, who sometimes break the fourth wall to comment on the ridiculousness of their situations. One trope is 'fan service' to such an absurd extent that it becomes parody. Characters criticise their own situations and even animation production staff to make sure the viewer understands. In one instance even stating titillation is not intended.

The content of *Puni Puni Poemy* might be considered tasteless to some, but will not be harmful to society when restricted only to an adult audience. The target audience of *Puni Puni Poemy* can be expected to be reasonably intelligent. Therefore the publication will not be misconstrued.

Puni Puni Poemy is a spin-off from *Excel Saga*, another anime which has enjoyed popularity in North America, the UK, Australia and New Zealand. *Puni Puni Poemy* continues displays of parody, satire and farcical comedy found in *Excel Saga*, meaning most of *Puni Puni Poemy*'s audience are familiar with *Excel Saga*, and therefore will be aware of what comedic style to expect. While *Puni Puni Poemy* may appear lowbrow, there is no doubt it has things to say, and a place in the minds of those who appreciate adult animation. Anime continues to be a niche market in English-speaking countries, so it is highly unlikely *Puni Puni Poemy* will be seen by anyone other than sincere enthusiasts of Japanese animation.

The Chief Censor granted leave to submit the DVD for reconsideration on 25 February 2021 given the amount of time that has passed since it was last classified and the changes in cultural awareness that have taken place in the interim.

Under s23(1) of the FVPC Act the Classification Office is required to examine and classify the publication.

Under s23(2) of the FVPC Act the Classification Office must determine whether the publication is to be classified as unrestricted, objectionable, or objectionable except in particular circumstances.

Section 23(3) permits the Classification Office to restrict a publication that would otherwise be classified as objectionable so that it can be made available to particular persons or classes of persons for educational, professional, scientific, literary, artistic, or technical purposes.

Synopsis of written submission(s):

No written submissions were sought or received.

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".

The meaning of "objectionable":

Section 3(1) of the FVPC Act sets out the meaning of the word "objectionable". The section states that 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.

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)*, must also be taken into 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.²

The content of the publication must bring it within the "subject matter gateway". In classifying the publication therefore, the main question is whether or not it deals with any s3(1) matters in such a manner that the availability of the publication is likely to be injurious to the public good:

Matters such as sex

Throughout the two episodes there are many allusions to sex and situations that can be viewed in a sexual manner, including bondage imagery.

The older Aasu sisters (aged 15, 18, 19, 22 and 28), are presented in an exaggeratedly sexualised manner with the bodies of well-developed women. Their behaviour is overtly sexual at times.

As some of the characters are said to be children or young persons the content is considered further under s 3(2)(a).

Matters such as cruelty and violence

² *Living Word Distributors v Human Rights Action Group (Wellington)* [2000] 3 NZLR 570 at paras 27-29.

The episodes contain fantasy style cartoon violence, involving characters being hit and beaten in a slapstick or over-the-top manner. The cartoon style and satirical nature of this material lowers its impact. Some of these sequences result in blood-splatter, represented by flat red colour fields. These are brief and absurd. Some of the sexual content has elements of cruelty in the guise of satirising BDSM activities.

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"³ 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.⁴

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.

The Classification Office has considered all of the matters in s3(2). The relevant matter is:

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.⁵

³ *Moonen v Film and Literature Board of Review* [2000] 2 NZLR 9 at para 27.

⁴ Above n2 at para 29.

⁵ *Moonen v Film and Literature Board of Review* [2002] 2 NZLR 754 at para 40.

Parliament's intention therefore was that s3(2)(a) should apply to any publication 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.

As outlined above, both the 2004 Classification Office and the 2005 majority decision of the Board of Review considered that the DVD at least tended to promote and support the exploitation of children and young persons for sexual purposes and to a lesser extent, the use of violence or coercion to compel a person to submit to sexual conduct. The Board also considered that the DVD at least tended to promote and support the infliction of extreme violence or extreme cruelty.

While there are several scenes across the episodes which put characters, who are said to be children or young persons, in sexual situations, the overall tone of the publication is not exploitative, nor is it intended to be taken seriously. It is a common anime convention for a character to be depicted with a range of body types depending on context. For instance, Poemy's superhero form is that of a well-developed woman. In that form there is nothing youthful or childish about her. When she transforms into the adult version of the character her genitals are blurred and she is depicted shaking off her socks and cutting a fish in half to turn it into a magical sword. This emphasises the parodic nature of the show.

Both the previous OFLC decision and the Board of Review majority decision referred to one scene in particular that contributed strongly to the decision to classify the DVD as objectionable. In this scene three-year-old Hitomi and 10-year-old Futaba are present while the older sisters, who present as women, are bound and gagged by aliens. They are being either whipped or sexually assaulted in some way but this is implied rather than presented in any detail but it is clear that it is painful and distressing for the victims. The bound and gagged Futaba, depicted with a well-developed body, here presents as a young adult rather than a child and is referred to by the alien leader as a woman.

Hitomi is in a cage, wearing a metal collar, and cries but is not obviously assaulted nor is she sexualised. The depiction of the older sisters, who have the well-developed bodies of women, is gratuitous and overtly sexual, but this does not extend to Hitomi.

Poemy is menaced by the alien leader who makes sexual comments about her but soon after she turns into her adult superhero form and releases the captives. Both the Classification Office and the Board's historical majority opinion included aspects of the audio commentary as contributing to the way the DVD promoted and supported the exploitation of children and young persons for sexual purposes by humorously reinforcing that the characters are children.

The Aasu sisters bathe together, along with Poemy. Limbs are strategically placed to hide nipples and genitals. Bathing is not inherently sexual and is a common feature of Japanese life. In one scene the characters talk directly to the camera, jokingly identifying this activity as 'fan service'⁶. Including the viewer in on the joke significantly diminishes any exploitative effect.

⁶ Fan service in anime or manga is racy, sexual or erotic content, such as nudity and other forms of eye candy

There is a degree of self-awareness to the productions which includes the adult voice actress playing Poemi being depicted in live action sequences, making it clear that Poemy is a character played by an adult and limiting the likelihood of a viewer engaging with the character as a child. This self-referential quality is also present when the evil alien leader rebuffs Poemy's offer to be his "slave", saying he doesn't like voice actors.

The Classification Office has re-evaluated the problematic content identified in both previous decisions taking into account New Zealanders' increased familiarity and understanding of this type of material due to its now wider availability.

Generally the content has an obviously satirical effect, parodying the kinds of show that sexualise young characters and in this way calls out the sexualisation as wrong. This content is inexplicit and lacks any detail and therefore does not meet the high threshold of even tending to promote or support the exploitation of children or young persons for sexual purposes.

The elements relating to sexual violence or extreme violence or cruelty are also implied and unlikely to be taken seriously. Where these elements are present they are not depicted in a promotional or supportive manner but rather as unpleasant for the victims and undertaken by evil characters. Content that satirises BDSM activities includes an adult sister dressed in revealing bondage gear whipping another naked sister in annoyance. Chastisement by an adult sister presents the behaviour as an extreme satire of siblings hitting each other. The effect is over-the-top and more comical than sexual. Therefore this content also does not promote or support, or tend to promote or support ss3(2)(b) or 3(2)(f) criteria.

These elements are more appropriately discussed under s3(3) below.

Matters to be given particular weight:

Section 3(3) of the FVPC Act deals with the matters which the Classification Office must give particular weight to in determining whether or not any publication (other than a publication to which subsection (2) of this section applies) is objectionable or should in accordance with section 23(2) be given a classification other than objectionable.

The Classification Office has considered all the matters in s3(3). The matters relevant to the publication are:

s3(3)(a)(ii) The extent and degree to which, and the manner in which, the publication describes, depicts, or otherwise deals with sexual violence or sexual coercion, or violence or coercion in association with sexual conduct.

and

s3(3)(a)(iv) The extent and degree to which, and the manner in which, the publication describes, depicts, or otherwise deals with sexual conduct with or by children, or young persons, or both.

The episodes deal with sexual coercion to a low extent but a moderate degree. The main scene of concern is the final showdown between the alien leader – a boy with a tentacle body – and Poemy. The alien leader rants about wanting to "ravish" the women of Earth. As already mentioned, he has the older Aasu sisters bound and chained against their will as aliens with strange hanging testicles converge on them menacingly.

The sequence that follows implies that the sisters are being sexually assaulted or whipped by showing their faces wincing as they say "no". This is set against unlikely real-world

photographs including body builders, roses and crab sticks. The nature of the assault is ambiguous as the female characters are shown apparently completely untouched immediately afterwards. The juxtaposition of these images diminishes the impact of the assault but also trivialises it to some degree. The live action stills remind the viewer that this is fiction, breaking the fourth wall. The effect of the entire scene is mildly disturbing but the overall effect is comical.

Immediately after her sisters are assaulted, the chained and gagged Futaba is focused on. She is presented as a curvaceous young adult in a leather bondage style outfit rather than the young girl she presents as in other scenes. The alien leader says "don't you love the look of women who have been broken?" This seems to imply some sort of sexual assault has taken place, however this is not supported by any depiction. At one point during the climactic scene, the alien leader announces that he has killed the script writer so that he can take over the plot. The characters then roll around fighting over the script. Again this self-referential and absurd tone reduces impact on the viewer.

Regarding sexual conduct involving children or young people, this is dealt with to a low extent and moderate degree, and in an implied manner. Futaba has a crush on Poemi. Both are said to be 10-years-old. Poemi and Futaba are shown under a blanket together. Poemi is briefly depicted naked with her genital region blurred out or pixelated, which gives the scene a comic dimension. Their movement under the covers could be construed as sexual but it could just as easily be interpreted as playful childish behaviour. The second episode includes a fantasy sequence that depicts Futaba and Poemi rolling back and forth together while naked. They hold each other in a hug and roll across a mat. However, it isn't overtly sexual and while Futaba's burgeoning sexuality is intense, the scene presents as a parody of the kind of over-the-top inappropriate interest young characters often have for one-another in anime.

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

Section 3A provides that a publication may be classified as a restricted publication under section 23(2)(c)(i) if it

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.

"Highly offensive language" is defined in s3A(3) to mean language that is highly offensive to the public in general.

The episodes contain occasional use of the words "fuck" and "shit", used as intensifiers such as "What the fuck?" and "Screw the fucking film permit". This language is not likely to seriously harm younger viewers due to the low extent.

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

Section 3B provides that a publication may be classified as a restricted publication under section 23(2)(c)(i) if it

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).

The Classification Office has considered all the matters in s3B(3). The relevant matter is:

s3B(3)(a)(i) material that describes, depicts, expresses, or otherwise deals with 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;

Poemy stabs pencils into her legs during class with blood spurting out. While Poemy's actions are likely to briefly shock younger viewers, the frenetic energy of the show quickly moves the action on and the scene is unlikely to have any lasting impact on younger viewers as it is so clearly fantastical.

Additional matters to be considered:

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

The dominant effect of the DVD is of a wacky, absurdist, over-the-top satire of Japanese anime with additional components that provide context and background.

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

The episodes were viewed on DVD but are available online. Both formats allow the show to be paused and replayed at will.

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 episodes have some merit as satire of a popular anime form.

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.

and

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

The episodes are likely to appeal to fans of the anime, *Excel Saga*, which *Puni Puni Poemy* is a spin-off from. The show is intended for adults.

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

The Classification Office notes *Puni Puni Poemy* is classified MA15+ in Australia with a note for sexual references, and 18 in the UK with a note for strong language, and moderate sex and violence.

Conclusion:

The DVD *Puni Puni Poemy* is an absurdist anime, satirising the 'magical girl' genre of anime. It is highly self-referential, breaking the 'fourth wall' to comment on its fictional status throughout.

Having reconsidered the content, the Classification Office is of the opinion that a restriction to older teenagers and adults is sufficient to prevent the likelihood of injury to the public

good. The Classification Office is mindful of the points raised in the Board's First Minority Decision:

[118] The presentation of the characters in this Japanese anime DVD is complicated and far from straightforward. There is a complex mix of frenetic parody, self-reflexivity and irony in its story of the youthful heroine Puni Puni Poemy. We accept [the applicant's] contention that it is an "ironic, multi-leveled parody of clichés in Japanese animation" and that the content should not necessarily be taken at face value. Of course, the claims of parody cannot be used to exculpate a truly objectionable and injurious publication, but in our view "Puni Puni Poemy" does not fall into that category.

[119] In terms of its most contentious specific scene, we do not believe the publication promotes or supports the rapes of Puni and the sisters. Rather we believe that this particular scene definitely does not show rape positively, instead it stresses the distress and pain of the victims who clearly do not enjoy the treatment to which they are subjected. Furthermore, in the scenes depicting (a) the girls together in the bath and (b) Puni and Futaba rolling around in a mildly sexual manner, we do not find this material to be clearly objectionable in terms of the provisions of the legislation.

Since the DVD was last classified in 2005, anime and manga in all their forms have become extensively available in New Zealand. They are popular and well understood by a cross section of society. The tropes and conventions of the genre are therefore more widely understood which allays the concerns expressed by the Classification Office and the Board of Review majority opinion that most New Zealanders would be likely to consider the DVD promotional and supportive of the sexual exploitation of children or young people, sexual coercion or violence or acts of extreme violence or cruelty. It is now more likely that they would recognise it as salaciously risqué parody.

Further supporting an age restriction is the fact that the DVD is age restricted and not banned in either the UK or Australia, both of which reflect the same values and concerns and New Zealand around child exploitation material.

However, a restriction is still required in order to prevent injury to the public good. The bondage imagery and the ambiguous sexual assault of some of the characters means the DVD is not suitable for children and young teenagers. The trivialisation of assault is likely to harm younger viewers' developing attitudes to consent and sexuality. Adults and older teenagers are likely to have the media literacy to contextualise this content in the anime genre and are therefore less likely to be harmed by viewing it.

Balancing these harms against the right to freedom of expression, *Puni Puni Poemy* classified R16. This is the lowest reasonable limit on that right that can be applied in order to prevent injury to the public good.

Date: 8 June 2021

For the Classification Office (signed):

Note:

You may apply to have this publication reviewed under s47 of the FVPC Act if you are dissatisfied with the Classification Office's decision.

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HIGH SCHOOL DXD SERIES COLLECTION

 classification.gov.au/titles/high-school-dxd-series-collection

Why this classification?

- Themes Mild impact
- Violence
- Language Moderate impact
- Drug use None
- Nudity
- Sex

Industry details

Classification date
10 September 2013

Year of production
2012

Classification
MA 15+

Consumer advice
Strong sexual references, animated nudity and violence

Category
Films

Category detail
Film - Sale/Hire

Media type
DVD

Version
ORIGINAL

Duration
390 minutes

Director/Creator
TETSUYA YAMAGISAWA

Producer

HISATO USUI / JUN HATANO / SHIGERU SAITO / SHINSAKU TANAKA / TETSUYA TSUCHIHASHI / TAKURO HATAKEYAMA

Production company

FUNIMATION PRODUCTIONS / GENKO / TNK

Country of origin

JAPAN

Language

ENGLISH

Applicant

MADMAN ENTERTAINMENT

File number

T13/2636

Classification number

259190

Alternative titles

I GOT A GIRLFRIEND! / I'M DONE BEING HUMAN! / I MADE A FRIEND! / I'M SAVING MY FRIEND / I WILL DEFEAT MY EX-GIRLFRIEND! / I WORK AS A DEVIL! / I GET A FAMILIAR! / I PICK A FIGHT! / I'VE BEGUN MY TRAINING! / THE SHOWDOWN BEGINS! / THE ACCLAIMED BATTLE CONTINUES! / I'M HERE TO KEEP MY PROMISE!

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TV SHOW

18 High School DXD

strong sex references, nudity, violence

Director(s) Tetsuya Yanagisawa

Production Year 2012

Genre(s) Animation, Drama, Fantasy

Cast Jamie Marchi (voice)

Posters powered by IMDb

Season 1

15

| Episode Number | Use | Runtime | Release Date | Classification Date |
|----------------|-----|---------|--------------|---------------------|
|----------------|-----|---------|--------------|---------------------|

Please note: each rating can only be used for the distribution method listed in the Use column. For more information on each Use click [here](#).

| | | | | |
|-----------------|--------------------------------------|---------|------------|----|
| High School DXD | Physical media + VOD/Streaming | 114m 0s | 23/04/2014 | 15 |
| High School DXD | Physical media + VOD/Streaming | 159m 0s | 23/04/2014 | 15 |

Season 2

18

| Number Episode | Use | Runtime | Date Release | Date Classification |
|----------------|-----|---------|--------------|---------------------|
|----------------|-----|---------|--------------|---------------------|

Number

Date

Date

Please note: each rating can only be used for the distribution method listed in the Use column. For more information on each Use click [here](#).

Various Three-way Deadlocks!, I Have A Junior!, Clash Of The Twin Heavenly Dragons, The Leaders' Summit Begins!, Go! Occult Research Club, Decisive Battle At Kuoh Academy!, Open House Begins!, Summer! Bathing Suits! I'm In Trouble!, The Holy Sword Is Here!, Another Disquieting Premonition!, A Strong Enemy Appeared!, I'll Destroy The Holy Sword!

1

Physical media
+
VOD/Streaming

322m 0s

05/01/2021



Released under the Official Information Act 1982

Season 3



Episode Use Runtime Release Classification
Number Date Date

Please note: each rating can only be used for the distribution method listed in the Use column. For more information on each Use click [here](#).

Episode Use Runtime Release Classification
Number Date Date

Interception,

Commence, The Last Day Of Summer Break!, Second Trimester Has Started!, The Night Before Battle!, Summer Break! Off To The Underworld!, Summer Break! Off To The Underworld!, Cat And Dragon, Any Time For All Time, We Will Save Asia!, Dragon Of The Dragon, The Occult Club Disappears!, I Will Fight

Physical media
+
VOD/Streaming

284m 0s

05/01/2021



Intrereception Commence! Geigeki, Kaishi Desu!, The Last Day Of Summer Break! Natsuyasumi Saigo No Hidesu!, Gathering Young Devils! Young Devils Gather Wakate Akuma, Shugo Desu!, Cat And Dragon! Neko To Doragon, We Will Save Asia! I'll Rescue Asia! Shia, Sukuimasu!, Dragon Of Dragon! Doragon Obu Doragon, Second Semester Has Started! Nigakki, Hajimemashita!, The Night Before Battle! Taisen Zen'ya Desu!, Summer In The Underworld Summer Break! Off To The Underworld! Natsuyasumi, Meikai E Go!, Any Time, For All Time! Itsudemo, Itsumademo!, The Occult Research Club

Physical media
+
VOD/Streaming

284m 0s

28/09/2016



| Episode Number | Use | Runtime | Release Date | Classification Date |
|----------------|-----|---------|--------------|---------------------|
|----------------|-----|---------|--------------|---------------------|

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Occult Research Club

Vanishes?! Oka-ken

Shoshitsu!?, I Will

Fight! Ore,

Tatakaimasu!



Released under the Official Information Act 1982

| Episode Number | Use | Runtime | Release Date | Classification Date |
|----------------|-----|---------|--------------|---------------------|
|----------------|-----|---------|--------------|---------------------|

Please note: each rating can only be used for the distribution method listed in the Use column. For more information on each Use click [here](#).

| | | | | |
|--|--------------------------------------|---------|------------|-----------|
| School Trip, An Abrupt Attack | Physical media + VOD/Streaming | 309m 0s | 27/07/2020 | 18 |
|--|--------------------------------------|---------|------------|-----------|

Industry details

| | |
|------------------------|------------|
| Classified date | 23/04/2014 |
| BBFC reference | AVV309743 |
| Distributor | Anime Ltd |
| Language | English |



Media Centre

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About Classification

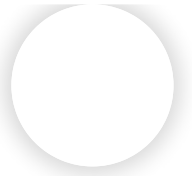
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Industry

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High School DxD (season 1)

W [en.wikipedia.org/wiki/High_School_DxD_\(season_1\)](https://en.wikipedia.org/wiki/High_School_DxD_(season_1))

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High School DxD

Season 1

Country of origin [Japan](#)

No. (Number) of episodes 12 + 2 OVAs + 6 specials

Release

Original network [AT-X](#)

Original release January 6 –
March 23, 2012

Season chronology

High School DxD is an [anime](#) series adapted from the [light novels](#) of the same title written by [Ichiei Ishibumi](#) and illustrated by [Miyama-Zero](#). Produced by [TNK](#), directed by Tetsuya Yanagisawa, and written by [Takao Yoshioka](#), the anime aired on [TV Tokyo](#)'s satellite channel [AT-X](#) from January 6, 2012 to March 23, 2012. Set during the struggle among the devils, fallen angels, and angels, the story follows the adventures of [Issei Hyodo](#). Issei is a perverted high school student who is nearly killed by his first date, who is revealed to be a fallen angel. He is revived by [Rias Gremory](#), who is a crimson-haired school beauty that is actually a devil, and becomes her servant. The first season adapts material from the first two volumes of the light novels and a few side stories from Volume 8.

Six DVD and Blu-ray compilation volumes of the first season were released by [Media Factory](#) between March 21, 2012 and August 29, 2012. Each contained an [OVA](#) short entitled "Release the Swaying Delusions" ([妄想爆揺解除オリジナルビデオ](#), *Mōsō Bakuyure Kaijo Orijinaru Bideo*, lit. "Release the Swaying Delusions Original Video") and other bonus material.^[1] An OVA episode that is listed as episode 13 was released with the limited edition of the 13th light novel volume on September 6, 2012 on [Blu-ray](#).^[2] The script was handled by Ichiei Ishibumi, who is the author of the light novels.^[3] Another OVA episode that is listed as episode 14 is written by Ishibumi and was bundled with the limited edition release of the 15th light novel volume on May 31, 2013 on Blu-ray.^[4]

In North America, the anime series is licensed by [Funimation](#) for [simulcast](#) on their website and home video releases on DVD and Blu-ray.^[5] In Australia, the series is licensed by [Madman Entertainment](#), but it was not released in New Zealand after the

Office of Film and Literature Classification (OFLC) decided against releasing it because "it encourages and legitimizes the pursuit of young persons as viable adult sexual partners".
 [6][7] Funimation released the first season on August 20, 2013.

The original score for the series was composed by Ryosuke Nakanishi. The opening theme for the first season is titled "Trip -Innocent of D-" and performed by J-pop group Larval Stage Planning. The ending theme is titled "STUDYxSTUDY" and performed by the voice actress unit StylipS, which consists of Arisa Noto, Yui Ogura, Kaori Ishihara, and Maho Matsunaga.

Episode list

| No. (Number) | Title | Directed by | Written by | Original air date |
|--|---|---------------------|---------------------------------|-------------------|
| 1 | "I Got a Girlfriend!" Transcription: "Kanojo, Dekimashita!" (<u>Japanese</u> : 彼女、できました!) | Taro Kubo | <u>Takao</u> <u>Yoshioka</u> | January 6, 2012 |
| <p><u>Issei Hyodo</u> is a high school student who is unpopular with girls at Kuoh Academy. One day, <u>Rias Gremory</u>, the crimson-red haired top idol of the academy and president of the Occult Research Club, discovers Issei and asks her vice-president <u>Akeno Himejima</u> about his identity. As Issei dreams of having a girlfriend, another girl named <u>Yuuma Amano</u> shyly asks Issei out, to his excitement. At the end of their first date, Yuma asks Issei to die for her sake and reveals herself as Raynare, a fallen angel. After Raynare kills Issei, he sees a vision of Rias. Assuming the incident to be a dream, he resumes his normal life. However, when Issei encounters another fallen angel, Dohnaseek, he is wounded. Just as Dohnaseek is about to finish off Issei, Rias intervenes and saves him. The next morning, Issei discovers he and Rias are naked together in his bedroom. Reassuring that the dreams were real, Rias introduces herself as a devil and his new master.</p> | | | | |
| 2 | "I'm Done Being Human!" Transcription: "Ningen, Yamemashita!" (<u>Japanese</u> : 人間、やめました!) | Kazuhide Kondo | Takao Yoshioka | January 13, 2012 |
| <p>Rias explains to Issei that she used her magic to heal his wounds as she gets ready for school, and also reveals that she is a virgin. At Kuoh Academy, the school prince <u>Yuto Kiba</u> leads Issei to the Occult Research Club where he meets the popular "mascot" girl <u>Koneko Toujou</u> and the club's vice-president <u>Akeno Himejima</u>. Rias briefs Issei on the current situation with angels, fallen angels, and devils; and the duties assigned to him. After going to his first assignment which involves an otaku, he encounters another fallen angel named Kalawarner, but uses his Sacred Gear to transform his hand into an armored Dragon Arm and defeats her. Shortly afterwards, Rias warns Issei that since he has revealed the Sacred Gear, he will be sought after by the fallen angels.</p> | | | | |
| 3 | "I Made a Friend!" Transcription: "Tomodachi, Dekimashita!" (<u>Japanese</u> : 友達、できました!) | Kosuke Kobayashi | Takao Yoshioka | January 20, 2012 |

Issei befriends a teenage nun Asia Argento but hides his devil identity from her. After Rias warns Issei about the dangers of the Church, the team must battle a stray devil. Rias briefs Issei on the Evil Pieces system where each member of her team has a certain role similar to chess pieces, where Rias is the king, but Issei is the pawn. Issei's next assignment becomes difficult when he must deal with a ruthless exorcist Freed Sellzen. However, Asia, working for Freed, witnesses the incident and attempts to stop Freed from killing Issei. Rias and the other members rescue Issei but leave Asia behind, to his dismay.

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| 4 | "I'm Saving My Friend!" Transcription: "Tomodachi, Sukuimasu!" (<u>Japanese</u> : 友達、救います!) | Masayuki Iimura | Takao Yoshioka | January 27, 2012 |
|----------|---|-----------------|----------------|------------------|

While on a date with Asia, Issei finds out her past as an excommunicated nun from the Church. Issei vows to be her friend regardless of being a devil, but they are interrupted by Raynare, who captures Asia. Later, Rias explains a special ability that pawns have: Promotion. She suddenly leaves with Akeno, leaving an ambiguous note about the Church as enemy grounds. Issei remembers Raynare's speech about a ritual with Asia tonight and is determined to rescue her. As Issei heads for the Church, Kiba and Koneko follow him having understood Rias's message. They storm into the sanctuary and defeat Freed; however, Issei finds Asia chained to a cross where Raynare is about to complete her ritual.

| | | | | |
|----------|--|--------------------|----------------|------------------|
| 5 | "I Will Defeat My Ex-girlfriend!" Transcription: "Motokano, Taoshimasu!" (<u>Japanese</u> : 元カノ、倒します!) | Tetsuya Yanagisawa | Takao Yoshioka | February 3, 2012 |
|----------|--|--------------------|----------------|------------------|

Raynare removes Asia's sacred gear and puts it into herself, killing Asia. She even releases Asia to Issei but mentions the price a host pays if their Sacred Gear is removed or destroyed. She is surprised that her superiors were wary of his Sacred Gear as its ability is only able to double the power of its user, especially when Issei is so weak that he is not a threat even with his power doubled. Issei furiously prays to God and Lucifer before the extreme intensity of his emotions unlocks an ability in his Sacred Gear revealing just part of its full potential. In a state of righteous manic rage, he is able to use his newfound power to knock out Raynare in a single devastating punch even after she had impaled both of his legs. Rias appears and admonishes Raynare for both underestimating Issei's Sacred Gear and for injuring one of her servants. In a desperate attempt to manipulate him into trusting her again, Raynare changes into her human Yuuma form and pleads for him to protect her. Angered by Raynare's behavior and with his heart breaking, Issei orders Rias to kill Raynare. Shortly afterwards, Rias recovers Asia's Sacred Gear and revives her as a bishop.

| | | | | |
|----------|---|---------------|----------------|-------------------|
| 6 | "I Work as a Devil!" Transcription: "Akuma, Yattemasu!" (<u>Japanese</u> : アクマ、やっています!) | Akira Shimizu | Takao Yoshioka | February 10, 2012 |
|----------|---|---------------|----------------|-------------------|

After Raynare's demise, new living arrangements are made for Asia, who has been living in the club's room. Meanwhile, Issei begins a new training regimen with Rias to improve his physical fitness. During training, Issei is surprised to find Asia and her boxes outside his house. Asia also begins attending school where she is placed in Issei's class. She quickly attracts other classmates including jealousy from Matsuda and Motohama. The following night, Issei is assigned another job but is unable to receive a pact. Issei thinks it over during P.E. class and ends up sleeping in the infirmary along with Rias. Noting Issei's lecherous desires, Rias offers her body to him in exchange for a pact. That night, Rias accompanies him on his next job: helping a foreign exchange student named Susan inside a Samurai outfit to retrieve her notebook. She also requests help to attract her love. After the unusual meet up with her love, Issei successfully completes the job. He tries to get his reward from Rias but loses his chance when the other members arrive. Rias instead gives him a hug, shocking everyone.

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|---|---|--------------------|-------------------|-------------------|
| 7 | "I Get a Familiar!" Transcription: "Tsukaima, Getto Shimasu!" (<u>Japanese</u> : 使い魔、ゲッ トします!) | Takenori Mihara | Takao Yoshioka | February 17, 2012 |
|---|---|--------------------|-------------------|-------------------|

Rias decides that it is time for Issei and Asia to have servant familiars. The school's student council visits the club room, and Issei learns that they are another faction of devils. Since only one group is allowed to enter the world of familiars per month, the two groups compete to see who gets to go first. Initially, what starts as a normal tennis match turns frightful as Rias and Sona use magic to enhance their moves. They end up destroying much of the equipment, leading to a draw. Rias and her peerage later wins in the dodge ball match, allowing them to pick new familiars first. During the search for familiars, they are greeted by Master Familiar Towji. He guides Issei and Asia throughout the forest and shows different creatures they can choose. The group later finds a Sprite Dragon, an extremely rare familiar difficult to obtain. Suddenly, slime litters the forest and obliterates clothes. Issei wants to make slime as his familiar and uses Asia to protect it. He is knocked out by the Sprite Dragon, who has taken a liking to Asia. In the end, Asia accepts him as a familiar while Rias notes Issei still has ways to go.

| | | | | |
|---|--|-------------------|-------------------|-------------------|
| 8 | "I Pick a Fight!" Transcription: "Kenka, Urimasu!" (<u>Japanese</u> : 喧 嘩、売ります!) | Koji Kobayashi | Takao Yoshioka | February 24, 2012 |
|---|--|-------------------|-------------------|-------------------|

Issei dreams that he is marrying Rias, which leads him to get in touch with his inner dragon. After school, Issei encounters Asia in the shower, who confesses a desire to have a deeper relationship with Issei. Later, Rias appears in Issei's bedroom that night looking to lose her virginity. However, her attempt is suddenly interrupted by the arrival of Grayfia Lucifuge, the wife and queen of Rias' brother Sirzechs Lucifer, who initially mocks Issei as a lowborn. At Kuoh Academy, Issei and his group are introduced to Riser Phoenix, a devil who is to be engaged to Rias. When Riser proposes to Rias, she declines. He mocks Issei's dream of having a harem, leading to him having one of her pieces hit Issei in the stomach. In response, the Gremory and the Phoenix clans organize a ratings game.

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|----------|--|---------------------|-------------------|---------------|
| 9 | "I've Begun My Training!" Transcription: "Shugyō, Hajimemashita!" (<u>Japanese</u> : 修行、はじめ ました!) | Kosuke Kobayashi | Takao Yoshioka | March 2, 2012 |
|----------|--|---------------------|-------------------|---------------|

Rias agreed to fight with Phoenix in ten days' time. In the meantime, Issei begins to train in an isolated area under Rias' supervision as they prepare for the rating game. Issei fails in each lesson from everyone and is greatly discouraged. First, he loses to Kiba in sword fighting, then he loses to Akeno and Asia in manipulating magic, and finally he loses to Koneko and gets beaten badly as a result. However, in Lesson four, he creates a power through visualizing the breasts of his intended victims. That night, Issei, in a waterfall mausoleum, tells Rias that he admires her as the best mentor for him, however he admits that he isn't useful for her and considers himself as the most useless devil. He laments that he has always caused her trouble and claims that even though he possesses a Sacred Gear, it's useless if he is unable to fully use it and considers himself a total failure for her and starts crying. Rias figures out that he indeed lacks self-confidence, so she promises him to give him some self-confidence. She afterwards orders him to rest for tonight until he is fully capable. The next morning, he starts training by using his sacred gear. Boosting 12 times, he creates an aura of energy around himself and throws a powerful beam of red light towards Kiba, which destroys a nearby mountain. Although he quickly tires himself out, Rias, remembering his quotes about how he admired her the way she is, starts to grow affections for him.

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|-----------|---|--------------------|-------------------|---------------|
| 10 | "The Showdown Begins!" Transcription: "Kessen, Hajimarimasu!" (<u>Japanese</u> : 決戦、始まります!) | Masayuki Iimura | Takao Yoshioka | March 9, 2012 |
|-----------|---|--------------------|-------------------|---------------|

The battle between the Phoenix clan and the Gremory clan begins. Issei unveils his embarrassing finishing move Dress Break but proves his worth. The Gremory team suffers their first loss when a comrade fights against superior numbers of the Phoenix clan. Issei, enraged by the fate of his comrade, challenges the enemy Queen.

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|-----------|---|-----------|-------------------|----------------|
| 11 | "The Acclaimed Battle Continues!" Transcription: "Zessan, Kessenchū desu!" (<u>Japanese</u> : 絶賛、決戦中 です!) | Taro Kubo | Takao Yoshioka | March 16, 2012 |
|-----------|---|-----------|-------------------|----------------|

The Rating Game continues. Both sides endure further losses and Riser has not received a scratch due to the Phoenix family's special ability. Rias concludes the game by making a hard choice.

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|-----------|---|-----------------------|-------------------|----------------|
| 12 | "I'm Here to Keep My Promise!" Transcription: "Yakusoku, Mamori ni Kimashita!" (<u>Japanese</u> : 約束、守りに 来ました!) | Tetsuya Yanagisawa | Takao Yoshioka | March 23, 2012 |
|-----------|---|-----------------------|-------------------|----------------|

Issei wakes up to find himself passed out after the Rating Game. Soon after, Grayfia informs Issei the results of the Rating Game. She gives Issei a magic circle that will allow him to attend the Gremory-Phoenix engagement party with Sirzechs' message that if Issei wants to do something, then to go in and rescue Rias by force. Issei crashes the party but is interrupted when Sirzechs comes in and offers to host a one-on-one battle between Riser and Issei to liven things up, claiming to have found the Rating Game unsatisfying. Riser and Issei engage in fierce duel that ends with him hitting Riser with a crucifix and holy water. Issei discovers what was on the back of the transport circle Grayfia gave him: a griffin that was to be used to help him escape with Rias if he had lost again. Sirzechs discusses his feelings and plans about Rias' forced engagement with Grayfia. Rias, overwhelmed by Issei's feelings and determination, rewards him with her first kiss. As a result of the duel between Dragon and Phoenix, Rias decides to live in Issei's house as well.

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|-------------|--|-----|-----|----------------|
| SP-1 | "Going Sunbathing (Let's Go to the beach)" Transcription: "Kaisuiyoku, Ikimasu" (<u>Japanese</u> : 海水浴、行きます) | TBA | TBA | March 21, 2012 |
|-------------|--|-----|-----|----------------|

The Occult Research Club goes on a beach outing. Issei accidentally get tangled in Rias' swimsuit and is punished by being beaten by Koneko with a baseball bat.

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| SP-2 | "Akeno's Personal Training" Transcription: "Akeno Onee-sama, Kojin Shugyō desu wa" (<u>Japanese</u> : 朱乃お姉さま、個人修行ですわ) | TBA | TBA | April 25, 2012 |
|-------------|---|-----|-----|----------------|

Issei is being given lessons in magic by Rias' queen, Akeno. After getting beaten, he spills a parfait on her. She requests him to lick it off her chest. At this point, Issei wakes up in Asia's lap and gets shocked by Rassei (her familiar).

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|-------------|---|-----|-----|--------------|
| SP-3 | "Koneko Goes a Little Over the Top...Meow" Transcription: "Koneko, Chotto Daitan... Nyan" (<u>Japanese</u> : 小猫、ちょっと大胆、、、にゃん) | TBA | TBA | May 23, 2012 |
|-------------|---|-----|-----|--------------|

Koneko accidentally has her personality reversed magically, making her incredibly sexually active and reversing her sexual preference. The episode closes when Issei arrives to the clubroom late to find Koneko has taken Rias & Asia into the shower without her.

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| SP-4 | "The Untold Story of the Dress Break's Birth?" Transcription: "Doresu Bureiku, Tanjō Hiwa?" (<u>Japanese</u> : ドレスブレイク、誕生秘話?) | TBA | TBA | June 27, 2012 |
|-------------|---|-----|-----|---------------|

A few flashbacks of how Issei first found out and eventually perfected his special move, Dress Break. The episode closes with him testing the move on the two most powerful Devils he knows: Rias and Akeno, much to the former's dismay.

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| SP-5 | "Making Udon" Transcription: "Udon, Tsukurimasu" (<u>Japanese</u> : うどん、作ります) | TBA | TBA | July 25, 2012 |
|-------------|---|-----|-----|---------------|

As part of the penalty from a bet, Sona and Tsubaki make udon for the Occult Research Club; however, an accident makes the udon come to life in a very peculiar way.

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|-------------|--|-----|-----|-----------------|
| SP-6 | "Asia Transforms" Transcription: "Āshia, Henshin Shimasu" (<u>Japanese</u> : アーシア、変 身します) | TBA | TBA | August 29, 2012 |
|-------------|--|-----|-----|-----------------|

Asia wants to prove she is just as bad as any demon by using ideas found in Issei's magazines, going as far as dressing up like a harlot and seducing him, but Issei tells her that she should just be herself. The episode closes with Rias telling Issei to wipe off the kiss mark given to him by Asia.

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|--------------|---|-------------------|-------------------|-------------------|
| OVA-1 | "I'm Harvesting Breasts! (episode lists the name as "Boobs Bearing Fruit!")" Transcription: "Oppai, Minorimasu!" (<u>Japanese</u> : おっぱい、実ります!) | Koji Kobayashi | Takao Yoshioka | September 6, 2012 |
|--------------|---|-------------------|-------------------|-------------------|

The opening is the Gremory group hunting a stray devil named Maverick. After sending him to stand trial in the Underworld it is discovered that he was working in a lab developing Chimeras. The next day while Issei is wondering about Maverick's parting words, he overhears how many of the school girls are getting sick with anemia and that all the victims possess the same characteristic. Finding the source of the illness, Issei wants to protect it upon finding out its special ability. However, the rest of the group disapproves strongly, especially as some of the members are about to be inflicted with the same illness.

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|--------------|---|--------------------|-------------------|--------------|
| OVA-2 | "I'm Searching for Breasts! (episode lists name as "I Seek Boobies!")" Transcription: "Oppai, Motomemasu!" (<u>Japanese</u> : おっぱい、求めます!) | Masayuki Iimura | Takao Yoshioka | May 31, 2013 |
|--------------|---|--------------------|-------------------|--------------|

Issei and Asia ask Rias to observe how the others do their jobs so they can learn how to do theirs better. The two are surprised on how simple the tasks are, from playing games, to cooking, to giving a foot massage (albeit with Akeno doing it in a sadistic way). When the gang accompanies Rias on her job to check to see if an Egyptian coffin is cursed, Issei becomes possessed by the mummy, an Egyptian Magician named Unas, who is just as perverted as Issei. Unas claims that he'll only release him if they remove the curse that binds him, the methods of removing it being perverted in nature. First, Rias dances in a skimpy outfit; second, a kiss from Asia (albeit accidentally on the cheek); and third, rubbing his face on Akeno's breasts and hair. It turns out that he tricked them to free himself as the curse was placed on him by a female Devil from the Agares Clan who he tried to make his bride. While initially having the upper hand by binding the girls with his bandages, Issei is able to use Dress Break to free them, and Unas is destroyed by a combination of Akeno's thunder and Rias' Power of Destruction.

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| Publication Date | May 26, 2014 |

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A war between heaven and hell is raging on Earth - and a hot mess of hormonal fury is raging in Issei's pants. The guy is dying to get some action. Which is funny, since his first date ever turns into a winged monster and tries to kill him. Fortunately, ridiculously curvy redhead Rias comes to his rescue. She's president of The Occult Research Club, a club that doesn't actually research the occult. They ARE the occult

- and Rias is a Devil.

Rias takes Issei as a more-than-willing slave and begins training him to use magic in battle against the Fallen Angels, the long-time enemies of Devils everywhere. If Issei can improve his mystical skills, he'll be able to help his hotter-than-hell master and her scorching supernatural schoolgirl friends defeat their foes. Even better, he might end up with a few sexy slaves of his own.

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- Subtitles: : English
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[Ellyanna5000](#)

5.0 out of 5 stars Naughty fun

Reviewed in the United States on May 28, 2021

Verified Purchase

My fiance found a figurine of Rias, and had to have it. Then he found the anime that inspired it, and he had to have that, too.

It's a fun, naughty show for people who are like naughtiness.

Depicts full female nudity. If you don't like lewd images/behavior, don't buy it.

Personal note:

All the comments I have read keep making a point of saying Issei is a perv.. Um yea, most guys ARE pervs. But it seems to me that Issei is just a happy victim of these lusty she-devils' seductive ways. I mean, they regularly flaunt themselves, fully naked in front of him.. A normal male is going to get turned on by that. I don't see how that makes him more perverted than any other male who appreciates looking at a naked, good-looking woman.

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[Andy C.](#) Top Contributor: Anime

5.0 out of 5 stars From Zero to Perverted Hero

Reviewed in the United States on December 27, 2016

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- Synopsis: A war between Heaven and Hell takes place on Earth. The main character ends up getting killed and reviving as a devil. He's a simple-minded guy who just wants his own harem. Fortunately, he joins up with other devils that for the most part, treat him with open arms. Despite his perversion, our hero is a kind-hearted guy who cares deeply for those around him. From the moment he revives as a devil, his life changes for better or worst. This anime showcases Issei and his friends' struggle against other inhabitants of Heaven, Hell, and Earth.

- Analysis: This anime manages to make a relatively creepy but interesting concept fairly light-hearted and humorous. That is, devils, demons, and the like. While the common assumption that devils are evil is quite known, this anime shows that generalizations aren't always accurate. Even devils are capable of kindness. Furthermore, any faction is capable of good and evil, regardless of who they may be. History would serve as a good example of this.

The main character Issei is also a very relatable guy. He's simple-minded and perverted. He isn't a tactician or strategist like some other characters may be. But like many fundamentally weak characters, he has a unyielding spirit to fight with everything he has and to never give up. A trait that may be respectable to some, while annoying to others.

- Features: English and Japanese audio, as well as English subtitles. Includes 12 episodes on 2 Blu-rays and 12 on 2 DVDs with a run-time of about 5 hours. Rated TV-MA for violence, language, and sexual content.

- Conclusion: Reminder that this anime is fan-service-heavy, uncensored, and will show plenty of boobs. Keep this in mind if fan-service isn't for you. However, it isn't just a simplistic anime, either. There's plenty of humor, perversion, and dark themes that are relevant to the physical world as we perceive it.

- Recommendations: Prison School, Binbougami ga!, Maken-Ki, The World God Only Knows, Kampfer, Shinmai Maou no Testament, Omamori Himari, Demon King Daimaou, Lord Marksman and Vanadis, Freezing, Cross Ange, and Aesthetica of a Rogue Hero.
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[VRocker](#)

Reviewed in the United States on November 16, 2019

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I'm a stickler for watching anime in the original language with subtitles. ESPECIALLY the comedies! American voice actors never seem to get timing correct and I think it loses too much in the translation.

This is a rare exception.....

I've watched this both ways and I think the English cast did a GREAT JOB homing in on the funny for an American market.

This, to me, is the definitive harem anime. It's characters are fully fleshed out and every type is perfectly represented. The protagonist is perfectly boastful yet clueless. I think it's perfectly conceived!!

Then this perfect cast of characters is provided a pretty engaging story that allows for raucous raunchy comedy while keeping one toe in a serious story line that was enough to keep me engaged.

I just think it was really well written and really well conceived.

Kudos to the creative team for this one! I wish they could make a ton more of the same quality.

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[Benny Iz](#)

Reviewed in the United States on May 15, 2022

[Verified Purchase](#)

Series is good quality and delivered quickly. No issues to speak of. Can't really ask for more when buying a series online. Cheers!

[Helpful](#)



[Thomas DiMartino](#)

Reviewed in the United States on July 7, 2016

[Verified Purchase](#)

The first time that I saw any thing High School DxD related was when I was randomly surfing YouTube and found a small clip from the first episode. I was then able to watch the first three seasons on KissAnime. I feel like the main protagonist who will never get the girl of his dreams to fall in with. I now know a little bit more about chess and to play it.

2 people found this helpful

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Dave

Reviewed in the United States on December 31, 2021

Verified Purchase

such a great series

Helpful



Mario

Reviewed in the United States on June 13, 2019

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Not sure at first that I would like this anime but after watching the first series I got hooked and now I own all four series!

Helpful



Ethan

Reviewed in the United States on December 9, 2019

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So happy to add this to my collection. Highly recommend watching and purchasing!

Helpful

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O. Somers

4.0 out of 5 stars WARNING THIS IS THE FIRST SERIES ONLY!

Reviewed in the United Kingdom on March 13, 2017

Verified Purchase

Series itself is great fun and a good anime, my main problem is that this is listed as the complete series and is actually only the first series (12 episodes). The product description does list all episodes for the first 2 series but this is incredibly misleading. Overall very good but this was very disappointing.

39 people found this helpful



Xenon Atlamilia

5.0 out of 5 stars High School DXD:Season 1 Review

Reviewed in the United Kingdom on September 22, 2016

Verified Purchase

Firstly I will try to keep this review spoiler free as I can for people who have not watched this Anime or are going to be purchasing it in the near future. The product contains two Blu Ray discs which holds episodes 1-9 on disc 1 and 10-12 + OVA in disc 2. I personally like the design of the cover art and how you have the option to flip the cover around to use the second artwork which I totally like with my Blu Ray Anime. Next lets get the fan service part out the way, I can say that there is a lot and I mean a lot of fan service that the eye can see which might not be everyone cup of tea. However if you can look past this the main story is very enjoyable and humorous as it follows Issei Hyoudou who is a high school teenager and somehow manages to get into some shenanigans and then gets turned into a devil and lets say some interesting things happen...very interesting things. Overall I can say that this 12 episode anime has been very interesting and I would recommend you give it try and as stated look past the fan service and you will find a very thrilling story and that is why I have rated this 5/5.

2 people found this helpful



Andy

5.0 out of 5 stars Complete funny naughty slight nude anime not for under 15s

Reviewed in the United Kingdom on August 19, 2020

Verified Purchase

I love this anime like others, I've just switched from my DVD set to blueray an much crisper n clearer,can see from reviews people saying misleading bout been complete an given 1 star duh it's complete season one not all 4 dunt take a genius to work that out

2 people found this helpful



Mark Robinson

5.0 out of 5 stars This is an amazing series! There is a lot of nudity throughout ...

Reviewed in the United Kingdom on August 9, 2015

[Verified Purchase](#)

This is an amazing series!

There is a lot of nudity throughout and many sexual references, but if you can look past that or are OK with it, there is a great story to this anime which only gets better with each season. All the characters are fun and you end up really caring what happens to them.

This contains all 12 episodes of the first season and all of season 1's ova shorts "Fantasy Jiggles".

Extras include commentaries from the English voice actresses, Japanese and USA trailers, the songs without text and promotional videos.

Feature run time: 273 mins approx

Extras run time: 39 mins approx

Region code: B

Languages: Japanese 2.0 & English 5.1

Subtitles: English

2 discs

5 people found this helpful



Vesty 666

5.0 out of 5 stars

Reviewed in the United Kingdom on March 19, 2019

[Verified Purchase](#)

First time ever watch high school DXD it was on YouTube since I've got my Xbox One to download the app for Anime since and I watched your Nate I fear happens on DVD help the company out I like to see more Japanese anime in English because like me son is got dyslexia and there's a lot more anime in English and it's not more Japanese so I'll let you see in English

[See all reviews](#)

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Released under the Official Information Act 1982

Madman > Anime > High School Dxd Series Collection

High School Dxd Series Collection

DVD



Will a war between heaven and hell be the hottest time of his life?

\$59.95

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Country: Japan Year: 2012 Runtime: 300 mins Genre: Anime Comedy

"An action explosion of hot, deadly ladies, punctuated with boobs."

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A war between heaven and hell is raging on Earth... and a hot mess of hormonal fury is raging in Issei's pants. The devil is diving to get some action. Which is funny since his first date warms him into a winged monster and tries to kill him. Fortunately, ridiculously carry-overhead Rias comes to his rescue. She's president of The Occult Research Club, a club that doesn't actually research the occult. They ARE the occult - and Rias is a Devil.

Rias takes Issei as a more-than-willing slave and begins training him to use magic in battle against the Fallen Angels, the long-time enemies of Devils everywhere. If Issei can improve his physical skills, he'll be able to help his honor-chair-hell master and her scorching superlative schoolgirl friends defeat their foes. Even better, he might end up with a few sexy slaves of his own.

Special Features

- Episode 01 and 07 commentaries
- Fantasy Jiggles Unleashed Vol. 1 & 2 (Features)
- New Material from Merch: Bunn! Fantasy Fullblast Gentlemen's Disc Club
- Promos (Japanese 2.0 with English subtitles)
- Japanese promos and TV spots
- Featureless opening & closing

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| | | | Total NZD | 25.50 | 0.00 |

Released under the Official Information Act 1982

Date 1/8/22

OFLC Ref 2200253.000

Title High School DxD

Other Known title(s) Episodes 1-7

Medium DVD

Director (s) Tetsuya Yanagisawa

Producer (s)

Country (ies) Japan

Language (s) Japanese/English

01 - I Gota Girlfriend!

Blood on hand

.27 See nipples through top.

.58 Poon as far as
'casual unprotected sex'sexualised
imagery
- butts
- boobs1.53 Every girl wants to sex him up.
on shit

2.30 Boys perverting on women changing

sexref

No I didn't get to see any nip.

3.32 Read their dimensions

4.27 Strips naked. See nipples
then showers~~Sexref~~ nudity

5.03 "Jerking off to porn..."

sref

5.34 Pantie shot.

5.51 Girl asks him out

6.24 Alarm clock: "but I'm not going down on you". Sex ref.

7.28 I'm so gonna see lady parts

8.23 Issei's gf late

8.57 ^{shopping} Looking at chest.

10.01 Would you die for me?

Naked transformation

Demon

10.18 Stabs Issei. Blood pours from stomach
blood jets from mouth "bitch" (L) (V)

11.25 Blood spreads - flashback to boobs
monologue while dying - "I know I've
led a shallow life"
wishes to die motorbating breasts

13.41 Don't remember her gf.

14.23 ~~stretches~~ ^{ref} like watching porn.

girls = 'all those guys ever do it jerk off' (S ref)

15.05 Looking at cheesecake.

15.35 Can see in dark. Enhanced hearing

16.55 Threatened - demon chases

17.46 Stabs Issei through torso. Giant weapon. (V)

You little shit.

18.40 House of Grammary fights "fallen angel"

20.04 Alarm clock: Master wake up will you.
Wakes up to naked woman in breasts
Rias stretches - breasts jiggle (modality)

Credits = naked breasts

22.43 END.

Episode-02 - I'm Done Being Human!

22:55 Naked woman in room - mother walks in on him naked

23:37 This is bullshit (L)

24:11 Flashback to being stabbed.
dressing - lingerie

24:57 "We didn't do it. I'm still a virgin"
"It's not fucking awesome" (L)

25:33 opening credits = books

27:16 "Hottest pair of jugs in school"

27:40 Friend punches in face - "Rolling in some (V)
DDs"

Rias thinks of him as little bro.

28:55 "You'll catch pervert"

"I promise not to drain his pimp juice."

29:52 Rias showering

30:05 "It's not polite to spy"

30:36 Imagines them hanging out naked. (nude)

Occult Research Club. - Heaven vs Hell

Christian Theology

32:39 Women posing grabbing precasts.

33:28 Brain washes
Freaky shit

34:04 "Sacred gear"

34:44 Camel toe - "see-through" thong.
"devil servant" - skeezy come-on

36:46 Ksei wants servants so he can
use them for "sexy time"
-> wants a harem.

(S) ref

37.18 Two summoner requests

The fuck (can't jump)

39.17 Makes demon do cosplay

No DVR this shit

40.48 Demons - orders to destroy

This bitch is actually going to kill me

41.54 Shoots at her - blasts off her clothes

nudity

43.32 Girl falls over in front of him - see impression of vagina.

End credits highly sexualised dancing

nudity

45.26 END

03: I made a friend

22.43

45.33 Close up - panties -

46.28 opening credits feat nipple nudity

48.05 Meets a nun.

48.33 Healing powers.

50.24 Church = enemy territory.

52.08 Stray devil

53.15 Giant naked devil. - D on top of a grotesque body. Nipples shoot light rays

54.53 Breaks out of vagina dentata

56.10 Really into SMS - violence makes her hot

Sexual Satisfaction in pain

57.28 Pin-up pics
Punk arse little bitch of class.

58.54 Floor wet with blood - reacts to violence - don't see
Hotyshit

(V)

Stared little pussy
59:44 "End of the line, sinner"

1:00:12 Hits him with bullet (V)
cuts back.
Azia stands between them.

1:02:14 Enough of this bullshit. Cuts off the nun's clothes
Lost your fucking mind

1:02:41 Grabs the nun's breasts - priest expects to do what he wants. (S/V)

Punches in face

1:04:10 "You're the pitcher & he's the catcher?" sref

1:04:31 Sexy devil bitch

1:05:13 Kicking Azia Well shit (22:44)

1:08:10 END.

Oh. I'm saving my friend

Wakes up with Rias - she heals nipples - Rias showering (Quality)

1:08:43 I'm not going to bitch out credits = nipples.

1:11:37 Eating with Azia / hanging out

1:13:12 Azia heals him

1:14:38 Last out of church for healing fallen ones says the fallen ones are evil.

1:15:22 Yuma threatens.

Oh shit.

1:18:18 Spear through stomach. (D)

1.19.39 Takes Azia.

1.20.09 Pin-up girl bending over.

1.22.44 Top Secret ritual

1.24.14 Church empty.

Tearing away flesh & eating it.

No more of this bullshit

Yeah I'm fucked

1.27.25 Transforming - magical - naked.

(V)
nudity

1.28.18 Azia on altar - steal sacred gear.
Close up nipple shot as she dies

1.30.53 END

05 - I Will Defeat My Ex-Girlfriend!

1.32.38 Takes gear

1.33.32 Azia partly naked
You crazy bitch

1.34.20 "Pole greased"

pious platinum nun slut
This bitch is just evil

Azia dying - nipples visible

nudity

1.40.26 That is bullshit

More dead nipple shots

1.41.52 Spears through legs

Blood spurts from leg wounds

You won't get away bitch. Punches (V)

- 1.46.56 Transforms into Yuma to upset Issai
- 1.49.06 Turns Azia into devil.
- 1.51.03 Close-up on erect nipples under shirt. Nudity
"pornstar stamina"
- 1.53.16 Being watched nipples
- 1.53.37 22:44 Nudity
- 06 - I work as a Devil
- 1.53.51 Looking at bra
- 1.54.04 Azia showering Konika hits him
"you big perve"
- 1.56.59 Work out. I think I'm going to puke up
My ballsack
ooh nipple contact.
- 1.57.39 Knows he is having "disgusting sexually charged thoughts"
- 1.59.26 "Abnormally horny child". "He's a pervert and he's not to be trusted."
- 1.59.47 "Unhealthy obsession with the pornography"
- 2.00.36 Class
- 2.01.09 I bet he masturbates in the bathroom
- I may be a shitty pawn.
- 2.03.42 Imagines Azia's clothing being ripped off
You know it bitch.
- 2.04.45 I'll let you lick my lolly pop.
- 2.05.31 Rias calls from shower
- 2.06.00 Close-up. Naked breasts Nudity

2.06.33 Wakes up. Rias naked beside him.

2.07.18 "Wanna touch my boobs?"

"bang those bean bags"

2.11.18 ~~Right~~ Right in the fucking head.

2.12.43 That would be super slutty.
Get your shit together

(E)

2.14.26 "Do your job well whether there is a reward or not"

2.16.15 Pantie shots

22.44

2.16.21 END

67-1 Get a Familiar!

2.19.23 Student body president - devil group.

Gaggle of slutty sluts.
buff-bunch.
aggressive handcrunch
lame shit

2.22.07 Pantie shots while playing sport.

2.22.3 "Beefing up my spank bank material."

Close up - "camel toe"

2.24.05 Dodge ball

2.25.07 Imagines Rias and Asia rolling around naked (S)

Pin ups - highly sexualised

Ball burns off clothing

shit

2.27.41 Comical - heels 'twig & berries'

touches pants

'you better not be getting a club.'

S ref

2.28.75 "mother truckers"

Rating Game

"If you were a hot chick I'd totally kiss you"

2.30.29 "Best personality" not "fit"

transphobic "that he's a she"

2.32.26 Green slime burns off their clothes

2.33.11 Pukes him "suck on that perve"
"save image to spank bank"

2.33.53 Slime crawls between legs
"the pervert inside"

(Sex)

got to take a shit.

2.36.09 electrocutes Issei

Bitches.

2.38.59 Takes off clothes - "I need you to take my virginity"

2.39.08 END

[22.47]

Episode 01 - I Got A girlfriend!
Comentary

1.13 "outrageous"
Voice actors & ^{writer} ~~producer~~ - commenting

happy-go-lucky slash/sadist.

4.59 How about all the boobs

9.19 "Boobs thesaurus"

10.15 "chesticles"

2025 "Pull-on nudity"

"Is this legal?" - Nudity in YA section of library

Sarcastic "all girls look this"

Nipple detail

"I can't look at
ripples while km
trying to act"

22.44 "If they offend you, I know I did my job"
END.

Episode 07 - I GET A FAMILIAR!

6.04 Fan service.

"marry perversion & science"

16.11 Not acceptable to ogle high school girls if teacher

15.55 Talk about fav characters

22.46 END "boobies, boobies"

Released under the Official Information Act 1982

Consideration Sheet

| | |
|---------------------|-------------|
| OFLC ref: | 2200252.000 |
| Submission channel: | s42(1) |

| | |
|-----------------------|--|
| Title of publication: | High School DXD Series Collection (Disc 1) |
| Other known title: | High School DXD Series Collection (Episodes 01-07) |
| Medium: | DVD |
| Distributor: | Madman Entertainment |
| Director: | Tetsuya Yanagisawa |
| Producer: | Carly Hunter Justin Cook et al. |
| Country of origin: | Japan |
| Language: | English, Japanese |
| Applicant: | Dray Mark |

| | |
|--------------------------------|--|
| Examination transcript No: | 759, p.206-215 |
| Examination date: | 01 August 2022 |
| Other identifying information: | Disc 1 of 2. (Disc 2 is OFLC Ref: 2200253.000) |

Components Of Film

Components of film originally examined:

| | Components | Running time |
|-----------------------|--|---|
| Timed component(s): | 01 - I Got a Girlfriend! 02 - I'm Done Being Human! 03 - I Made a Friend! 04 - I'm Saving My Friend! 05 - I Will Defeat My Ex-Girlfriend! 06 - I Work as a Devil! 07 - I Get a Familiar! | 22:43 22:43 22:44 22:43 22:44 22:44 22:47 |
| Untimed component(s): | Episode 01 - I Got a Girlfriend! Commentary Episode 07 - I Get a Familiar! Commentary | |
| Total running time: | | 159:08 |

Components of film excised:

Consideration of the Publication under the Films, Videos, and Publications Classification Act 1994 (FVPC Act)

| Description |
|--|
| <p><i>High School DXD</i> is a supernatural fantasy anime in the “ecchi”¹ genre, based on the Japanese novel series of the same name. The series follows Issei, a high school student obsessed with women and sex. He is unexpectedly thrown into the supernatural world of angels and demons when he is taken into servitude by Rias, a high-powered and beautiful devil and fellow student. Rias and her team of devils (who go to Issei’s high school) must fight challenges posed from adversaries (fallen angels and other devils) using their supernatural abilities whilst maintaining their cover as a high school students.</p> <p><i>High School DXD Series Collection (Disc 1)</i> contains the first seven episodes of the Japanese anime series and two audio commentaries. In these episodes, Issei dies when his first date turns out to be with a fallen angel who wants to kill him. Rias (of the noble house of Grimory) saves him and turns him into a devil, giving him near-immortality and welcoming him into her Occult Research Club (ORC). Issei also meets Asia, a nun who is serving a group of fallen angels and has healing powers. Asia and Issei strike up a friendship despite being on opposite sides of a conflict. When Asia’s bosses decide to kill Asia and take her healing powers, Issei and his fellow devils decide to save her.</p> <p>The publication can be watched in English or in Japanese with English subtitles.</p> |

| Section 3(1): the Subject Matter Gateway | |
|--|------------------|
| Does the publication describe, depict, express, or otherwise deal with matters such as: | |
| ✓ | Sex ² |
| <p>The publication contains extensive sexual references and highly sexualised female breast nudity. The tone of this sexual material is playful and designed to titillate in a ‘fan service’ manner. All of the female characters are often depicted in a state of nudity or wearing limited and sexualised clothing. Extreme close up shots of their breasts and underwear are frequent and their nude breasts and nipples are animated with great detail, emphasising their size and movement. The underwear shots sometimes give the impression of labial folds.</p> <p>Issei’s sexual interest in the female characters, Rias, Asia and Koneko is a dominant aspect of the plot. The devil’s club has a shower and there are multiple scenes where female devils</p> | |

¹ “Ecchi is an often used slang term in the Japanese language for erotic fantasy and sexual innuendoes...While the word ecchi could mean anything from mild to insulting in Japanese language, it is used in Western culture to divide between pornography (hentai) and playful usage of sexualised imagery. Works considered as ecchi don’t show any sexual intercourse or primary sexual characteristics.” Wikipedia. (2013). Ecchi. Retrieved November 4, 2013, from <http://en.wikipedia.org/wiki/Ecchi>

² Note that a publication can be found to deal with a matter such as sex if (a) the publication 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. (s 3(1A)).

Section 3(1): the Subject Matter Gateway

shower and Issei spies on them. Rias laughs off Issei's spying and is comfortable with him looking at her naked, as is Asia. Koneko thinks he is disgusting and always tells him off.

'Pin up' style stills of the female characters mark the 'ad breaks' between the two halves of each episode. These depict the female characters nude or in skimpy clothing and posed in a sexually provocative manner to display their breasts or buttocks. The closing credits feature all of the central female characters doing a pole dance.

Issei and his teen friends are preoccupied with sex. They reference wet dreams, watching pornography and masturbation (gathering material for their "spank bank") as well as 'ogging' their fellow students and complaining about their virginity. They often spy on female students getting changed, before being chased away. Their talk is balanced by the reaction of the girls' at their school who call them "perverts" and want nothing to do with them. Asia is explicitly warned to be wary of Issei and check for cameras in her room when she moves in with him.

Stronger material includes:

- Issei imagines Asia and Rias naked together on top of each other in a way that is highly sexual.
- Female characters get covered in a supernatural slime that disintegrates their clothing and wraps around them. At one point a slime tentacle moves between the character Rias' legs and she cries out. The sexual implication is clear.

There are scenes with sexual violence and characters who are aroused by inflicting pain. Discussed further, under section 3(3).

As the main characters go to high school, whether the publication promotes or supports or tends to promote and support the exploitation of young people is discussed further under section 3(2)(a).

| | |
|---|---------|
| ✓ | Horror |
| The publication depicts horror in a limited manner. The devils fight fallen angels who are often ominous, with sharp teeth and crazed expressions. Others are more grotesque, combining aspects of beautiful women with torsos made of teeth. Violence is discussed further under section 3(3)(a)(i). | |
| H | Crime |
| | |
| H | Cruelty |
| | |

| | |
|--|--|
| Section 3(1): the Subject Matter Gateway | |
| <input checked="" type="checkbox"/> | Violence |
| The publication contains bloody violence and openly sadistic characters. Discussed further under section 3(3). | |
| <input type="checkbox"/> | None of the above, <u>proceed to s 3A and s 3B</u> |

| | |
|---|--|
| Section 3(2): Certain publications are "deemed to be objectionable" | |
| Does the content of the publication raise any of these issues? If it does, discuss, and conclude whether the publication promotes or supports, or tends to promote or support, that matter. | |
| <input checked="" type="checkbox"/> | s 3(2)(a) The exploitation of children or young persons for sexual purposes |
| <p>While the characters go to high-school and their virginity is mentioned, they, for the most part, do not present as young people. The students are not very childlike in appearance, nor is there any sexual conduct between adults and high-school students. The school is a special school for exchange students and large portions of the school population are supernatural beings masquerading as teens. The characters do not participate in high school activities apart from sport. They do not go to class and there are no human adults (apart from Issei's parents) or teachers.</p> <p>Asia and Koneko are more petite than the other devils, who present as adults. Asia is working as a nun when we first meet her and her age is unclear. While these characters aren't as well 'endowed' as other characters in the show, they do not present as young people or have 'undeveloped' breasts. Issei describes Asia as "blonde and busty". Koneko does have smaller breasts than the other characters but is also the most hostile to Issei's advances and treats him as if he is younger than her.</p> <p>The only characters who behave like teenagers are the teen boys. Issei and his friends, in particular, are juvenile and sexually inexperienced. This is in many ways comparable to characters in American teen sex comedies. Issei objectifies his female peers at school, all of whom present as fully developed women. However, he is berated by them for his "pervy" behavior.</p> <p>The publication, therefore, cannot be said to promote or support, or tend to promote or support, the sexual exploitation of children or young persons.</p> | |
| <input type="checkbox"/> | s 3(2)(b) The use of violence or coercion to compel a person to participate in, or submit to, sexual conduct |
| | |

| Section 3(2): Certain publications are "deemed to be objectionable" | |
|--|---|
| <input type="checkbox"/> | s 3(2)(c) Sexual conduct with or upon the body of a dead person |
| [] | |
| <input type="checkbox"/> | s 3(2)(d) The use of urine or excrement in association with degrading or dehumanising conduct or sexual conduct |
| [] | |
| <input type="checkbox"/> | s 3(2)(e) Bestiality |
| [] | |
| <input type="checkbox"/> | s 3(2)(f) Acts of torture or the infliction of extreme violence or extreme cruelty |
| [] | |
| <input type="checkbox"/> | None of the above |
| If the publication promotes or supports (or tends to) any of these matters, could excisions be used to remove the problematic content? | |
| <input type="checkbox"/> | Yes. Consider the rest of the publication under s 3(3) and s 3(4) and discuss the required excisions in the conclusion. |
| <input type="checkbox"/> | No. The publication is deemed to be objectionable. <u>Proceed to Conclusion</u> |

| Section 3(3): Matters to be given particular weight | |
|--|---|
| If any of the following criteria apply, discuss in terms of the extent and degree to which, and the manner in which, the publication: | |
| <input checked="" type="checkbox"/> | s 3(3)(a)(i) Deals with the infliction of torture, serious physical harm, significant cruelty |
| The publication deals with the infliction of serious physical harm and significant cruelty to a low extent but moderate degree. Characters fight using magical 'light' weapons – Issei is impaled on two occasions. His injuries gush blood and he lies in a pool of spreading flat colour. In another scene he is speared through both legs. These injuries spurt blood too. The style of animation is not highly detailed, lowering the impact. The impact is further lowered by Rias' ability to bring people back from the dead and Asia's to heal people. | |

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

A lot of the stronger violence is conveyed through reaction shots. For example, Issei happens upon a body that has been cut up by Freed (an exorcist who works for the fallen angels, is particularly cruel and deranged) and reacts in horror. The only thing that is shown is a dark corner of a room and a patch of blood.

| | |
|---|---|
| ✓ | s 3(3)(a)(ii) Deals with sexual violence or sexual coercion, or violence or coercion in association with sexual conduct |
|---|---|

The publication deals with violence in association with sexual conduct.

Issei's obsession with sex blurs into a desire to coerce. When he discovers that by moving up in the devil hierarchy he may acquire a servant he verbally fantasises about having a sex slave. When he encounters slime that dissolves women's clothing, he wants it for a familiar. When confronted by naked women or the opportunity to act on his sexual desires, however, he becomes shy and flustered and is often very considerate. This contextualises his more problematic statements as teenage bluster.

Freed cuts off Asia's clothes and grabs her breasts. At this point she is still a nun. He says that as a priest he should be allowed to do what he wants with her. The scene is disturbing.

| | |
|---|---|
| ✓ | s 3(3)(a)(iii) Deals with other sexual or physical conduct of a degrading or dehumanising or demeaning nature |
|---|---|

The gratuitous nature of much of the nudity in combination with violence sometimes shades over into having a dehumanising effect. For example, in a scene where Asia dies, her top stops covering her breasts. Issei, who is holding and grieving for her, makes no attempt to cover her.

| | |
|---|--|
| ✓ | s 3(3)(a)(iv) Deals with sexual conduct with or by children or young persons |
|---|--|

Discussed above, at section 3(2)(a).

| | |
|---|---|
| ✓ | s 3(3)(a)(v) Deals with physical conduct in which sexual satisfaction is derived from inflicting or suffering cruelty or pain |
|---|---|

A couple of characters are aroused by inflicting pain. Akeno, one of the devils, is explicitly into Sadoomasochism and remarks on it while fighting, "I'm really into S&M". She wears bondage gear and becomes flushed while fighting. There is no explicit sexual activity.

| | |
|---|--|
| - | s 3(3)(b) Exploits the nudity of children or young persons |
|---|--|

| | |
|---|---|
| - | s 3(3)(c) Degrades or dehumanises or demeans any person |
|---|---|

| Section 3(3): Matters to be given particular weight | |
|---|---|
| <input type="checkbox"/> | |
| <input type="checkbox"/> | s 3(3)(d) Promotes or encourages criminal acts or acts of terrorism |
| <input type="checkbox"/> | |
| <input type="checkbox"/> | s 3(3)(e) Represents that members of any particular class of the public are inherently inferior to other members of the public by reason of an characteristic that is a prohibited ground of discrimination specified in s 21(1) of the Human Rights Act 1993 |
| <input type="checkbox"/> | |
| <input type="checkbox"/> | The publication doesn't deal with any s 3(3) criteria |

| Section 3A: | |
|--|--|
| Does the publication contain highly offensive language to such an extent or degree that it is likely to seriously harm viewers under a certain age? | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| <p>Discuss (including any necessary consideration of offensive language that is not 'highly offensive' or any highly offensive language which is not likely to cause serious harm to young viewers):</p> <p>The publication contains occasional offensive language. 'Fuck', 'shit' and variations on these words are used casually and to express alarm. 'Bitch' and 'slut' are used as a slurs against female characters. Examples include, "Yeah, I'm fucked" and "No more of this bullshit". The low extent of the language means it is unlikely to seriously harm younger viewers.</p> | |

| Section 3B: | |
|---|---|
| Does the publication contain any of the following material? | |
| <input type="checkbox"/> | Harm to a person's body, including self-inflicted death, self-mutilation or harmful body modification (other than any already discussed under s 3(3) criteria). |
| <input type="checkbox"/> | |

| | |
|---|--|
| Section 3B: | |
| <input type="checkbox"/> | Conduct that, if imitated, would pose a risk of serious harm to self or others (other than any already discussed under s 3(3) criteria). |
| [] | |
| <input type="checkbox"/> | Physical conduct of a degrading, dehumanising or demeaning nature (other than any already discussed under s 3(3) criteria). |
| [] | |
| <input type="checkbox"/> | Visual images of a person's body that alone or with any other contents of the publication are of a degrading, dehumanising or demeaning nature (other than any already discussed under s 3(3) criteria). |
| [] | |
| <input type="checkbox"/> | None of the above |
| <p>Does the extent and degree of the material make the publication likely to cause any of the following harms to young people under a specified age because of their general levels of emotional and intellectual development and maturity?</p> <ul style="list-style-type: none"> ▪ Cause them to be greatly disturbed or shocked ▪ Increase significantly the risk of them killing, or causing serious harm to, themselves, others, or both ▪ Encourage them to treat or regard themselves, others, or both, as degraded, dehumanised or demeaned. <p>Discuss likely harm/s or why the content is unlikely to cause these harms:</p> | |
| [] | |

| | |
|--|---|
| Submissions & consultations (if applicable) | |
| <input type="checkbox"/> | Consultation or enquiries required under s 21 |
| [] | |
| <input type="checkbox"/> | Submissions received from interested parties under s 20 |
| [] | |

Any other information to be taken into account (if relevant)

(e.g. previous OFLC decisions, decisions of other classification bodies, research, books, articles, reviews, etc.)

[Australia – MA15+ - Strong sexual references, animated nudity and violence
BBFC – 18 – strong sex references, nudity, violence]

Conclusion

- In addition to all of the above matters, consider relevant s 3(4) matters: the dominant effect of the publication, character of the publication (including any merit, value or importance), impact of the medium, intended or likely audience, intended purpose, and any other relevant circumstances relating to its use
- Identify any likely injury to the public good from the unrestricted availability of the publication
- Determine the classification, taking into account the New Zealand Bill of Rights Act 1990 (NZBORA) and the need to impose the least restrictive limitation on the right to freedom of expression that will prevent injury to the public good

High School DXD Series Collection (Disc 1) is a supernatural anime with highly sexualized themes.

It was deemed objectionable in 2013 for promoting and supporting the sexual exploitation of young persons for the following reasons:

The publication relentlessly depicts young female high-school students nude or in limited sexualized clothing, posing sexually and in such ways that emphasizes their bodies, breasts and genitalia. The only purpose of this hyper-sexualised imagery is the titillation and arousal of the viewer. It therefore attracts those with a prurient interest in young persons. It is intended that the viewer find these young characters' sexually desirable because of their youth and available for adult sexual gratification. This publication is therefore likely to create or reinforce a sexual interest in young persons and encourage the sexual exploitation of young persons.

Having reconsidered the content, Te Mana Whakaatu Classification Office is on the opinion that a restriction to older teenagers and adults is sufficient to prevent the likelihood of injury to the public good. Since 2013, anime has become more popular and well understood by a cross section of Aotearoa society. The tropes and conventions of the genre are therefore more widely understood which allays the concerns that publication is likely to encourage or reinforce a sexual interest in young persons or encourage their exploitation. It is now more likely that most would recognise it as a salacious supernatural adventure.

Further supporting an age restriction, rather than a ban, is the fact that the DVD is age restricted and not banned in either the UK or Australia, both of which reflect the same values and concerns and New Zealand around child exploitation material.

However, a restriction is still required in order to prevent injury to the public good. The publication deals predominantly with sex. There are strong sexual references and extensive

Conclusion

female breast nudity, presented in a titillating and sometimes dehumanising manner. There are also references to bondage and sadomasochism. Issei's objectification and voyeuristic behaviour is particularly problematic when laughed off by the female characters in the show. The presentation of these sexual themes is likely to harm younger viewers' developing attitudes to consent and sexuality. Older teens and adults are more likely to have the media literacy to understand the sexual content as unrealistic and exaggerated for entertainment purposes and are therefore less likely to be harmed by viewing it. Bloody violence also contributes to the need for a restriction.

Balancing these harms against the right to freedom of expression, *High School DXD Series Collection (Disc 1)* classified R16. This is the lowest reasonable limit on that right that can be applied in order to prevent injury to the public good. |

Classification

R16

Descriptive note to cover: | Violence, sexual themes and nudity |

Excisions (if applicable)

Display conditions (restricted publications only)

Are display conditions necessary?

Yes

No

Reason for any display conditions:

Classification Office Decision

Title of publication: High School DXD Series Collection (Disc 1)

Other known title(s): High School DXD Series Collection (Episodes 01-07)

OFLC ref: 2200252.000

Medium: DVD

Distributor: Madman Entertainment

Director: Tetsuya Yanagisawa

Producer: Carly Hunter
Justin Cook
et al.

Country of origin: Japan

Language: English, Japanese

Applicant: Dray Mark

| | |
|------------------------|---|
| Classification: | Objectionable except if the availability of the publication is restricted to persons who have attained the age of 16 years. |
|------------------------|---|

Excisions: No excisions recommended

Descriptive note: Violence, sexual themes and nudity

Display conditions: None

Date of entry in Register: 15 August 2022

Date of direction to issue a label: No direction to issue a label has been issued

Date of notice of decision: No notice of decision has been issued

| | Components | Running time |
|-----------------------|--|--------------|
| Timed component(s): | 01 - I Got a Girlfriend! | 22:43 |
| | 02 - I'm Done Being Human! | 22:43 |
| | 03 - I Made a Friend! | 22:44 |
| | 04 - I'm Saving My Friend! | 22:43 |
| | 05 - I Will Defeat My Ex-Girlfriend! | 22:44 |
| | 06 - I Work as a Devil! | 22:44 |
| | 07 - I Get a Familiar! | 22:47 |
| Untimed component(s): | Episode 01 - I Got a Girlfriend! Commentary | |
| | Episode 07 - I Get a Familiar! Commentary | |
| | | |
| Total running time: | | 159:08 |

Summary of reasons for decision:

The DVD 'High School DXD Series Collection (Disc 1)' is a supernatural fantasy anime in the 'ecchi' genre, based on the Japanese novel series of the same name. The DVD was initially classified as objectionable by the Classification Office in 2013 because it tended to promote or support the exploitation of young persons for sexual purposes through the unrelenting sexualisation and fetishisation of young female characters.

On 14 June 2022 the Acting Chief Censor granted leave for a member of the public to submit the DVD for reconsideration of its objectionable classification.

Having reconsidered the content, the Classification Office is of the opinion that a restriction to older teenagers and adults is sufficient to prevent the likelihood of injury to the public good.

In the current climate, anime is popular and well understood by a cross section of Aotearoa society. The tropes and conventions of the form are therefore more widely understood and it is unlikely that an audience would credibly view the characters as young people. This allays the concerns that the content is likely to encourage or reinforce a sexual interest in young people or encourage their exploitation. It is now more likely that most would recognise the series as a salacious supernatural adventure.

Further supporting an age restriction rather than a ban, is the fact that the series is not banned in either the UK or Australia, both of which reflect the same values and concerns around child exploitation material as New Zealand.

However, a restriction on the availability of the disc is still required to prevent injury to the public good. The disc deals predominantly with sex. There are strong sexual references and extensive female breast nudity, presented in a titillating manner. There are clear references to bondage and sadomasochism. The presentation of these sexual themes is likely to harm younger viewers' developing attitudes to consent and sexuality. Older teens and adults are more likely to have the experience and maturity to understand the sexual content as unrealistic and

exaggerated entertainment and are therefore less likely to be harmed by viewing it. Bloody violence also contributes to the need for an age restriction.

Balancing these harms against the right to freedom of expression contained in the New Zealand Bill of Rights Act 1990, 'High School DXD Series Collection (Disc 1)' is classified R16. This is the lowest reasonable limit on that right that can be applied to prevent injury to the public good.

Released under the Official Information Act 1982

Date 2/8/22

OFLC Ref 2200253.000

Title High School DxD Series Collection (Disc 2)

Other Known title(s)

Medium DVD

Director (s) Tetsuya Yangisawa

Producer (s)

Country (ies) Japan

Language (s) English / Japanese

08-1 Pick a Fight!

Dream - "this is where your wet dream ends" (5 ref)

Opening credits = naked breasts

3:30 Friends want to know about wet dream
keeps walking in on4:54 Spying in girls bathroom.
Koneko naked.
Punches locker where they are hiding5:57 Asia offers to get nude.
Asia jealous - doesn't want him to see Rias8:14 On perving - "~~T~~no" doesn't want to be an asshole8:26 Walks in on Asia - shocked - he is naked to
Asia says they should bath

9:43 Mother walks in

9:54 Needs to protect self from Asia

10.51 Rias says "I want you to take my virginity"

11.25 Takes bra off.
yours in mine
puts his hand on her breast
I don't think this is a good idea.

(S)

12.22 Talks about being ruined

13.11 Interrupted by brother's wife.

14.11 I'm gonna kill you - Friends laugh at him
see that shit dangle

15.42 Rias & Riser engaged
What a fucking asshole

(L)

Imperative to become "pure blood"

18.49 Riser - 15 pieces
Dream is to have a harem "barbarren"

19.33 Riser
Rubs woman's breasts - She looks pleased
Sucking at this devil shit
I don't give a shit

(S)
phenix breath
penix breath.

20.06 Hit in gut with staff

22.43 END

09. I've Begun My Training

Issei training

26.19 Sword training

27.31 Imagines Akeno naked

(nudity)

29.27 Flashback to ripping off fallen angels
clothes

- 29:44 Imagines them all naked
"Don't you dare try to peel me"
- 30:49 "You want to see us naked, don't you?"
- 31:20 Close ups on breasts
Sad you're not on the DD team Nudity
- 32:02 Power of perversion. X-ray vision.
- 33:48 Life-span = nearly eternal.
explaining raiding game.
- 36:06 Asia ^{can} no longer read the bible.
Riser only loses on purpose.
- 39:37 Bullshit marriage proposal.
See-through top nudity
- 41:53 Power-ups.
Explodes mountain
- 45:26 END.
10. The Showdown Begins!
- 48:43 Sona helps with farming the raiding game
- 50:02 Rias' brother is Lucifer (Xerxes)
- 51:29 Replica of the School.
- 52:28 Some secret agent shit. (C)
- 54:38 Rias - "put your head on my lap"
Rias laughs at him. "you can do it again sometime"
- 58:18 Battle begins
- 59:58 Blow fates some of Koneko's clothes

- 1.00.42 Chainsaw
Those girls are batshit. (L)
- 1.02.09 Special move = makes them naked
"perverted power"
"ever since my tiny balls dropped I've been undressing girls with my eyes" (Nudity)
- 1.02.38 "You're right, it's a little rapey."
Flashback to practising with Asia - making her naked (Nudity)
"Dude, you're such a loser." - comical
- 1.04.21 Akeno - priestess of pain. Dominatrix.
- Koneko wishes he would disappear
explosion rips off Koneko's clothes. Lies hurt and defeated. (V)
- 1.08.11 END. 22.14

II. The Acclaimed Battle Continues!

- 1.08.33 Koneko naked. Dissolves into light.
- 1.13.41 Fighting sword fights
- 1.14.58 Comment about Riser's sister being in harem.
- 1.16.25 more sword fighting - Keever makes magical swords
- 1.17.43 Undresses Rook. Nudity
"I'm sorry my friend Issei is such a pig".
- 1.20.31 Breaks sword.
- 1.21.58 Impaled on swords in light. Disappear in light (V)
Keeva gone
- 1.24.51 Rias' One hipple exposed

1-26-42 Issei stumbles.
coughs blood.

1-27-14 Flames off arms
Riser beats up Issei

1-28-53 Rias resigns to save Issei

1-30-53 END.

22.43

12. I'm Here To Keep my Promise

Dragon dream

1-33-16 See-through night dress

1-34-35 The Devil gives invite to engagement party

1-36-40 Making a deal with dragon

1-37-34 "I'd be better off killing myself"
Rias partially nude - flashback

Nudity

1-38-58 "Screw those d-bags"

1-40-26 Lucifer \neq prepared some entertainment

1-42-28 Fighting for Rias

Flashing light

Uses fight

son of a bitch - sacrifices own arm to dragon

1-47-46 Throws holy water - Riser screams in pain

1-51-30 Gets a kiss

"Is that morning wood"

Her first kiss.

1-52-15 Rias moves in with Issei

1-53-39

22.46

Fantasy Jiggles Unleashed

.16 Op c - Finds them all changing (nudity)

Skimpily bathing attire

1.28 Invites him to oil her

Slips. Falls in breasts

Asia does too. Rubs on face.

Punish him by burying him in sand

Chapter 2

4.18 Cold shower - sheer. Akeno's breasts resuscitates.

5.17 Lick it off me (cream on breasts) eats it off her. (S)

Wakes. Rassei electrocutes

Vol 3

7.00 Rias showering.

intended to make Issei less horny

7.58 Magic potion - Koneko becomes dirty minded

Grabs/gropes breasts

nudity/
SV

All get naked in the shower.
The others "ride it out"

10.28 V4

10.50 Spying. Chased by girl.

11.28 Bursts off their clothes

nudity/
cruelty

11.58 Clicks fingers - Akeno naked

12.47 Rias naked - covers self

13.28 V5

Making udon - jiggle as pound noodle

16.04 Asa covered in food.

16.43 The udon noodles are alive and "horny"
They wrap them and squeeze their breasts

17.44 V6

18.19 But Issei "you look at girls while they are changing"
→ wants to be a better devil.19.40 Undoes bra and kisses neck. nudity
wants to seduce.
(mark on neck)
Rias calls it a hickey21.18 end.New Material from Ichiei Ishibumi!

The Occult Club

- 00.53 "hyper-sadist" - third year
- 00.58 "Loli-style mascot"
"She may look like a grade-schooler" } Koneto
- 1.39 Naked Rias - 3rd year
- 2.06 move breasts - advert
- 3.04 Naked + measurements
- 3.22 Touches breasts. They bounce.
- 4.43 more nude breasts
- 5.40 "Little-sister types"
"Lolis in particular"
- 6.21 Breasts burst out of tops "Room to grow" S.ref

6.47 Loli-loli first year
"petite breasts are a national treasure"
Lolis are the best.

8.29 END

Promotional Video

Clips of ~~or~~ clips from the show.
Looks like textless opening

.53 Clothes burst off
Rias touching breasts
credits.

2.05 END

Commercial Collection

advert.

1.13

Textless Opening Song - "Trip-innocent of D."

features breast nudity

1.27

Textless Closing Song - "Study x Study"

Pole dancing

1.27

English Language Trailer

.17 Stabs Issei
action montage

1.18

Trailers

35 Notice IP Foundation

1.37 Zombie high school Bloody/flashy violence
"Is this a Zombie?"

1.42 "Majikoi Oh! Samurai Girls"

1.41 "Kamasami Dolls"
"you bastards" (L)

1.20 touches breasts.
bloody violence
"Blood C"

3.15 Bloody violence - swords
- knights
- Swords. Bloodsplatter
"BERSERK"

Consideration Sheet

| | |
|---------------------|-------------|
| OFLC ref: | 2200253.000 |
| Submission channel: | s42(1) |

| | |
|-----------------------|--|
| Title of publication: | High School DXD Series Collection (Disc 2) |
| Other known title: | High School DXD Series Collection (Episodes 08-12) |
| Medium: | DVD |
| Distributor: | Madman Entertainment |
| Director: | Tetsuya Yanagisawa |
| Producer: | Justin Cook Carly Hunter et al. |
| Country of origin: | Japan |
| Language: | Japanese, English |
| Applicant: | Dray Mark |

| | |
|--------------------------------|--|
| Examination transcript No: | 759, p.216-224 |
| Examination date: | 03 August 2022 |
| Other identifying information: | Disc 2 of 2. (Disc 1 is OFLC Ref: 2200252.000) |

Components Of Film

Components of film originally examined:

| | Components | Running time |
|---------------------------|---|--------------------------|
| Timed component(s): | 08 - I Pick a Fight! | 22:43 |
| | 09 - I've Begun My Training! | 22:43 |
| | 10 - The Showdown Begins! | 22:44 |
| | 11 - The Acclaimed Battle Continues! | 22:43 |
| | 12 - I'm Here to Keep my Promise! | 22:46 |
| | Fantasy Jiggles Unleashed | 21:18 |
| | New Material From Ichi Ishibumi | 8:29 |
| | Promotional Video | 2:05 |
| | Commercial Collection | 1:13 |
| | Textless Opening Song - "Trip - Innocent of D-" | 1:27 |
| | Textless Closing Song - "Study x Study" | 1:27 |
| | Trailer(s): | English Language Trailer |
| Is this a Zombie? | | 1:37 |
| Majikoi Oh! Samurai Girls | | 1:42 |
| Kamasami Dolls | | 1:41 |
| Blood C | | 1:20 |
| Beserk | | 3:15 |
| Total running time: | | 160:31 |

Components of film excised:

Consideration of the Publication under the Films, Videos, and Publications Classification Act 1994 (FVPC Act)

| Description |
|--|
| <p><i>High School DXD</i> is a supernatural fantasy anime in the “ecchi”¹ genre, based on the Japanese novel series of the same name. The series follows Issei, a high school student obsessed with women and sex. He is unexpectedly thrown into the supernatural world of angels and demons when he is taken into servitude by Rias, a high-powered and beautiful devil and fellow student. Rias and her team of devils (who go to Issei’s high school) must fight challenges posed from adversaries (fallen angels and other devils) using their supernatural abilities whilst maintaining their cover as a high school students. Issei’s sexual interest in the female characters, Rias, Asia and Koneko is a dominant aspect of the plot.</p> <p><i>High School DXD Series Collection (Disc 2)</i> contains episodes 8-12 of the Japanese anime series. In these episodes Issei discovers that Rias is engaged (against her will) to a devil called Riser. Their union is meant to join Rias’ house (Grimory) with his (Phoenix) to ensure the blood line of the devils. The two houses, Grimory and Phoenix, engage in a fighting match to determine whether Rias will have to go through with the marriage. Issei is determined to increase his power so he can save her. The publication also contains extensive special features, including a featurette called “Fantasy Jiggles Unleashed”, which is a series of short episodes involving female breast nudity.</p> |

| Section 3(1): the Subject Matter Gateway | |
|--|------------------|
| Does the publication describe, depict, express, or otherwise deal with matters such as: | |
| ✓ | Sex ² |
| <p>The publication contains extensive sexual references and highly sexualised female breast nudity. The tone of this sexual material is playful and designed to titillate in a ‘fan service’ manner. All of the female characters are often depicted in a state of nudity or wearing limited and sexualised clothing. Extreme close up shots of their breasts and underwear are frequent and their nude breasts and nipples are animated with great detail, emphasising their size and movement. The underwear shots sometimes give the impression of labial folds.</p> <p>Issei’s sexual interest in the female characters, Rias, Asia and Koneko is a dominant aspect of the plot. The devil’s club has a shower and there are multiple scenes where female devils</p> | |

¹ “Ecchi is an often used slang term in the Japanese language for erotic fantasy and sexual innuendoes...While the word ecchi could mean anything from mild to insulting in Japanese language, it is used in Western culture to divide between pornography (hentai) and playful usage of sexualised imagery. Works considered as ecchi don’t show any sexual intercourse or primary sexual characteristics.” Wikipedia. (2013). Ecchi. Retrieved November 4, 2013, from <http://en.wikipedia.org/wiki/Ecchi>

² Note that a publication can be found to deal with a matter such as sex if (a) the publication 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. (s 3(1A)).

Section 3(1): the Subject Matter Gateway

shower and Issei spies on them. Rias laughs off Issei's spying and is comfortable with him looking at her naked, as is Asia. Koneko thinks he is disgusting and always tells him off.

'Pin up' style stills of the female characters mark the 'ad breaks' between the two halves of each episode. These depict the female characters nude or in skimpy clothing and posed in a sexually provocative manner to display their breasts or buttocks. The closing credits feature all of the central female characters doing a pole dance.

Issei and his teen friends are preoccupied with sex. They reference wet dreams, watching pornography and masturbation (gathering material for their "spank bank") as well as 'ogging' their fellow students and complaining about their virginity. They often spy on female students getting changed, before being chased away. Their talk is balanced by the reaction of the girls' at their school who call them "perverts" and want nothing to do with them.

Stronger material includes:

- Issei accidentally walks in on Asia in the bathroom. Both are naked and embarrassed. Asia innocently suggests they take a bath together in order to become close. Issei's mother walks in and the two are embarrassed further.
- Rias asks Issei to take her virginity so that she will be "spoiled" and not have to marry Riser. She sits on top of him and takes her bra off, putting his hand on her breast. Issei expresses misgivings and they are interrupted before anything further can happen.
- Riser rubs the breasts of a woman in his 'harem' in public. She flushes with pleasure.
- "Fantasy Jiggles Unleashed" involves a scene where characters are tied up by magical udon noodles that squeeze their breasts.

There are characters who are aroused by inflicting pain and Issei develops a power that rips off women's clothes. Discussed further, under section 3(3).

As the main characters go to high school, whether the publication promotes or supports or tends to promote and support the exploitation of young people is discussed further under section 3(2)(a).

| | |
|--|---------|
| ✓ | Horror |
| The publication depicts horror in a limited manner. The devils fight other devils who are often ominous. Violence is discussed further under section 3(3)(a)(i). | |
| - | Crime |
| | |
| - | Cruelty |
| | |

Section 3(1): the Subject Matter Gateway

| | |
|---|--|
| ✓ | Violence |
| <p>The publication contains fantasy action violence, involving magical weapons and bright flashy lights. While characters sometimes cough up blood during combat, no serious injuries are depicted. The animated style and fantasy context lowers the impact.</p> | |
| [-] | None of the above, <u>proceed to s 3A and s 3B</u> |

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

Does the content of the publication raise any of these issues? If it does, discuss, and conclude whether the publication promotes or supports, or tends to promote or support, that matter.

| | |
|---|---|
| ✓ | s 3(2)(a) The exploitation of children or young persons for sexual purposes |
| <p>While the characters go to high-school and their virginity is mentioned, they, for the most part, do not present as young people. The students are not very childlike in appearance, nor is there any sexual conduct between adults and high-school students. The school is a special school for exchange students and large portions of the school population are supernatural beings masquerading as teens. The characters do not participate in high school activities apart from sport. They do not go to class and there are no human adults (apart from Issei's parents) or teachers.</p> <p>Asia and Koneko are more petite than the other devils, who present as adults. Asia is working as a nun when we first meet her and her age is unclear. Koneko is in 'first year'. Both are referred to as "Lolis"³ and "little-sister types". While Asia and Koneko aren't as well 'endowed' as other characters in the show, they do not present as young people or have 'undeveloped' breasts. Issei describes Asia as "blonde and busty". Koneko does have smaller breasts than the other characters but not to an extent that she presents as a child or young person. She is particularly hostile to Issei's advances and treats him as if he is younger than her.</p> <p>The only characters who behave like teenagers are the teen boys. Issei and his friends, in particular, are juvenile and sexually inexperienced. This is in many ways comparable to characters in American teen sex comedies. Issei objectifies his female peers at school, all of whom present as fully developed women. However, he is berated by them for his "pervy" behaviour.</p> <p>The publication, therefore, cannot be said to promote or support, or tend to promote or support, the sexual exploitation of children or young persons.</p> | |

³ "Lolicon:...In Japan, "lolicon" is used to describe either a sexual attraction to prepubescent girls or an individual with that desire...the legal age of consent in Japan can be as low as thirteen, depending on the prefecture. The underage appearance of lolicon characters in ANIME is typically excused by the use of convoluted plot devices that suggest that these prepubescent-looking girls are actually much older." Galbraith, Patrick W. (2009). *The Otaku Encyclopedia: The Insider's Guide To The Subculture Of Cool Japan*. Tokyo, Japan: Kodansha International Ltd, 99.

| Section 3(2): Certain publications are "deemed to be objectionable" | |
|--|---|
| <input type="checkbox"/> | s 3(2)(b) The use of violence or coercion to compel a person to participate in, or submit to, sexual conduct |
| [|] |
| <input type="checkbox"/> | s 3(2)(c) Sexual conduct with or upon the body of a dead person |
| [|] |
| <input type="checkbox"/> | s 3(2)(d) The use of urine or excrement in association with degrading or dehumanising conduct or sexual conduct |
| [|] |
| <input type="checkbox"/> | s 3(2)(e) Bestiality |
| [|] |
| <input type="checkbox"/> | s 3(2)(f) Acts of torture or the infliction of extreme violence or extreme cruelty |
| [|] |
| <input type="checkbox"/> | None of the above |
| If the publication promotes or supports (or tends to) any of these matters, could excisions be used to remove the problematic content? | |
| <input type="checkbox"/> | Yes. Consider the rest of the publication under s 3(3) and s 3(4) and discuss the required excisions in the conclusion. |
| <input type="checkbox"/> | No. The publication is deemed to be objectionable. <u>Proceed to Conclusion</u> |

| Section 3(3): Matters to be given particular weight | |
|---|---|
| If any of the following criteria apply, discuss in terms of the extent and degree to which, and the manner in which, the publication: | |
| <input type="checkbox"/> | s 3(3)(a)(i) Deals with the infliction of torture, serious physical harm, significant cruelty |
| [|] |

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

| | |
|--|---|
| ✓ | s 3(3)(a)(ii) Deals with sexual violence or sexual coercion, or violence or coercion in association with sexual conduct |
| <p>The publication deals with violence in association with sexual conduct.</p> <p>Issei’s obsession with sex blurs into a desire to coerce. Issei develops a power where he can strip his opponents naked during battle. He defeats numerous opponents in this manner and practises the technique on Asia in the lead up to the fight with Phoenix. While this power is not realistic, it does trivialise non-consensual activity. Issei takes pleasure in looking at his defeated opponents naked and Rias encourages him to develop the power so they can win fights. His power is described as “rapey” by another character and is disapproved of by most of the female characters.</p> | |
| ✓ | s 3(3)(a)(iii) Deals with other sexual or physical conduct of a degrading or dehumanising or demeaning nature |
| <p>The gratuitous nature of much of the nudity in combination with violence sometimes shades over into having a dehumanising effect. For example, in a scene where Asia dies, her top stops covering her breasts. Issei, who is holding and grieving for her, makes no attempt to cover her.</p> | |
| ✓ | s 3(3)(a)(iv) Deals with sexual conduct with or by children or young persons |
| <p>Discussed above, at section 3(2)(a).</p> | |
| ✓ | s 3(3)(a)(v) Deals with physical conduct in which sexual satisfaction is derived from inflicting or suffering cruelty or pain |
| <p>A couple of characters are aroused by inflicting pain. Akeno, one of the devils, is explicitly into Sadomasochism and remarks on it while fighting. She wears bondage gear and becomes flushed while fighting. There is no explicit sexual activity.</p> | |
| [-] | s 3(3)(b) Exploits the nudity of children or young persons |
| <p>[]</p> | |
| [-] | s 3(3)(c) Degrades or dehumanises or demeans any person |
| <p>[]</p> | |
| [-] | s 3(3)(d) Promotes or encourages criminal acts or acts of terrorism |
| <p>[]</p> | |

| Section 3(3): Matters to be given particular weight | |
|---|---|
| <input type="checkbox"/> | s 3(3)(e) Represents that members of any particular class of the public are inherently inferior to other members of the public by reason of an characteristic that is a prohibited ground of discrimination specified in s 21(1) of the Human Rights Act 1993 |
| [] | |
| <input type="checkbox"/> | The publication doesn't deal with any s 3(3) criteria |

| Section 3A: | |
|---|--|
| Does the publication contain highly offensive language to such an extent or degree that it is likely to seriously harm viewers under a certain age? | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| Discuss (including any necessary consideration of offensive language that is not 'highly offensive' or any highly offensive language which is not likely to cause serious harm to young viewers): | |
| [The publication contains occasional offensive language. 'Fuck', 'shit' and variations on these words are used casually and to express alarm. Examples include, "What a fucking asshole" and "...bullshit marriage proposal". The low extent of the language means it is unlikely to seriously harm younger viewers.] | |

| Section 3B: | |
|--|---|
| Does the publication contain any of the following material? | |
| <input checked="" type="checkbox"/> | Harm to a person's body, including self-inflicted death, self-mutilation or harmful body modification (other than any already discussed under s 3(3) criteria). |
| [Issei gives up his arm to a dragon being to gain the power to defeat Riser. He ends up with a mechanical arm in its place.] | |
| <input type="checkbox"/> | Conduct that, if imitated, would pose a risk of serious harm to self or others (other than any already discussed under s 3(3) criteria). |
| [] | |
| <input type="checkbox"/> | Physical conduct of a degrading, dehumanising or demeaning nature (other than any already discussed under s 3(3) criteria). |

Section 3B:

[]

| | |
|--------------------------|--|
| <input type="checkbox"/> | Visual images of a person's body that alone or with any other contents of the publication are of a degrading, dehumanising or demeaning nature (other than any already discussed under s 3(3) criteria). |
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[]

| | |
|--------------------------|-------------------|
| <input type="checkbox"/> | None of the above |
|--------------------------|-------------------|

Does the extent and degree of the material make the publication likely to cause any of the following harms to young people under a specified age because of their general levels of emotional and intellectual development and maturity?

- Cause them to be greatly disturbed or shocked
- Increase significantly the risk of them killing, or causing serious harm to, themselves, others, or both
- Encourage them to treat or regard themselves, others, or both, as degraded, dehumanised or demeaned.

Discuss likely harm/s or why the content is unlikely to cause these harms:

[This fantasy sacrifice is unlikely to cause younger viewers any of the harms above. It is inexplicit and unrealistic.]

Submissions & consultations (if applicable)

| | |
|--------------------------|---|
| <input type="checkbox"/> | Consultation or enquiries required under s 21 |
|--------------------------|---|

[]

| | |
|--------------------------|---|
| <input type="checkbox"/> | Submissions received from interested parties under s 20 |
|--------------------------|---|

[]

Any other information to be taken into account (if relevant)

(e.g. previous OFLC decisions, decisions of other classification bodies, research, books, articles, reviews, etc.)

[Australia – MA15+ - Strong sexual references, animated nudity and violence
BBFC – 18 – strong sex references, nudity, violence]

Conclusion

- In addition to all of the above matters, consider relevant s 3(4) matters: the dominant effect of the publication, character of the publication (including any merit, value or importance), impact of the medium, intended or likely audience, intended purpose, and any other relevant circumstances relating to its use
- Identify any likely injury to the public good from the unrestricted availability of the publication
- Determine the classification, taking into account the New Zealand Bill of Rights Act 1990 (NZBORA) and the need to impose the least restrictive limitation on the right to freedom of expression that will prevent injury to the public good

High School DXD Series Collection (Disc 2) is a supernatural anime with highly sexualized themes.

It was deemed objectionable in 2013 for promoting and supporting the sexual exploitation of young persons for the following reasons:

The publication relentlessly depicts young female high-school students nude or in limited sexualized clothing, posing sexually and in such ways that emphasizes their bodies, breasts and genitalia. The only purpose of this hyper-sexualised imagery is the titillation and arousal of the viewer. It therefore attracts those with a prurient interest in young persons. It is intended that the viewer find these young characters' sexually desirable because of their youth and available for adult sexual gratification. This publication is therefore likely to create or reinforce a sexual interest in young persons and encourage the sexual exploitation of young persons.

Having reconsidered the content, Te Mana Whakaatu Classification Office is on the opinion that a restriction to older teenagers and adults is sufficient to prevent the likelihood of injury to the public good. Since 2013, anime has become more popular and well understood by a cross section of Aotearoa society. The tropes and conventions of the genre are therefore more widely understood which allays the concerns that publication is likely to encourage or reinforce a sexual interest in young persons or encourage their exploitation. It is now more likely that most would recognise it as a salacious supernatural adventure.

Further supporting an age restriction, rather than a ban, is the fact that the DVD is age restricted and not banned in either the UK or Australia, both of which reflect the same values and concerns and New Zealand around child exploitation material.

However, a restriction is still required in order to prevent injury to the public good. The publication deals predominantly with sex. There are strong sexual references and extensive female breast nudity, presented in a titillating and sometimes dehumanising manner. There are also references to bondage and sadomasochism. Issei's objectification and voyeuristic behaviour is particularly problematic when laughed off by the female characters in the show. The presentation of these sexual themes is likely to harm younger viewers' developing attitudes to consent and sexuality. Older teens and adults are more likely to have the media literacy to understand the sexual content as unrealistic and exaggerated for entertainment purposes and are therefore less likely to be harmed by viewing it. Bloody violence also contributes to the need for a restriction.

| |
|---|
| Conclusion |
| Balancing these harms against the right to freedom of expression, <i>High School DXD Series Collection (Disc 2)</i> classified R16. This is the lowest reasonable limit on that right that can be applied in order to prevent injury to the public good |

| |
|---|
| Classification |
| R16 |
| Descriptive note to cover: Violence, sexual themes and nudity |

| |
|----------------------------------|
| Excisions (if applicable) |
| |

| |
|--|
| Display conditions (restricted publications only) |
| Are display conditions necessary? <input type="checkbox"/> Yes |
| <input checked="" type="checkbox"/> No |
| Reason for any display conditions: |
| |

Released under the Official Information Act 1982

Classification Office Decision

Title of publication: High School DXD Series Collection (Disc 2)

Other known title(s): High School DXD Series Collection (Episodes 08-12)

OFLC ref: 2200253.000

Medium: DVD

Distributor: Madman Entertainment

Director: Tetsuya Yanagisawa

Producer: Justin Cook
Carly Hunter
et al.

Country of origin: Japan

Language: Japanese, English

Applicant: Dray Mark

| | |
|------------------------|---|
| Classification: | Objectionable except if the availability of the publication is restricted to persons who have attained the age of 16 years. |
|------------------------|---|

Excisions: No excisions recommended

Descriptive note: Violence, sexual themes and nudity

Display conditions: None

Date of entry in Register: 15 August 2022

Date of direction to issue a label: No direction to issue a label has been issued

Date of notice of decision: No notice of decision has been issued

| | Components | Running time |
|----------------------------|---|---------------|
| Timed component(s): | 08 - I Pick a Fight! | 22:43 |
| | 09 - I've Begun My Training! | 22:43 |
| | 10 - The Showdown Begins! | 22:44 |
| | 11 - The Acclaimed Battle Continues! | 22:43 |
| | 12 - I'm Here to Keep my Promise! | 22:46 |
| | Fantasy Jiggles Unleashed | 21:18 |
| | New Material From Ichi Ishibumi | 8:29 |
| | Promotional Video | 2:05 |
| | Commercial Collection | 1:13 |
| | Textless Opening Song - "Trip - Innocent of D-" | 1:27 |
| | Textless Closing Song - "Study x Study" | 1:27 |
| Trailer(s): | English Language Trailer | 1:18 |
| | Is this a Zombie? | 1:37 |
| | Majikoi Oh! Samurai Girls | 1:42 |
| | Kamasami Dolls | 1:41 |
| | Blood C | 1:20 |
| | Beserk | 3:15 |
| Total running time: | | 160:31 |

Summary of reasons for decision:

The DVD 'High School DXD Series Collection (Disc 2)' is a supernatural fantasy anime in the 'ecchi' genre, based on the Japanese novel series of the same name. The DVD was initially classified as objectionable by the Classification Office in 2013 because it tended to promote or support the exploitation of young persons for sexual purposes through the unrelenting sexualisation and fetishisation of young female characters.

On 14 June 2022 the Acting Chief Censor granted leave for a member of the public to submit the DVD for reconsideration of its objectionable classification.

Having reconsidered the content, the Classification Office is of the opinion that a restriction to older teenagers and adults is sufficient to prevent the likelihood of injury to the public good.

In the current climate, anime is popular and well understood by a cross section of Aotearoa society. The tropes and conventions of the form are therefore more widely understood and it is unlikely that an audience would credibly view the characters as young people. This allays the concerns that the content is likely to encourage or reinforce a sexual interest in young people or encourage their exploitation. It is now more likely that most would recognise the series as a salacious supernatural adventure.

Further supporting an age restriction rather than a ban, is the fact that the series is not banned in either the UK or Australia, both of which reflect the same values and concerns around child exploitation material as New Zealand.

However, a restriction on the availability of the disc is still required to prevent injury to the public good. The disc deals predominantly with sex. There are strong sexual references and extensive female breast nudity, presented in a titillating manner. There are clear references to bondage and sadomasochism. The presentation of these sexual themes is likely to harm younger viewers' developing attitudes to consent and sexuality. Older teens and adults are more likely to have the experience and maturity to understand the sexual content as unrealistic and exaggerated entertainment and are therefore less likely to be harmed by viewing it. Bloody violence also contributes to the need for an age restriction.

Balancing these harms against the right to freedom of expression contained in the New Zealand Bill of Rights Act 1990, 'High School DXD Series Collection (Disc 2)' is classified R16. This is the lowest reasonable limit on that right that can be applied to prevent injury to the public good.

Released under the Official Information Act 1982

Notice of Decision under Section 38(1)

TO: Dray Mark

Titles of publications: High School DXD Series Collection (Disc 1)
High School DXD Series Collection (Disc 2)

Other known title(s): High School DXD Series Collection (Episodes 01-07) High
School DXD Series Collection (Episodes 08-12)

OFLC ref: 2200252.000
2200253.000

| | |
|------------------------|---|
| 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 themes and nudity

Display conditions: None

Reasons for the Decision

Te Mana Whakaatu Classification Office examined the publications and recorded the contents in an examination transcript. A written consideration of the legal criteria was undertaken. This document provides the reasons for the decision.

The publications have been examined and considered separately, however for convenience they are discussed together in this decision.

Description of the publications:

High School DXD is a supernatural fantasy anime in the ecchi¹ genre, based on the Japanese novel series of the same name. The series follows Issei, a high school student obsessed with women and sex. He is unexpectedly thrown into the supernatural world of angels and demons when he is taken into servitude by Rias, a high-powered and beautiful devil and fellow student. Rias and her team of devils (who go to Issei's high school) must fight challenges posed by adversaries (fallen angels and other devils) using their supernatural abilities, whilst maintaining their cover as a high school students.

High School DXD Series Collection (Disc 1) contains episodes 1-7 of the Japanese anime series and two audio commentaries. In these episodes, Issei dies when his first date turns

¹ The word *ecchi* has been adopted by western fans of Japanese media to refer to softcore or playful sexuality in anime and manga, as distinct from the word *hentai*, which refers to explicitly pornographic material. Works described as ecchi by the western fans do not show sexual intercourse or genitalia, but sexual themes are referenced. This is distinct from the definition of ecchi as understood by Japanese. Wikipedia. (2022). Ecchi. Retrieved August 4, 2022, from <http://en.wikipedia.org/wiki/Ecchi>

out to be with a fallen angel who wants to kill him. Rias (of the noble house of Grimory) saves him and turns him into a devil, giving him near-immortality and welcoming him into her Occult Research Club (ORC). Issei also meets Asia, a nun who has healing powers and is serving a group of fallen angels. Asia and Issei strike up a friendship despite being on opposite sides of a conflict. When Asia's bosses decide to kill Asia and take her healing powers, Issei and his fellow devils save her.

High School DXD Series Collection (Disc 2) contains episodes 8-12 of the Japanese anime series. In these episodes Issei discovers that Rias is engaged (against her will) to a devil called Riser. Their union is meant to join Rias' house with his (Phoenix) to ensure the blood line of the devils. The two houses, Grimory and Phoenix, engage in a fighting match to determine whether Rias will have to go through with the marriage. Issei is determined to increase his power so he can save her. The disc also contains extensive special features, including a featurette called "Fantasy Jiggles Unleashed", which is a series of short episodes involving female breast nudity.

The discs can be watched in English, or in Japanese with English subtitles.

Previous Classification Decisions:

The discs were initially classified as objectionable by the Classification Office on 11 November 2013.

The decisions focused on content that referred to certain characters as "Lolis":

Two of the female characters, Asia and Koneko, present as younger than their high school peers due to their diminutive stature and small, undeveloped breasts. It is indicated that these characters serve a "[lolicon]" function in the publication ([lolicon] refers to a "Lolita complex" whereby one is attracted to children).² The erotic appeal of these characters lies primarily in their 'virginal innocence' (the dominant sexual characteristic of children and young persons) and it is this which is most exploited by the publication in its efforts to hyper-sexualise young persons. (OFLC Ref: 1300957.000, p.5)

One of the featurettes in the component *New Material From Ichiei Ishibumi* is dedicated to the fetishisation of the "loli girls" in the publication. It combines all of the publication's nude imagery of the characters with commentary about their sexual appeal which is intrinsically related to their youthfulness. (OFLC Ref: 1300957.001, p.5)

The reasons for the objectionable classifications included:

The publication tends to promote or support the exploitation of young persons for sexual purposes through the unrelenting sexualisation and fetishisation of young female characters. The characters are all in high school. Their youthfulness is evidenced by their being dressed in school uniforms, the high school setting, and they engage in high school activities.

The thin supernatural narrative involving the high school students serves as a mere device to distract from the dominant purpose of the publication which is the sexual exploitation of the young female characters. Distinctions can thus be made between this particular publication

² "Lolicon:...In Japan, "lolicon" is used to describe either a sexual attraction to prepubescent girls or an individual with that desire.... The underage appearance of lolicon characters in ANIME is typically excused by the use of convoluted plot devices that suggest that these prepubescent-looking girls are actually much older." Galbraith, Patrick W. (2009). *The Otaku Encyclopedia: The Insider's Guide To The Subculture Of Cool Japan*. Tokyo, Japan: Kodansha International Ltd p 99.

and others which include “fanservice” and other forms of eroticised animation.³ The “soft porn” quality of this publication is primary to this distinction.

All of the characters appear to have an understanding of sex and the female characters are aware of their sexual prowess and the effect this has on the protagonist Issei, and as a function of this, on the viewer. For instance, the characters Rias and Asia regularly indulge Issei, and thus the viewer, in their nudity and sexual availability in order to gratify. Scenes regularly focus on their naked bodies in such a way that can only be for the sexual benefit of the viewer. Their awareness suggests to the viewer that the young female characters are complicit in their sexualisation and reinforces the notion that they are viable sexual partners and are ready for adult forms of sexual activity.

...The main purpose of this sexualised imagery and sexual content, reminiscent of adult entertainment material, is the titillation and arousal of the viewer; further, the titillation and arousal of those with a prurient interest in young persons. The animated medium does not detract from this purpose. If anything the medium allows for greater creative development of this sexual exploitation. (OFLC Ref: 1300957.000, p.5)

Submission procedure:

On 9 June 2022 an application was received from a resident of Aotearoa New Zealand, seeking leave to submit *High School DxD Series Collection* for reconsideration under s42(1) of the Films, Videos, and Publications Classification Act 1993 (FVPC Act) on the following grounds:

- Similar anime and ecchi such as *Puni Puni Poemy* that were considered objectionable are now considered R16
- Nine years have lapsed since the original decision and in this time society’s view of these types of shows has changed.
- The show is popular world-wide and New Zealand is one of the few countries who have classified it as objectionable.
- The characters are not “young persons” as set out in *Moonen v Film and Literature Board of Review [2002]*

The applicant states:

1. ... *Moonen II* states that the absence of definition of a young person was intentional
2. The characters are not presented as young people
3. Issei refers to them as “senpai” which suggests they are older than him; he is either 17 or 18 in the anime.

The Acting Chief Censor granted leave to submit the discs for reconsideration on 14 June 2022 given the amount of time that has passed since it was last classified and the changes in cultural awareness that have taken place in the interim.

Under s23(1) of the FVPC Act the Classification Office is required to examine and classify the publications.

³ Fanservice: Showing characters in risqué or compromising positions such as simple as a gust of wind blowing up a girl’s skirt, or as titillating as a naked girl stepping out of a shower, hidden only by steam...fan service rarely includes full nudity. Above n2, 69.

Under s23(2) of the FVPC Act the Classification Office must determine whether the publications are to be classified as unrestricted, objectionable, or objectionable except in particular circumstances.

Section 23(3) permits the Classification Office to restrict publications that would otherwise be classified as objectionable so that they can be made available to particular persons or classes of persons for educational, professional, scientific, literary, artistic, or technical purposes.

Synopsis of written submission(s):

No written submissions were sought or received.

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".

The meaning of "objectionable":

Section 3(1) of the FVPC Act sets out the meaning of the word "objectionable". The section states that 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.

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)*, must also be taken into 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.⁴

⁴ *Living Word Distributors v Human Rights Action Group (Wellington)* [2000] 3 NZLR 570 at paras 27-29.

The content of the publications must bring them within the "subject matter gateway". In classifying the publications therefore, the main question is whether or not they deal with any s3(1) matters in such a manner that the availability of the publications is likely to be injurious to the public good.

Matters such as sex

Both discs contain extensive sexual references and highly sexualised female breast nudity. The tone of this sexual material is playful and designed to titillate in a manner typical of fanservice. The female characters are often depicted in a state of nudity or wearing limited and sexualised clothing. Extreme close-up shots of their breasts and underwear are frequent. Their nude breasts are animated with great detail, emphasising their size and movement, the bouncing accompanied by exaggerated sound effects. The underwear shots sometimes give the impression of labial folds.

Issei's sexual interest in the female characters, Rias, Asia, and Koneko is a dominant aspect of the plot. There are multiple scenes where Issei spies on the female devils while they shower. Rias laughs off Issei's spying and is comfortable with him looking at her naked, as is Asia. Koneko thinks he is disgusting and always tells him off.

Pin-up style images of the female characters mark the eyecatch⁵ stills between the two halves of each episode. These depict the female characters nude or in revealing clothing and posed in a sexually provocative manner to display their breasts or buttocks. The closing credits feature all of the central female characters pole dancing.

Issei and his male high school friends are preoccupied with sex. They reference wet dreams, watching pornography and masturbation (gathering material for their "spank bank") as well as 'ogglings' their fellow students and complaining about their virginity. They often spy on female students getting changed before being chased away. Their talk is balanced by the reaction of the girls' at their school who call them "perves" and want nothing to do with them. Asia is explicitly warned to be wary of Issei and check for cameras in her room when she moves in with him.

Stronger material includes:

- Issei imagines Asia and Rias naked together on top of each other in a way that is highly sexual.
- The female characters are covered in a supernatural slime that disintegrates their clothing and wraps around them. At one point a slime tentacle moves between Rias' legs and she cries out. The sexual implication is clear.
- Issei accidentally walks in on Asia in the bathroom. Both are naked and embarrassed. Asia innocently suggests they take a bath together in order to become close. Issei's mother walks in and the two are embarrassed further.
- Rias asks Issei to take her virginity so that she will be "spoiled" and not have to marry Riser. She sits on top of him and takes her bra off, putting his hand on her breast. Issei expresses misgivings and they are interrupted before anything further can happen.
- Riser rubs the breasts of a woman in his 'harem' in public. She flushes with pleasure.
- The extra feature "Fantasy Jiggles Unleashed" involves a scene where characters are tied up by magical udon noodles that squeeze their breasts.

⁵ A scene or illustration used to begin and end a commercial break in a Japanese television program.

As the main characters go to high school, the question of whether the discs promote or support, or tends to promote and support, the exploitation of young people is considered under section 3(2)(a).

Matters such as horror, cruelty and violence

The discs depict horror in a limited manner (grotesque supernatural monsters) and some scenes of bloody fantasy violence of moderate strength.

There are also scenes with sexual violence and characters who are aroused by inflicting pain.

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"⁶ 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.⁷

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.

The Classification Office has considered all of the matters in s3(2). The relevant matter is:

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

⁶ *Moonen v Film and Literature Board of Review* [2000] 2 NZLR 9 at para 27.

⁷ Above n2 at para 29.

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.⁸

Parliament's intention therefore was that s3(2)(a) should apply to any publication 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 a publication itself, the publication at least tends to promote or support the exploitation of children or young persons for sexual purposes.

As outlined above, the 2013 Classification Office considered that the discs at least tended to promote and support the exploitation of children for sexual purposes. The Classification Office has re-evaluated the effect of the problematic content identified in the previous classification decisions, taking into account increased familiarity and understanding of this type of material due to its increased availability.

While the characters go to high-school and their virginity is mentioned, they do not present as young people, except for Issei and his friends (who are not objectified). The students are not childlike in their appearance and most of the female characters have exaggerated adult proportions. The previous decision expressed particular concerns about Asia and Koneko being referred to as "lolis" and "little-sister types". These characters are smaller than the other devils, and Koneko does have smaller breasts than the other characters, but neither present as young people, nor do they have 'undeveloped' breasts.

The setting of the series supports this reading. The school is a special school for exchange students and large portions of the school population are supernatural beings masquerading as teens. The characters do not participate in high school activities apart from sport. They do not go to class and there are no human adults (apart from Issei's parents) or teachers. The only characters who behave like teenagers are Issei and his high school classmates. Issei and his friends, in particular, are juvenile and sexually inexperienced and objectify their female peers throughout. This is in many ways comparable to characters in American teen sex comedies.

While the characters go to high school, most viewers are unlikely to see them as representing high school students or young persons. It comes across as a ludicrous and over-the-top fantasy that is not to be taken seriously. Therefore, the discs do not meet the high threshold of even tending to promote or support the exploitation of children or young persons for sexual purposes.

Matters to be given particular weight:

Section 3(3) of the FVPC Act deals with the matters which the Classification Office must give particular weight to in determining whether or not any publication (other than a publication to which subsection (2) of this section applies) is objectionable or should in accordance with section 23(2) be given a classification other than objectionable.

The Classification Office has considered all the matters in s3(3). The relevant matter is:

⁸ *Moonen v Film and Literature Board of Review* [2002] 2 NZLR 754 at para 40.

s3(3)(a)(i) The extent and degree to which, and the manner in which, the publication describes, depicts, or otherwise deals with acts of torture, the infliction of serious physical harm, or acts of significant cruelty.

s3(3)(a)(ii) The extent and degree to which, and the manner in which, the publication describes, depicts, or otherwise deals with sexual violence or sexual coercion, or violence or coercion in association with sexual conduct.

and

s3(3)(a)(v) The extent and degree to which, and the manner in which, the publication describes, depicts, or otherwise deals with physical conduct in which sexual satisfaction is derived from inflicting or suffering cruelty or pain.

The discs deal with the infliction of serious physical harm and acts of significant cruelty to a low extent but moderate degree. Characters fight using magical 'light' weapons – Issei is impaled on two occasions. His injuries gush blood and he lies in a pool of spreading flat colour. In another scene he is speared through both legs. These injuries spurt blood too. The style of animation is not highly detailed, lowering the impact. The impact is further reduced by Rias' ability to bring people back from the dead, and Asia's to heal people.

A lot of the stronger violence is conveyed through reaction shots. For example, a horrified reaction to a dark corner of a room and a patch of blood is used to indicate a body has been cut up.

Issei's obsession with sex blurs into a desire to coerce women into sex. When he discovers he may acquire a servant by moving up in the devil hierarchy, he verbally fantasises about having a sex slave. When he encounters slime that dissolves women's clothing, he wants it for a familiar. However, this is contradicted by his actions; when confronted by naked women or the opportunity to act on his sexual desires, he becomes shy and flustered and is often very considerate. This contextualises his more problematic statements as teenage bluster.

As the series progresses, Issei develops a power whereby he can strip his opponents naked during battle. He defeats numerous opponents in this manner and practises the technique on Asia in the lead up to the fight with Phoenix. While this power is not realistic, it does trivialise non-consensual activity. Issei takes pleasure in looking at his defeated opponents naked and Rias encourages him to develop the power so they can win fights. His power is described as "rapey" by another character and is disapproved of by most of the female characters.

A villainous character cuts off Asia's clothes and grabs her breasts. He says that as a priest he should be allowed to do what he wants with her. The scene is disturbing and Issei comes to Asia's rescue.

A couple of characters are aroused by inflicting pain. Akeno, one of the devils, explicitly states that she enjoys sadomasochism and remarks on it while fighting, "I'm really into S&M". She wears bondage gear and becomes flushed while fighting. There is no explicit sexual activity.

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

Section 3A provides that a publication may be classified as a restricted publication under section 23(2)(c)(i) if it

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.

"Highly offensive language" is defined in s3A(3) to mean language that is highly offensive to the public in general.

High offensive language is used occasionally. 'Fuck', 'shit' and variations of these words are used casually and to express alarm. 'Bitch' and 'slut' are used as slurs against female characters. Examples include, "Yeah, I'm fucked" and "no more of this bullshit". The low extent of the language means it is unlikely to seriously harm younger viewers.

Additional matters to be considered:

Under s3(4), the Classification Office must also consider the following matters:

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

The dominant effect of *High School DxD Series Collection* is of a titillating supernatural adventure.

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

The episodes were viewed on DVD but are available online. Both formats allow the show to be paused and replayed at will.

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 discs contain a professionally produced anime series, translated from Japanese into English.

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.

and

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

The episodes are likely to appeal to fans of ecchi and anime. The show is most likely intended for adults.

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

The Classification Office notes that *High School DxD Series Collection* is classified MA15+ in Australia with a note for strong sexual references, animated nudity and violence. The UK have rated it 18 with a note for strong sex references, nudity and violence.

Conclusion:

High School DxD Series Collection is a supernatural anime with highly sexualised themes.

Having reconsidered the content, Te Mana Whakaatu Classification Office is of the opinion that a restriction to older teenagers and adults is sufficient to prevent injury to the public good. The Office is mindful of the points raised in the 2013 Classification Office decision:

The publication relentlessly depicts young female high-school students nude or in limited sexualized clothing, posing sexually and in such ways that emphasizes their bodies, breasts and genitalia. The only purpose of this hyper-sexualised imagery is the titillation and arousal of the viewer. It therefore attracts those with a prurient interest in young persons. It is intended that the viewer find these young characters' sexually desirable because of their youth and available for adult sexual gratification. This publication is therefore likely to create or reinforce a sexual interest in young persons and encourage the sexual exploitation of young persons.

In the current climate, anime is popular and well understood by a cross section of Aotearoa society. The tropes and conventions of the form are therefore more widely understood and it is unlikely that an audience would credibly view the characters as young people. This allays the concerns that the content is likely to encourage or reinforce a sexual interest in young people or encourage their exploitation. It is now more likely that most would recognise the series as a salacious supernatural adventure.

Further supporting an age restriction rather than a ban, is the fact that the series is not banned in either the UK or Australia, both of which reflect the same values and concerns around child exploitation material as New Zealand.

However, a restriction on the availability of the discs is still required to prevent injury to the public good. The discs deal predominantly with sex. There are strong sexual references and extensive female breast nudity, presented in a titillating manner. There are clear references to bondage and sadomasochism. Issei's objectification and voyeuristic behaviour is particularly problematic when laughed off by the female characters in the show. The presentation of these sexual themes is likely to harm younger viewers' developing attitudes to consent and sexuality. Older teens and adults are more likely to have the experience and maturity to understand the sexual content as unrealistic and exaggerated entertainment and are therefore less likely to be harmed by viewing it. Bloody violence also contributes to the need for an age restriction.

Balancing these harms against the right to freedom of expression, *High School DXD Series Collection* is classified R16. This is the lowest reasonable limit on that right that can be applied to prevent injury to the public good.

Date: 15 August 2022

Note:

You may apply to have these publications reviewed under s47 of the FVPC Act if you are dissatisfied with the Classification Office's decision.

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[Publication Search Screen](#) > Publication

Publication Outline for High School DXD Series Collection (Dis...

Publication Number: 2200252.000

* Publication Title: High School DXD Series Collection (Disc 1)

Other Known Titles: High School DXD Series Collection (Episodes 01-07)

* Submission Channel: s42(1) * Medium: DVD

Language:
 Abkhazian
 Aboriginal
 Afar
 Afrikaans

Country of Origin:
 Afghanistan
 Albania
 Algeria
 American Samoa

English
 Japanese

Japan

Film Festival Name:

CRN:

Date of Court Order:

Publication Status: Complete
 Assigned To: _____

Examination Transcript No: 759, p.206-215
 ISBN: _____

Record Source: CDA

File Notes

| Select | Date: | Created By: | File Note: |
|--------------------------|--------------------------|---------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | 1/08/2022 s 9(2)(a) | Publication was first added to CDA as 1300957.000 Reconsiderations parents/children are generated with separate and new CDA reference numbers. The child of this publication is 1300957.001, which generated a new CDA reconsideration number 2200253.000 |

Fee Details

| | | | |
|--------------------|-------|----------------------|-------|
| Expected Fee (\$): | 12.75 | Base Fee (\$): | 12.75 |
| Less (-) | | Plus (+) | |
| Fee Waiver: | | Urgency Amount (\$): | |
| | | Recovery (\$): | |

Corrigendum Details

| Date Created: | Created By: | * Type: | * Status: |
|---------------|-------------|---------|-----------|
|---------------|-------------|---------|-----------|

Upload Document

| | | |
|--|-------------------|--------------------------|
| 15JUN2022 Leave granted, fee payment required - s42 Reconsideration Request [R2200202, R2200203].pdf | Publish Document? | <input type="checkbox"/> |
| R2200202 Receipt from Classification Office 21Jun2022.pdf | Publish Document? | <input type="checkbox"/> |

| | | |
|--|-------------------|--------------------------|
| 22JUN2022 to applicant - fee payment received - s42 Reconsideration Request [R2200202, R2200203].pdf | Publish Document? | <input type="checkbox"/> |
| 22JUN2022 from FVLB RE_ Publication advice and request - Reconsideration of High School DXD series collection DVD [OFLC2200252, 2200253].pdf | Publish Document? | <input type="checkbox"/> |
| 23JUN2022 to applicant - delay - Reconsideration of High School DXD [OFLC 2200252, 2200253].pdf | Publish Document? | <input type="checkbox"/> |
| 16AUG2022 to DIA - Decision - High School DXD Series Collection [OFLC 2200252] [OFLC 2200253].pdf | Publish Document? | <input type="checkbox"/> |
| 16AUG2022 to applicant - Decision - High School DXD Series Collection [OFLC 2200252] [OFLC 2200253].pdf | Publish Document? | <input type="checkbox"/> |

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[Publication Search Screen](#) > Publication

Requests for High School DXD Series Collection (Disc 1)

2200252.000 DVD

| Request No. | Request Type | Status | Status Date | Applicant |
|-------------|-----------------------|---------|-------------|-----------|
| R2200202 | Leave | Granted | 16/06/2022 | Dray Mark |

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Outline for Leave

Request No.: R2200202
 Request Type: Leave Date Created: 13/06/2022
 Reason for Application: Dray Mark, member of the public is seeking leave for Reconsideration of two disc set High School DXD Series Collection OFLC1300957.000 and 1300957.001 [recon numbers OFLC 2200252.000 and 2200253.000].

* Request Status: **Granted** Status Date: 16/06/2022
 Reason for Decision: Approved as per advice from Classification Unit.

Publication Details

2200252.000 [High School DXD Series Collection \(Disc 1\)](#) DVD

Applicant Details

Applicant Name: [Dray Mark](#)
 Person
 Applicant Address: [Redacted] s 9(2)(a)
 Phone Type: Number: [Redacted] Email: [Redacted] s 9(2)(a)
 Mobile: [Redacted] s 9(2)(a)

Create Document

Select Document: [Dropdown]

Upload Document

| | | | |
|--------------------------|---|-------------------|--------------------------|
| <input type="checkbox"/> | Decision OFLC 1300957.000.pdf | Publish Document? | <input type="checkbox"/> |
| <input type="checkbox"/> | Decision OFLC 1300957.001.pdf | Publish Document? | <input type="checkbox"/> |
| <input type="checkbox"/> | Decision OFLC 2100071.000.pdf | Publish Document? | <input type="checkbox"/> |
| <input type="checkbox"/> | classification.gov.au-HIGH SCHOOL DXD SERIES COLLECTION.pdf | Publish Document? | <input type="checkbox"/> |
| <input type="checkbox"/> | High School DXD_BBFC.pdf | Publish Document? | <input type="checkbox"/> |
| <input type="checkbox"/> | en.wikipedia.org-High | Publish Document? | <input type="checkbox"/> |

| | | | |
|--------------------------|--|-------------------|--------------------------|
| <input type="checkbox"/> | School DxD season 1.pdf | | |
| <input type="checkbox"/> | Funimation screenshot - search High School DxD.png | Publish Document? | <input type="checkbox"/> |
| <input type="checkbox"/> | Crunchyroll screenshot - search High School DxD.png | Publish Document? | <input type="checkbox"/> |
| <input type="checkbox"/> | Crunchroll - warning screenshot.png | Publish Document? | <input type="checkbox"/> |
| <input type="checkbox"/> | amazon.com-High School Dxd Complete Series Collection DVD.pdf | Publish Document? | <input type="checkbox"/> |
| <input type="checkbox"/> | Madman Entertainment - screenshot - High School DxD.png | Publish Document? | <input type="checkbox"/> |
| <input type="checkbox"/> | 09JUN2022 s42-application-for-leave for highschool dxd.pdf | Publish Document? | <input type="checkbox"/> |
| <input type="checkbox"/> | 13JUN2022 RE_CU input for Leave request R2200202 - High School DXD reconsideration.pdf | Publish Document? | <input type="checkbox"/> |
| <input type="checkbox"/> | 14JUN2022 RE_CU input for Leave request R2200202 - High School DXD reconsideration.pdf | Publish Document? | <input type="checkbox"/> |
| <input type="checkbox"/> | 13JUN2022 signed approved R2200202 and 203 Papers for the Chief Censor_Coversheet..pdf | Publish Document? | <input type="checkbox"/> |

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[Publication Search Screen](#) > [Publication](#) > Request

Status History for Leave

Request No. R2200202

| Status | User Name | Date |
|-------------------|-----------------------|------------|
| Granted | Rupert Ablett-Hampson | 16/06/2022 |
| Awaiting Approval | s 9(2)(a) | 15/06/2022 |
| Logged | s 9(2)(a) | 13/06/2022 |

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Addressees for High School DXD Series Collection (Disc 1)

2200252.000 DVD

[Madman Entertainment](#)

Organisation
 Address: A5/1 Beresford Square, Auckland CBD Auckland, Aotearoa New Zealand

Contact Name: Ben Mengel

* Addressee Role: Developer
 Director
 Distributor
 Editor

Email: s 9(2)(a)
 Work: s 9(2)(a)

Create Document

Select Document:

[Carly Hunter](#)

Person
 Address:

* Addressee Role: Maker
 Owner
 Producer
 Publisher

Create Document

Select Document:

[Justin Cook](#)

Person
 Address:

* Addressee Role: Maker
 Owner
 Producer
 Publisher

Create Document

Select Document:

[Tetsuya Yanagisawa](#)

Person
 Address:

* Addressee Role: Developer
 Director
 Distributor
 Editor

Create Document

Select Document:

[et al.](#)

Person
 Address:

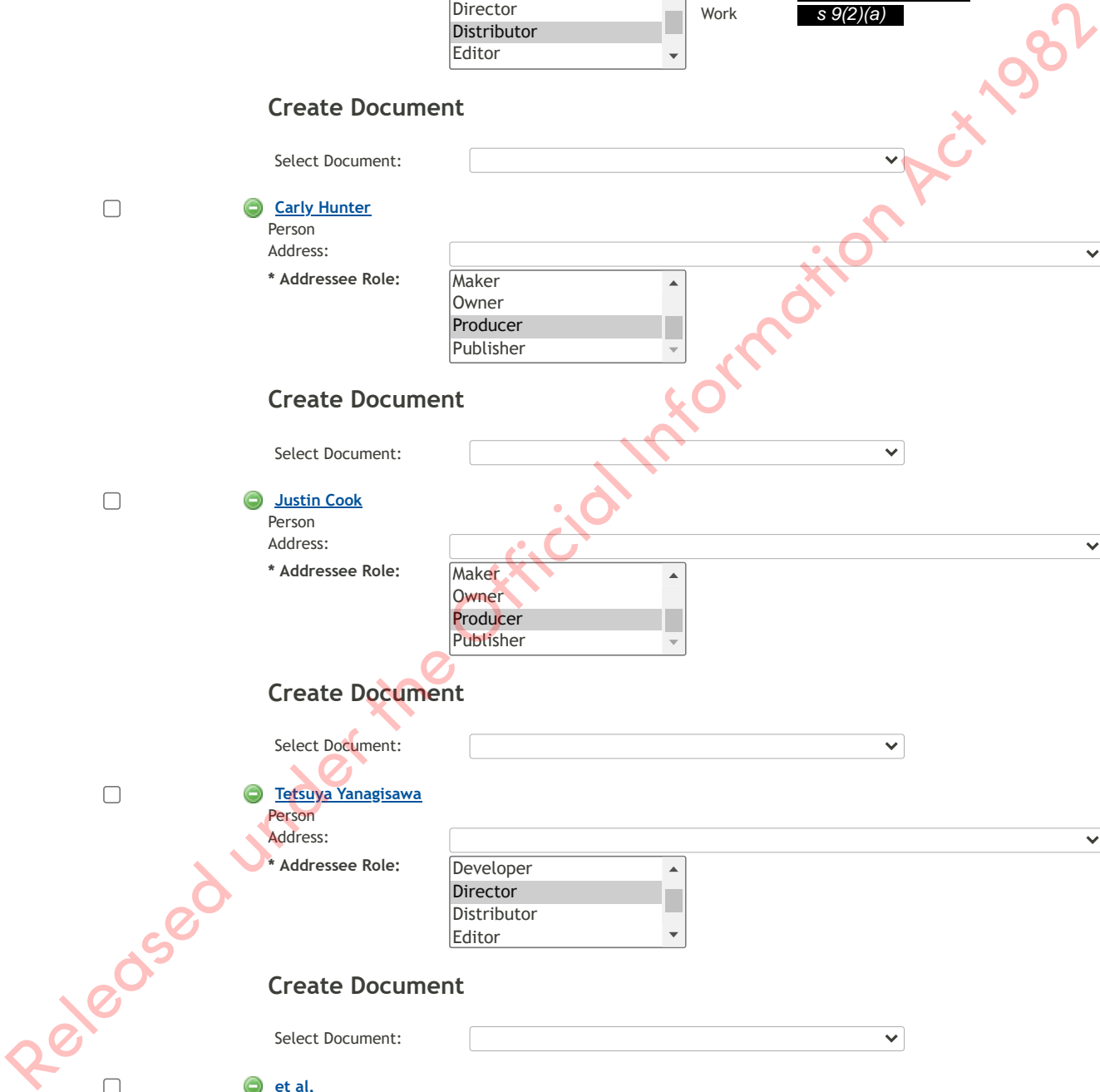
* Addressee Role: Maker
 Owner
 Producer
 Publisher

Create Document

Select Document:

[Dray Mark](#)

Person



Address:

* Addressee Role:

| | |
|----------------------------|---|
| Applicant | ▲ |
| Applicant to Labelling Bod | |
| Artist | |
| Author | ▼ |

Email:

Mobile:

Create Document

Select Document:

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Related Publications for High School DXD Series Collection (Di...

2200252.000 DVD

- 1300957.000 [High School DXD Series Collection \(Disc 1\)](#)
 Submission Channel: s12(1) Medium: DVD
 * **Related As:** Prior Decision Publication Status: Complete
 Classification: Objectionable.
- 2200253.000 [High School DXD Series Collection \(Disc 2\)](#)
 Submission Channel: s42(1) Medium: DVD
 * **Related As:** Publication Status: Complete
 Classification: Objectionable except if the availability of the publication is restricted to persons who have attained the age of 16 years.

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Publication Versions for High School DXD Series Collection (Di...

2200252.000 DVD

Version 1

Publication Copied: Date Copied:

| * Type | * Description | Running Time | |
|---|---|---------------|------|
| | | Mins | Secs |
| <input type="checkbox"/> Timed component(s) | 01 - I Got a Girlfriend! | 22 | 43 |
| <input type="checkbox"/> Timed component(s) | 02 - I'm Done Being Human! | 22 | 43 |
| <input type="checkbox"/> Timed component(s) | 03 - I Made a Friend! | 22 | 44 |
| <input type="checkbox"/> Timed component(s) | 04 - I'm Saving My Friend! | 22 | 43 |
| <input type="checkbox"/> Timed component(s) | 05 - I Will Defeat My Ex-Girlfriend! | 22 | 44 |
| <input type="checkbox"/> Timed component(s) | 06 - I Work as a Devil! | 22 | 44 |
| <input type="checkbox"/> Timed component(s) | 07 - I Get a Familiar! | 22 | 47 |
| <input type="checkbox"/> Untimed component(s) | Episode 01 - I Got a Girlfriend! Commentary | | |
| <input type="checkbox"/> Untimed component(s) | Episode 07 - I Get a Familiar! Commentary | | |
| Total Running Time | | 159:08 | |

Create Document

Select Document:

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Decisions for High School DXD Series Collection (Disc 1)

2200252.000 DVD

Decision Summary

| Create Date | Body | Classification | Type | Excision Status |
|-------------|----------------------|---|--------------|-----------------|
| 3/08/2022 | OFLC | Objectionable except if the availability of the publication is restricted to persons who have attained the age of 16 years. | No Excisions | |

Consultation

Consultation Required:

Create Document

Select Document:

Generated Documents

- Consideration Sheet
- s38(1) Notice of Decision
- Register Page

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Publication History for High School DXD Series Collection (Dis...

2200252.000 DVD

Status History

| Status | User Name | Date |
|---------------------|-----------|------------|
| Complete | sys | 01/09/2022 |
| Decision Registered | s 9(2)(a) | 15/08/2022 |
| Classified & Signed | s 9(2)(a) | 15/08/2022 |
| Decision Affirmed | s 9(2)(a) | 10/08/2022 |
| Draft Complete | s 9(2)(a) | 04/08/2022 |
| Drafting Decision | s 9(2)(a) | 01/08/2022 |
| Examined | s 9(2)(a) | 01/08/2022 |
| Examining | s 9(2)(a) | 01/08/2022 |
| Queued | s 9(2)(a) | 12/07/2022 |
| Logged | s 9(2)(a) | 13/06/2022 |

Publication Movements

| Movement | User Name | Date | Notes |
|---|-----------|------------|--|
| Pub Received | s 9(2)(a) | 12/07/2022 | DVD received. Purchased from Madman Entertainment website (Australia), using OFLC credit card. Now property of OFLC. |
| Final Docs Dispatched | s 9(2)(a) | 15/08/2022 | Emailed to FVLB, DIA, and Applicant |
| Direction Emailed to LB | s 9(2)(a) | 16/08/2022 | |
| Disposal Action Retain | s 9(2)(a) | 16/08/2022 | |

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Publication Outline for High School DXD Series Collection (Dis...

Publication Number: 2200253.000

* Publication Title: High School DXD Series Collection (Disc 2)

Other Known Titles: High School DXD Series Collection (Episodes 08-12)

* Submission Channel: s42(1) * Medium: DVD

Language:
 Abkhazian
 Aboriginal
 Afar
 Afrikaans

Country of Origin:
 Afghanistan
 Albania
 Algeria
 American Samoa

English
 Japanese

Japan

Film Festival Name:

CRN:

Date of Court Order:

Publication Status: Complete
 Assigned To: _____

Examination Transcript No: 759, p.216-224
 ISBN: _____

Record Source: CDA

File Notes

| Select | Date: | Created By: | File Note: |
|--------------------------|--------------------------|---------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | 1/08/2022 s 9(2)(a) | Publication was first added to CDA as 1300957.001 Reconsiderations parents/children are generated with separate and new CDA reference numbers. The original parent of this publication is 1300957.000, which generated a CDA reconsideration number 2200252.000 |

Fee Details

| | | | |
|--------------------|-------|----------------------|-------|
| Expected Fee (\$): | 12.75 | Base Fee (\$): | 12.75 |
| Less (-) | | Plus (+) | |
| Fee Waiver: | | Urgency Amount (\$): | |
| | | Recovery (\$): | |

Corrigendum Details

| Date Created: | Created By: | * Type: | * Status: |
|---------------|-------------|---------|-----------|
|---------------|-------------|---------|-----------|

Upload Document

| | | |
|--|-------------------|--------------------------|
| R2200202 Receipt from Classification Office 21Jun2022.pdf | Publish Document? | <input type="checkbox"/> |
| 22JUN2022 to applicant - fee payment received - s42 Reconsideration Request [R2200202, R2200203].pdf | Publish Document? | <input type="checkbox"/> |

| | | |
|--|-------------------|--------------------------|
| 22JUN2022 to FVLB Publication advice and request - Reconsideration of High School DXD series collection DVD [OFLC2200252, 2200253].pdf | Publish Document? | <input type="checkbox"/> |
| 23JUN2022 to applicant - delay - Reconsideration of High School DXD [OFLC 2200252, 2200253].pdf | Publish Document? | <input type="checkbox"/> |
| 16AUG2022 to DIA - Decision - High School DXD Series Collection [OFLC 2200252] [OFLC 2200253].pdf | Publish Document? | <input type="checkbox"/> |
| 16AUG2022 to applicant - Decision - High School DXD Series Collection [OFLC 2200252] [OFLC 2200253].pdf | Publish Document? | <input type="checkbox"/> |

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[Publication Search Screen](#) > Publication

Requests for High School DXD Series Collection (Disc 2)

2200253.000 DVD

| Request No. | Request Type | Status | Status Date | Applicant |
|-------------|-----------------------|---------|-------------|-----------|
| R2200203 | Leave | Granted | 16/06/2022 | Dray Mark |

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Outline for Leave

| | | | |
|-------------------------|---|---------------|------------|
| Request No.: | R2200203 | | |
| Request Type: | Leave | Date Created: | 13/06/2022 |
| Reason for Application: | <div style="border: 1px solid black; padding: 5px;"> See R2200202 - for High School DxD disc 1 This request is for Disc 2 of High School DxD. </div> | | |
| * Request Status: | <div style="border: 1px solid black; padding: 2px;"> Granted ▼ </div> | Status Date: | 16/06/2022 |
| Reason for Decision: | <div style="border: 1px solid black; padding: 5px;"> Approved as per advice from Classification Unit. </div> | | |

Publication Details

2200253.000 [High School DXD Series Collection \(Disc 2\)](#) DVD

 Applicant Details

Applicant Name: [Dray Mark](#)
 Person
 Applicant Address:

s 9(2)(a)

 ▼
 Phone Type: Number: Email:

s 9(2)(a)

 Mobile:

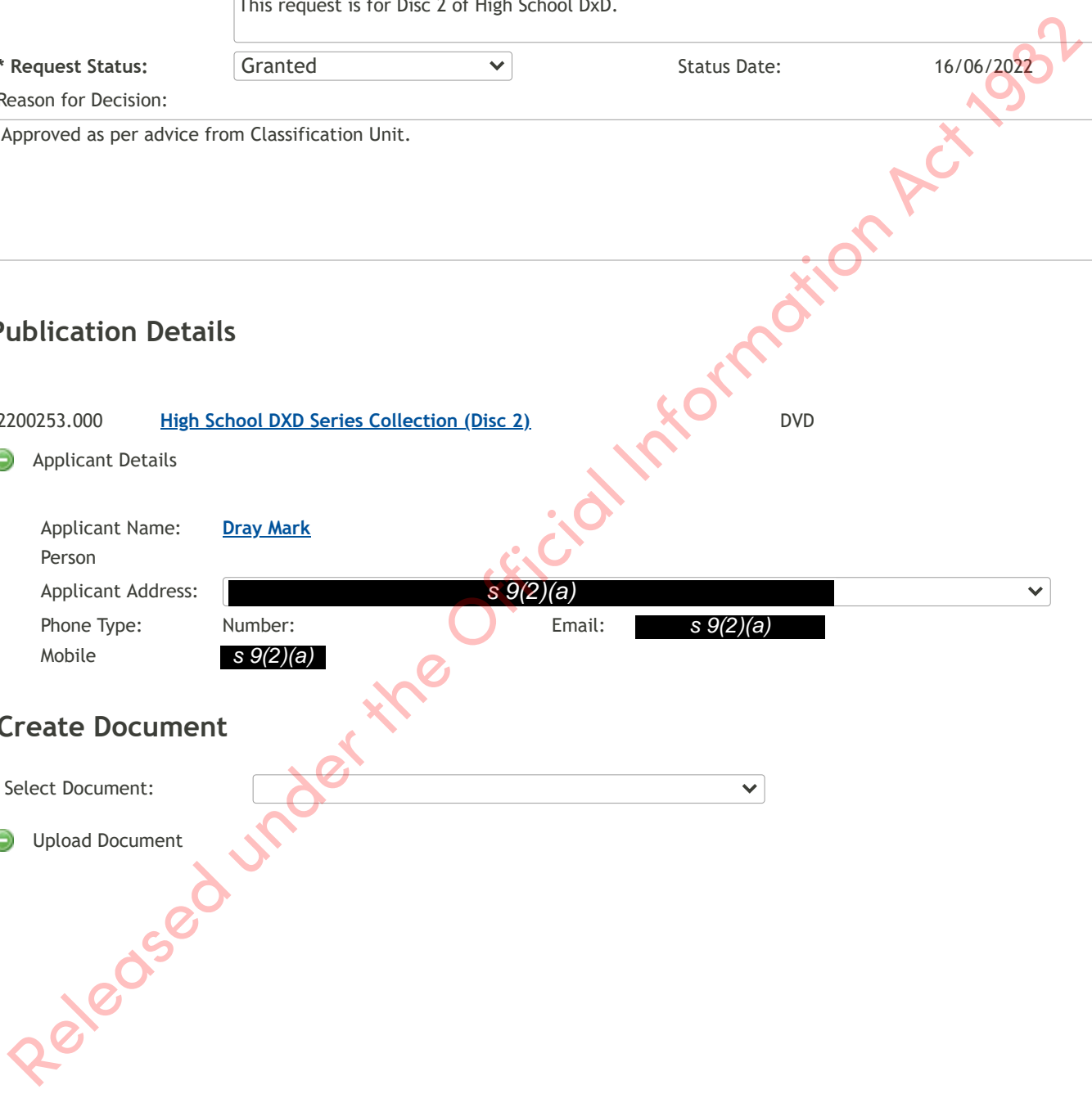
s 9(2)(a)

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Select Document:

▼

 Upload Document



[Publication Search Screen](#) > [Publication](#) > [Publication](#) > Request

Status History for Leave

Request No. R2200203

| Status | User Name | Date |
|-------------------|-----------------------|------------|
| Granted | Rupert Ablett-Hampson | 16/06/2022 |
| Awaiting Approval | s 9(2)(a) | 15/06/2022 |
| Logged | s 9(2)(a) | 13/06/2022 |

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Addressees for High School DXD Series Collection (Disc 2)

2200253.000 DVD

[Madman Entertainment](#)
 Organisation
 Address: A5/1 Beresford Square, Auckland CBD Auckland, Aotearoa New Zealand
 * Addressee Role: Developer, Director, Distributor, Editor
 Contact Name: Ben Mengel
 Email: s 9(2)(a)
 Work: s 9(2)(a)

Create Document

Select Document:

[Justin Cook](#)
 Person
 Address:
 * Addressee Role: Maker, Owner, Producer, Publisher

Create Document

Select Document:

[Carly Hunter](#)
 Person
 Address:
 * Addressee Role: Maker, Owner, Producer, Publisher

Create Document

Select Document:

[Tetsuya Yanagisawa](#)
 Person
 Address:
 * Addressee Role: Developer, Director, Distributor, Editor

Create Document

Select Document:

[et al.](#)
 Person
 Address:
 * Addressee Role: Maker, Owner, Producer, Publisher

Create Document

Select Document:

[Dray Mark](#)
 Person

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Address:

* Addressee Role:

| | |
|----------------------------|---|
| Applicant | ▲ |
| Applicant to Labelling Bod | |
| Artist | |
| Author | ▼ |

Email:

Mobile:

Create Document

Select Document:

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[Publication Search Screen](#) > Publication

Related Publications for High School DXD Series Collection (Di...

2200253.000 DVD

- ➔ 1300957.001
[High School DXD Series Collection \(Disc 2\)](#)
 Submission Channel: s12(1) Medium: DVD
 * Related As: Prior Decision Publication Status: Complete
 Classification: Objectionable.

- ➔ 2200252.000
[High School DXD Series Collection \(Disc 1\)](#)
 Submission Channel: s42(1) Medium: DVD
 * Related As: Publication Status: Complete
 Classification: Objectionable except if the availability of the publication is restricted to persons who have attained the age of 16 years.

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Publication Versions for High School DXD Series Collection (Di...

2200253.000 DVD

Version 1

Publication Copied: Date Copied:

| * Type | * Description | Running Time | |
|---|--|---------------|------|
| | | Mins | Secs |
| <input type="checkbox"/> Timed component(s) | 08 - I Pick a Fight! | 22 | 43 |
| <input type="checkbox"/> Timed component(s) | 09 - I've Begun My Training! | 22 | 43 |
| <input type="checkbox"/> Timed component(s) | 10 - The Showdown Begins! | 22 | 44 |
| <input type="checkbox"/> Timed component(s) | 11 - The Acclaimed Battle Continues! | 22 | 43 |
| <input type="checkbox"/> Timed component(s) | 12 - I'm Here to Keep my Promise! | 22 | 46 |
| <input type="checkbox"/> Timed component(s) | Fantasy Jiggles Unleashed | 21 | 18 |
| <input type="checkbox"/> Timed component(s) | New Material From Ichi Ishibumi | 8 | 29 |
| <input type="checkbox"/> Timed component(s) | Promotional Video | 2 | 5 |
| <input type="checkbox"/> Timed component(s) | Commercial Collection | 1 | 13 |
| <input type="checkbox"/> Timed component(s) | Textless Opening Song - "Trip -Innocent of D-" | 1 | 27 |
| <input type="checkbox"/> Timed component(s) | Textless Closing Song - "Study x Study" | 1 | 27 |
| <input type="checkbox"/> Trailer(s) | English Language Trailer | 1 | 18 |
| <input type="checkbox"/> Trailer(s) | Is this a Zombie? | 1 | 37 |
| <input type="checkbox"/> Trailer(s) | Majikoi Oh! Samurai Girls | 1 | 42 |
| <input type="checkbox"/> Trailer(s) | Kamasami Dolls | 1 | 41 |
| <input type="checkbox"/> Trailer(s) | Blood C | 1 | 20 |
| <input type="checkbox"/> Trailer(s) | Beserk | 3 | 15 |
| Total Running Time | | 160:31 | |

Create Document

Select Document:

Released under the Official Information Act 1982

Decisions for High School DXD Series Collection (Disc 2)

2200253.000 DVD

Decision Summary

| Create Date | Body | Classification | Type | Excision Status |
|-------------|----------------------|---|--------------|-----------------|
| 3/08/2022 | OFLC | Objectionable except if the availability of the publication is restricted to persons who have attained the age of 16 years. | No Excisions | |

Consultation

Consultation Required:

Create Document

Select Document:

Generated Documents

- Consideration Sheet
- s38(1) Notice of Decision
- Register Page

Released under the Official Information Act 1982

Publication History for High School DXD Series Collection (Dis...

2200253.000 DVD

Status History

| Status | User Name | Date |
|---------------------|-----------|------------|
| Complete | sys | 01/09/2022 |
| Decision Registered | s 9(2)(a) | 15/08/2022 |
| Classified & Signed | s 9(2)(a) | 15/08/2022 |
| Decision Affirmed | s 9(2)(a) | 10/08/2022 |
| Draft Complete | s 9(2)(a) | 04/08/2022 |
| Drafting Decision | s 9(2)(a) | 03/08/2022 |
| Examined | s 9(2)(a) | 03/08/2022 |
| Examining | s 9(2)(a) | 02/08/2022 |
| Queued | s 9(2)(a) | 12/07/2022 |
| Logged | s 9(2)(a) | 13/06/2022 |

Publication Movements

| Movement | User Name | Date | Notes |
|---|-----------|------------|--|
| Pub Received | s 9(2)(a) | 12/07/2022 | DVD received. Purchased from Madman Entertainment website (Australia), using OFLC credit card. Now property of OFLC. |
| Final Docs Dispatched | s 9(2)(a) | 15/08/2022 | Emailed to FVLB, DIA, and Applicant |
| Direction Emailed to LB | s 9(2)(a) | 16/08/2022 | |
| Disposal Action Retain | s 9(2)(a) | 16/08/2022 | |

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From: noreply@website.classificationoffice.govt.nz
Sent: Tuesday, 10 May 2022 12:25 am
To: Information Unit
Subject: Online classification request

Follow Up Flag: Follow up
Flag Status: Completed

I'd like to request a:: Reconsideration

What kind of publication is it?: DVD

What is the title of the publication?: High School DxD Why are you seeking a

submission/exemption/reconsideration?: High School DxD was ruled objectionable in 2013 since then it's been widely regarded as a mistake in the Anime community and I think it's time for there to be a reconsideration. I

understand the concerns of why it was classed as that as per my OIA request, however similar animes or as the OIA called it "ecchis" like Puni Puni Poemy that were originally considered objectionable are now considered R16 which I feel would be appropriate for High School DxD as the material is similar. Its been 9 years since it was viewed as objectionable and feel very strongly that should be reconsidered First name: Dray Last name: Mark

Phone: s 9(2)(a)

Email: s 9(2)(a)

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From: Information Unit
Sent: Thursday, 9 June 2022 2:50 pm
To: Dray Mark
Subject: Requests to reconsider classifications
Attachments: s42-application-for-leave.doc; Online classification request; Online classification request

Kia ora Dray,

Thanks for your requests for us to reconsider the classification of *High School DxD Series Collection* and *Postal 2*, and apologies for not getting back to you sooner.

Members of the public can apply for leave to have a classification reconsidered. There is a \$25.50 fee for each application, payable on leave being granted.

Leave may be granted for one, both, or neither of these titles. If leave is granted to reconsider both *High School DxD* and *Postal 2*, the fees will total \$51.00.

1. For *High School DxD Series Collection*

Please complete the attached application form. On the second page of the form, please:

- include the reasons you've sent us (attached), along with any other points you'd like us to consider in deciding whether to grant leave;
- request a reduced fee (this is the \$25.50 fee mentioned above); and
- mention that you're applying for a grouping of both discs in the season and the slick (the slick is the artwork on the discs' packaging).

I note that reconsideration of *High School DxD* would only affect the first season of this show. Other seasons of this show have not been classified in New Zealand.

2. For *Postal 2*

Please complete the attached application form, using a separate copy to the one used for *High School DxD*. On the second page of the form, please:

- include the reasons you've sent us (attached), along with any other points you'd like us to consider in deciding whether to grant leave; and
- request a reduced fee.

3. Sending your applications

Please send both completed application forms to submissions@classificationoffice.govt.nz.

Please let us know if you'd like any further information.

Kind regards,

Te Mana Whakaatu
CLASSIFICATION OFFICE
Kōrerorahi Mātakitahi

§ 9(2)(a)

Kaitohutohu Matua | Senior Advisor

Te Mana Whakaatu | Classification Office

Ph: +64 4 471 6770 | classificationoffice.govt.nz

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From: s 9(2)(a)
To: Submissions; s 9(2)(a)
Subject: RE: CU input for Leave request R2200202 - High School DXD reconsideration
Date: Tuesday, 14 June 2022 9:34:04 am
Attachments: [image002.png](#)
[image003.png](#)

Kia ora s 9(2)(a),

Thanks for looping me in on this. I agree with s 9(2)(a). I'd like to add that not only has the office's thinking shifted significantly around anime and Japanese media, 2013 was almost a decade ago and that time lapse would in my mind *prima facie* lean towards granting leave more generally.

My advice is that we should grant leave to have the publications reconsidered.

Regards,

Te Mana Whakaatu
CLASSIFICATION OFFICE
Kōrerotahi Mātakitahi

s 9(2)(a) (she/her)
Senior Advisor
Te Mana Whakaatu | Classification Office
www.classificationoffice.govt.nz
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From: s 9(2)(a)
Sent: Monday, 13 June 2022 3:30 pm
To: Submissions <submissions@classificationoffice.govt.nz>; s 9(2)(a)
< s 9(2)(a) @classificationoffice.govt.nz >
Subject: RE: CU input for Leave request R2200202 - High School DXD reconsideration

I support a reconsideration based in the following:

- Quick google image [search](#), the characters don't LOOK too young even tho they're said to be highschoolers.
- High School DXDX is [MA15+](#) in Australia and [18](#) in UK
- The Office has learned more about anime tropes and fan service since 2013
- A reconsideration does not guarantee a rating change
- 2100071:000 Puni Puni Poemy was reclassified from Objectionable (2004) to R16 (2021) – similar reasons, sexualisation of YP but in 2021, not considered to a level that would require restriction

Abstract from our 2013 decision:

The publication is the first set of episodes of a Japanese anime series set in high school about a sex-obsessed schoolboy who becomes part of the supernatural world. The DVD tends to promote and support the sexual exploitation of young persons. All of the young female characters are highly sexualised and fetishised. They are relentlessly depicted as nude or in limited sexualised clothing. Focus is made on their breasts and youthful bodies in such a way as to titillate and arouse the viewer. Their youthfulness is emphasised by the high school setting, their school uniforms and their engagement in high school activities. Episodes are separated by photo stills of the female characters sexually posing, reminiscent of adult pornographic material. The credits feature these characters performing strip tease. The scenes are constructed wholly for the sexual benefit of the viewer. The main purpose of this treatment is to reinforce the

notion that young persons are sexually desirable and available. It encourages and legitimises the pursuit of young persons as viable adult sexual partners.

From: Submissions

Sent: Monday, 13 June 2022 12:32 pm

To: s 9(2)(a) <s 9(2)(a)@classificationoffice.govt.nz>; s 9(2)(a)
<s 9(2)(a)@classificationoffice.govt.nz>

Subject: CU input for Leave request R2200202 - High School DXD reconsideration

Kia ora s 9(2)(a), s 9(2)(a)

We have received from a member of the public, a request for reconsideration of High School DXD Series Collection [OFLC 1300957.000 and .001]

Against R2200202 in the CDA, I have saved a bunch of information and the application. Including quick internet search results and copies of decisions for both these discs and for Puni Puni Poemy – which the applicant makes reference to in their application.

Could you please email me anything you think the Acting Chief Censor should be aware of, and if CU supports or does not support the publications being reconsidered?

I can then get the full thing in front of Rupert by the end of this week, looking for leave to be granted or declined by the end of next week.

Could I please have input by 1300hrs Wednesday 15 June 2022?

Regards,

Te Mana Whakaatu
CLASSIFICATION OFFICE
Kōnerotahi Mātakitahi

s 9(2)(a) (he/him)

Āpiha Whakarite Hangarau | Registrar

Te Mana Whakaatu | Classification Office

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From: [Submissions](#)
To: "Dray Mark"
Subject: fee payment received - s42 Reconsideration Request [R2200202, R2200203]
Date: Wednesday, 22 June 2022 9:42:00 am
Attachments: [R2200202 Receipt from Classification Office 21Jun2022.pdf](#)
[R2200202 Invoice INV-0092.pdf](#)
[image001.png](#)

Kia ora Dray

Thank you, payment of the group examination fee has been received.
Attached are a copy of an invoice (for your records) and a receipt for payment.

Regards,



s 9(2)(a) (he/him)

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Te Mana Whakaatu | Classification Office

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From: Submissions
Sent: Wednesday, 15 June 2022 1:48 pm
To: 'Dray Mark' <**s 9(2)(a)**>
Cc: Information Unit <Information.Unit@classificationoffice.govt.nz>
Subject: Leave granted, fee payment required - s42 Reconsideration Request [R2200202, R2200203]

Kia ora Dray Mark

I'm pleased to let you know the Acting Chief Censor has granted leave to reconsider the classification given to

High School DXD Series Collection (Disc 1 and Disc 2) [OFLC 1300957.000 and .001]

We can proceed with the reconsideration once payment of the **\$25.50 grouping fee** has been received.

Please deposit the fee to our ANZ bank account:
(ANZ's SWIFT/BIC code is **ANZBNZ22**)

The Office of Film & Literature Classification

06-0501-0646600-00

In Particulars enter: **D Mark**

In Code enter: **OFLC1300957**

In Reference enter: **R2200202**

Please let us know if you require a receipt.

After payment is received, the examination/classification process involves a number of steps at our end.

This could take a few months (usually less than three).

You will be provided a copy of the decision when it is been made, what we refer to as “registered”.

If you have any questions about the process, please reply to this email or call us free on 0508 236 767

Regards,



s 9(2)(a) (he/him)

Āpiha Whakarite Hangarau | Registrar

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From: [Nicola Denney](#)
To: [Submissions](#)
Subject: RE: Publication advice and request - Reconsideration of High School DXD series collection DVD [OFLC2200252, 2200253]
Date: Wednesday, 22 June 2022 10:32:38 am
Attachments: [image003.png](#)

Hi

In this case it would be best to contact Madman directly to obtain copies. Alternatively you could try ordering them online.

Kind Regards
Nicola

Nicola Denney
Assistant General Manager



www.fvlb.org.nz | PO Box 37754, Parnell, Auckland 1151, New Zealand | DDI +64 9 300-4861 |
Mob **s 9(2)(a)**



PLEASE CONSIDER THE ENVIRONMENT BEFORE YOU PRINT THIS E-MAIL

From: Submissions <submissions@classificationoffice.govt.nz>
Sent: Wednesday, 22 June 2022 10:15 am
To: Nicola Denney <nicola@fvlb.org.nz>
Subject: Publication advice and request - Reconsideration of High School DXD series collection DVD [OFLC2200252, 2200253]

Kia ora Nicola

The Classification Office has received an application, and granted leave, for the reconsideration of the two DVD disc set of **High School DXD Series Collection [OFLC 1300957.000 and 1300957.001]**

This was originally submitted for Madman Entertainment, and the disc set returned to FVLB in the same year.

The publications are Objectionable.

Could copies of the same set (in retail packaging) be obtained from Madman Entertainment for reconsideration?

If so, the office would be happy to pay for those copies.

The set appears to be available from Madman via their website.

<https://www.madman.com.au/catalogue/view/20931/high-school-dxd-series-collection>

Please let us know if this is possible.

If not, we will attempt to source a copy elsewhere.

Because they are to be reconsidered, their new OFLC references are:

OFLC 2200252.000 High School DXD Series Collection (Disc 1)
OFLC 2200253.000 High School DXD Series Collection (Disc 2)

Regards,



s 9(2)(a) (he/him)
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From: [Submissions](#)
To: ["Dray Mark"](#)
Subject: delay - Reconsideration of High School DXD [OFLC 2200252, 2200253]
Date: Thursday, 23 June 2022 8:18:00 am
Attachments: [image001.png](#)

Kia ora Dray

We now expect a decision in more than three months, likely four (around the end of October), due to supply delays.

We will update you should there be further change.

We apologise for any inconvenience.

Regards,

Te Mana Whakaatu
CLASSIFICATION OFFICE
Kōrerotahi Mātakitahi

s 9(2)(a) (he/him)

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From: [Submissions](#)
To: "Dray Mark"
Cc: [Information Unit](#)
Subject: Decision - High School DXD Series Collection [OFLC 2200252] [OFLC 2200253]
Date: Tuesday, 16 August 2022 12:22:00 pm
Attachments: [image001.png](#)
[High School DXD Series Collection \[OFLC 2200252\] \[OFLC 2200253\].pdf](#)

Kia ora Dray Mark

Reconsideration of the publication **High School DXD Series Collection** [OFLC 2200252, Disc 1; OFLC 2200253, Disc 2] is complete.
Attached is the reconsideration decision document.

The classification:

R16

Violence, sexual themes and nudity

If you are dissatisfied by the decision, you may apply for a review by the Film and Literature Board of Review under s47 of the Films, Videos, and Publications Classification Act 1993.

There is a strict application period attached to making an appeal, the Board's administrator will be able to provide you with details.

Information about that process is found [here](#).

Ngā mihi

Te Mana Whakaatu
CLASSIFICATION OFFICE
Kōrerotahi Mātakitahi

s 9(2)(a) (he/him)

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From: [Submissions](#)
To: john.michael@dia.govt.nz
Subject: Decision - High School DXD Series Collection [OFLC 2200252] [OFLC 2200253]
Date: Tuesday, 16 August 2022 12:32:00 pm
Attachments: [image001.png](#)
[High School DXD Series Collection \[OFLC 2200252\] \[OFLC 2200253\].pdf](#)

Kia ora John Michael

Reconsideration of the publication **High School DXD Series Collection** [OFLC 2200252, Disc 1; OFLC 2200253, Disc 2] was requested by a member of the public. Leave for reconsideration was granted.

This publication was registered as Objectionable in 2013, OFLC references when first registered are OFLC 1300957.000 and 1300957.001

Attached is the reconsideration decision document.

The classification after reconsideration:

R16

Violence, sexual themes and nudity

Ngā mihi



s 9(2)(a) (he/him)

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