

SUMMARY OF REASONS FOR DECISION

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

HEADNOTE

Title of publication:	Maniac
Other known title(s):	Not stated
OFLC ref:	1300622.000
Medium:	DVD
Classification:	Objectionable except if the availability of the publication is limited for the purpose of study in a tertiary media or film studies course or screened as part of a film festival organised by an incorporated film society such as the New Zealand Film Festival Trust, and in all cases to persons who have attained the age of 18 years.
Descriptive note:	Graphic violence, sex scenes and content that may disturb
Display conditions:	None

The DVD contains a feature from the United States with a running time of 88 min 34 sec. It is programmed to screen during the 2013 New Zealand International Film Festival.

Maniac (2012) is a remake of a 1980 cult horror film of the same name by director William Lustig. Frank, a deranged serial killer played by actor Elijah Wood, stalks and kills women and puts their scalps on mannequins. Frank is rarely seen on camera except for his reflection in mirrors – the film frequently adopts his point-of-view, seeing events, in particular the murders, from his perspective. Frank is befriended by a young woman, Anna, who wants to use some of Frank's mannequins in a photography exhibition. After the exhibition Frank attempts to comfort Anna, who is distressed at the news that her agent has been murdered (by Frank, unbeknown to her). When Frank inadvertently reveals to her detailed knowledge of the spate of violent murders of women recently, Anna grows fearful and locks herself in the bathroom. Frank gains entry to the bathroom and subdues her. He bundles her into his car. She stabs him and flees, but is hurt in a car accident. Frank kills her and takes her scalp back to his mannequins. In the final scene Frank is found by SWAT agents dead in his home. The story is fleshed out with occasional flashbacks to key events in Frank's childhood, such as his mother having sex with various men, and Frank arguing with the voices in his head.

The publication deals with matters of sex, horror, crime, cruelty and violence in terms of s3(1) of the FVPC Act. There are two flashbacks to when Frank, as a child, saw his mother have sex with various men. His mother sits down on a bed beside two men who start to remove her clothes and kiss her breasts. She snorts a line of cocaine off a mirror, then turns to the young Frank and puts her finger to her lips. In a later flashback, Frank sees his mother having sex with a man outside. Her dress is hiked up showing most of her thighs and buttocks. A man stands behind her with his pants down, thrusting vigorously. No genitals are depicted. Frank also a sexual encounter with Lucie, a woman he meets in an online dating forum. Lucie invites Frank back to

her apartment and tries to seduce him. She strips down to her underpants and encourages Frank to touch her breasts. Lucie leads Frank into the bedroom. Frank lies on the bed looking up at a mirror mounted on the ceiling. Lucie sits astride his body and slides down to perform fellatio on him. The fellatio is off-screen. Frank's response is neutral at first, but then he reaches down to grasp Lucie by the neck and he strangles her. After she is dead, Frank takes a knife and starts hacking away at her hair, slicing her scalp off.

The strongest material in the film is its graphic cruelty, discussed below under s3(2)(f) and a range of s3(3) criteria.

Under s3(2)(f) the feature extensively depicts acts of torture and the infliction of extreme violence and extreme cruelty. These images are graphic, but they are present within the context of a far-fetched, hackneyed horror film portrait of a serial killer. There is nothing realistic about Frank's behaviour, the ease with which he stalks and then murders his victims, or his specious psychological makeup – Frank's mother was promiscuous when he was a child which ipso facto led to him becoming a serial killer. Frank's behaviour is intended to shock and the reasonable viewer is likely to be disturbed and repulsed by these depictions rather than aroused or titillated. The publication does not meet the high threshold of promoting or supporting, or tending to promote or support, these criteria.

The publication extensively depicts acts of torture, the infliction of serious physical harm, and acts of significant cruelty that are closely linked with degrading, dehumanising and demeaning physical conduct, and violence in association with sexual conduct – s3(3)(a)(i), s3(3)(a)(ii) and s3(3)(a)(iii).

In the opening scenes of the film Frank follows an attractive young woman dressed in a short dress and high heels home to her apartment. He cuts the power on her floor, plunging it into darkness, and trails her to her front door. As the woman fumbles with her keys Frank stands close behind her. Sensing his presence she turns. Frank tells her, "Please don't scream, you're so beautiful..." As the woman starts to scream Frank stabs her under the chin. The knife blade is visible inside the woman's mouth. Frank cuts across the woman's hairline and begins to remove her scalp at which point the film's title appears in red.

Frank's next murder victim is Lucie, the woman he meets on a dating website. She is also young and attractive and possessed of a self-confidence that contrasts Frank's low self-esteem. The scene in which she dies combines violence in association with sexual conduct, and Lucie herself is sexualised through the camera's gaze – her breasts often feature prominently in shot. After Lucie is dead the camera lingers on her near-naked body on the bed, encouraging a voyeuristic response from the viewer, even though Frank's lack of an overt sexual response limits the connection. Similarly with Frank's next victim, a young dancer, there is a degree of sexualisation involved as Frank observes her through a grill in the wall rubbing moisturiser over her breasts and arms. The dancer senses she is being watched and approaches the grill. At the last possible moment her friend enters the room; Frank remains undiscovered, and free to stalk the woman through an empty subway. Her screams for help and at Frank to "Leave me the fuck alone!" are to no avail as there is no one else around. The woman exits the subway and despite her head-start and presumed familiarity with the area, Frank is able to trap her inside a fenced car lot in a deserted part of town. The woman grows increasingly terrified and looks for ways to escape. She cannot locate Frank because he is hiding underneath a car. Suddenly with one quick swipe of his knife Frank severs the woman's Achilles tendon. She falls to the ground whimpering and tries to crawl away. Slowly and with all the time in the world, Frank walks over to the woman with his knife and stabs her repeatedly in the body and cuts off her scalp.

Frank's next victim is Rita, Anna's agent, a slightly older woman who treats Frank with unmasked disdain at Anna's photography exhibition, and seems to remind Frank of his mother. After the exhibition Frank follows Rita and easily gains access to her plush apartment. Rita lies in a bubble bath with a flannel covering her eyes. Frank crouches down beside her for a while, undetected, while she sips from a glass of wine and enjoys listening to Ave Maria playing in the next room. Frank's hand enters the bath water. Rita rears up in fright but then Frank pushes her back down under the water and holds her there until she loses consciousness. In the next scene Rita wakes up. She is naked and hog-tied face down on the bed. Frank pushes a gag into her mouth. The camera tracks up Rita's legs, buttocks and back, emphasising her complete vulnerability. Frank produces his knife and taunts Rita by touching it across her hair and face and back. Frank languidly draws the knife across her back, drawing blood, and then slices Rita's forehead and pulls back her scalp while she screams.

The film's lurid opening, gratuitously over-blown murders and clichéd profile of a serial killer clearly site it as a work of homage to a bygone era of filmmaking. Those viewers with knowledge of the original film, notorious for its gruesome and creative visual effects work, may also appreciate or be curious about how it has been remade, in particular given the involvement of Elijah Wood, an actor instantly recognisable for his work in the *Lord Of The Rings* trilogy. Technically, *Maniac* is also an accomplished film, both in terms of sound design and visually; the POV camera work, though employed inconsistently, is impressive and arresting – undoubtedly there were numerous technical challenges that had to be overcome in shooting this way, particularly in scenes involving the use of mirrors and Frank's physical engagement with other actors. The widespread use of first-person perspective is problematic however for portraying events so entirely from Frank's point-of-view, in effect allying the viewer with his view of the women he kills, and encouraging vicarious participation. The film itself does nothing to counter Frank's own warped view of women as sexy, promiscuous, and unobtainable, and somehow deserving of their deaths. The measured way in which Frank is able to track, subdue, and butcher all these women – without the interference of police or members of the public – creates a sadistic fantasy that revels in depicting women's helplessness and cruel murder.

The publication contains highly offensive language, in particular use of the word "fuck." Emulation of this language such as by impressionable young viewers would result in serious harms that could include alienation or intimidation.

The dominant effect of the publication as a whole is of a technically-proficient remake of a 1980s cult horror film that depicts sadistic acts of violence aimed mostly at women. Given the preponderance of scenes shot from the killer's point-of-view the murders could be read as a discourse about violence in film – our responses to it, our complicity and awareness of taking enjoyment from a killer's twisted fantasy – however a likelier reading is that the film merely presents the fantasy itself.

The unrestricted availability of the publication is likely to be injurious to the public good. The feature is an unsubtle portrait of a serial killer who targets women in cruel ways; the murders are depicted in first-person perspective, inviting a viewer's vicarious participation. This material would be highly disturbing and shocking to children and teenagers, and indeed most adults. While the feature does not actively promote or support this material, the tacit invitation to enjoy cruel and violent behaviour through its first-person portrayal and packaging as entertainment is likely to lead to an erosion of empathy for some viewers. The misogynistic representation of women adds to this likely injury.

Given the characteristics of this film in particular the POV stalking of women and their graphic murders, the Office has a concern around the availability of this film in other mediums or on general theatrical release. The Classification Office is of the opinion that its availability is likely to be injurious to the public good unless restricted to adults in settings of bona fide film festival screenings or tertiary film studies.

The relevant provisions of the New Zealand Bill of Rights Act 1990 have been considered in reaching this decision. Having taken into account the criteria of s3 of the FVPC Act, the Classification Office considers the restriction on free expression imposed by the classification is demonstrably justified in a free and democratic society, and is no more than is necessary to prevent likely injury to the public good.

Note:

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