



18 March 2008

Clerk of the Committee
Law and Order Committee
Select Committee Office
Parliament Buildings
Wellington

Submission on the Policing Bill from the Screen Production and Development Association

This submission is on behalf of the Screen Production and Development Association (SPADA). SPADA represents the interests of producers and production companies on all issues that affect the commercial and creative aspects of independent screen production in New Zealand (current SPADA membership is approximately 380, including a number of significant New Zealand businesses).

SPADA members include independent producers and production companies working in film, television, commercials, video, post-production, animation and interactive media. Other members include lawyers and accountants working in the industry, completion guarantors, and industry suppliers. More can be found on SPADA's work at www.spada.co.nz.

Police Act

SPADA made a submission to the Police Act review regarding a number of concerns which the organisation and its members have about the current act. We were particularly focused on the current sections 51 and 51A.

SPADA expressed its concern that the current s51 and s51A(1) meant that an actor dressed as a Police officer for the purposes of a fictional role could technically be breaching the act and committing an offence, even when on a closed set and not deceiving the public.

SPADA was also concerned that the current s51A(2) was too wide and captured actors or film producers who held imitation Police items for creative purposes, even when those items were locked away.

Policing Bill

Clauses 48 and 50 of the Policing Bill carries sections 51 and 51A of the current act through to the new bill, with significant changes.

SPADA is pleased to see the inclusion of "without reasonable excuse" and "in circumstances reasonably likely to lead a person to believe that the person is a Police employee" in clauses 48(1) and (2). Clause 50(1) also contains the phrase "without ... reasonable excuse".

SPADA believes that these phrases successfully address SPADA's concerns about the current act. The clauses as drafted protect the sanctity of the Police and their uniforms while still allowing for those with legitimate reasons to "act" as a Police officer or to possess pieces of uniform for the purposes of film or television to do so. The clauses also provide for significant fines for those unable to provide "reasonable excuse".

We believes that the clauses will allow our members to make legitimate use of uniforms and other items in their television programmes and films without fear of breaching the (new) law.

SPADA believes that the clauses strike the correct balance between protecting the integrity of the Police and their uniform and items associated with the Police, while allowing citizens to continue in their legitimate work.

SPADA does not want to appear in front of the select committee, unless the select committee is considering removing or altering the quoted phrases from clause 48 and 50, in which case SPADA would like to discuss its reasoning with the committee.

SPADA can be contacted at +64 4 939 6934 or info@spada.co.nz.

Yours sincerely

A handwritten signature in black ink, appearing to read "Penelope Borland". The signature is fluid and cursive, with the first name "Penelope" written in a larger, more prominent script than the last name "Borland".

Penelope Borland
Chief Executive Officer
SPADA