



New Zealand House of Representatives
Te Whare Māngai o Aotearoa

Petitions Committee

Komiti Whiriwhiri Take Petihana

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**Petition of Holly Brooker: Mandate Internet
Service Providers to block rape, bestiality
and slavery porn**

Presented to the House of Representatives
by Greg O'Connor, Chairperson

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Petition of Holly Brooker

Recommendation

The Petitions Committee has considered the petition of Holly Brooker—Mandate Internet Service Providers to block rape, bestiality and slavery porn—and recommends that:

- the Government review section 3(2) of the Films, Videos, and Publications Classification Act 1993 to investigate whether the meaning of “objectionable” can be amended to make it easier to classify rape-related objectionable content
- the Government consider whether it would be possible to offer ISPs voluntary filtering of objectionable content depicting bestiality or rape.

Request that Internet Service Providers be required to filter rape porn, child sex abuse material, bestiality, and slavery porn

The petition was signed by 10,575 people, and was presented to the House by Laura McClure on 17 April 2024. It requests:

That the House of Representatives require Internet Service Providers to filter rape porn, child sex abuse material (CSAM), bestiality, and slavery porn.

The petitioner worked with Makes Sense, a social advocacy group, to make her written submission. She proposes that four minimum measures be implemented to promote compliance with filters and protect internet users. These include greater accountability for internet service providers (ISPs), financial subsidies for ISPs to comply, and powers for a regulatory body to remove objectionable content quickly. In her written submission the petitioner said that she would like to amend her request to exclude the slavery porn.

Access to objectionable material

The petitioner described her concerns about how easily people can access harmful online content, especially child sex abuse material (CSAM), bestiality, and rape porn. She is particularly worried about children accidentally encountering illegal and potentially damaging content. Ms Brooker believes that regulations to prevent people from accessing or encountering objectionable content have not kept up with technology.

The petitioner told us that the amount of harmful content online is growing. She noted a tenfold increase (1,058 percent) in known sexual images of children aged 7 to 10 online since 2019, and that searching Google for “bestiality porn” returned 143 million results in November 2024, up from 39 million results in April 2023. The Classification Office made a submission on the petition and said that it has heard about young people around the country seeing objectionable content.

The petitioner described some of the potential effects that both adults and children may experience after being exposed to violent or illegal material online. Anecdotally, children who

access harmful online material exhibited PTSD symptoms such as insomnia, flashbacks, and mood changes. She also cited studies that found a correlation between adults accessing CSAM and the likelihood of them contacting children online or in person.

The petitioner is not alone in her concerns. She provided eight letters of support from relevant organisations and charities, including the Salvation Army, Free Speech Union, and Save the Children. Other submitters on this petition, the Department of Internal Affairs | Te Taiwhenua (DIA), the Classification Office | Te Mana Whakaatu, and the Internet Service Providers Association of New Zealand (ISPANZ), all attested to the importance of the petitioner's aims.

The petitioner's aims

We asked the petitioner to clarify that she is not concerned about mainstream pornography sites. She explained that legal pornographic websites will have removed any videos with titles that use the word "rape" or contain any references to bestiality. Mainstream sites sometimes have non-objectionable content with titles referencing slavery, so the petitioner removed this content from her request.

We asked why the petition was about filtering content rather than preventing it being hosted online. The petitioner and other submitters explained that enforcement was not their focus because most objectionable content is hosted on overseas websites.

Relevant legislation

The petitioner told us that CSAM, rape, and bestiality porn are deemed as objectionable under the Films, Videos, and Publications Classification Act 1993 (the Classification Act). This means that accessing, viewing, or sharing such content is illegal. The Classification Office added that accessing, viewing, or sharing objectionable material is a criminal offence even if done unintentionally or by someone who is unaware that doing so is illegal.

The Classification Act established the Classification Office as an independent Crown entity and content regulator. Part of its role is to classify material that is potentially objectionable, and therefore illegal. The majority of classified content is CSAM-related, followed closely by terrorism-related material.

The Classification Office clarified that swift classification of potentially objectionable content, as requested by the petitioner, is already being done. The Classification Act was amended in 2021 to allow the Chief Censor (the Office's head) to make interim classification assessments.¹ This means that a publication can receive an immediate interim classification if it is likely to be objectionable. A final decision about the publication's classification must then be issued within 20 working days.

¹ [Films, Videos, and Publications Classification \(Urgent Interim Classification of Publications and Prevention of Online Harm\) Amendment Act 2021 No 43, Public Act Contents – New Zealand Legislation](#)

How filtering works

The Digital Child Exploitation Filter System

DIA outlined how New Zealanders are protected from objectionable CSAM online. The Digital Child Exploitation Filter System (DCEFS) was established in 2009 and is administered by DIA. It is an internet- and website-filtering system that prevents access to website URLs.² Blocked URLs are added to a list when they are known to host CSAM. In 2023, DCEFS blocked over 1 million attempts to access website URLs hosting CSAM and referred nearly 20,000 URLs containing illegal material to the DIA.

DIA emphasised that DCEFS is designed to protect the public from accidental, unintentional, and casual access to CSAM. It is not used to prosecute people who create or view such material, and it would not stop someone motivated to find CSAM from doing so. DIA also said that it is working to tackle CSAM in other ways and it outlined its other workstreams in its written submission.

When we heard from DIA, DCEFS was being upgraded and the improvements were due to be operational in the first quarter of 2025. DIA told us that the upgrade would increase the number of URLs being blocked from thousands to tens of thousands. Less time and resource would be required to update the list of blocked URLs, and DIA specialist staff would have more time to focus on investigations into digital child exploitation. The petitioner welcomed the news of this upgrade.

DCEFS is voluntary

There is no legal requirement for internet service providers to apply DCEFS to their services. Currently, 13 ISPs voluntarily connect to DCEFS. This covers approximately 95 percent of New Zealand internet users, including users on mobile networks. We asked the Internet Service Providers Association of New Zealand, which represents small and medium-sized ISPs, why its members might not take up DCEFS. It explained that it would generally be due to technical reasons around customer requirements.

Petitioner's request for a mandated filter

One element of the petitioner's request is that a filter be mandatory for all New Zealand ISPs. She believes that this would ensure that ISPs who allow illegal content are held to account. The petitioner thought this would not require a legislative change as objectionable content is already illegal. DIA and the Classification Office disagreed with this assessment. They told us that the Classification Act would need to be changed to make a filter mandatory for ISPs.

DIA's submission discussed the implications of mandating the use of DCEFS. The filter already has a high uptake rate, and therefore DIA does not feel that mandating it is necessary. It explained that DCEFS was designed to be a voluntary system—it has a tightly limited scope to encourage ISP uptake.

² URL, or Uniform Resource Locator, is a website address.

DIA also outlined in its written submission how existing legal provisions would likely have to be amended for a mandated filter to function as desired. DIA considers that the next step to making a filter compulsory would be for the Government to produce a Regulatory Impact Statement to fully understand the legislative amendments required. During the hearing, the petitioner expressed her support for this.

The Classification Office said that legally mandating a filtering system would be a substantial change to the classification system. New legal requirements and obligations for ISPs would require associated enforcement, offences, and penalties. As well as a Regulatory Impact Statement, it mentioned that full policy development and public consultation would be needed. ISPANZ said that if a filter is likely to be mandated it would like to be consulted on any policy development, and that operational and cost implications should be considered.

Petitioner's request for filtering to be expanded

One of the petitioner's key concerns is that there is currently no filtering of rape or bestiality content. Therefore, the petitioner suggested that DCEFS could be expanded to include this material. She argued that, under the Classification Act, rape and bestiality content would also be deemed objectionable, so it should be filtered in the same way as CSAM. Ms Brooker suggested that the filter could apply to URLs which specifically use the terms "rape" and "bestiality" because mainstream pornography websites do not reference these specific acts.

We wrote to the petitioner to clarify whether she is requesting that an expanded filter also be mandatory. She responded that she understood that an expanded filter which targeted rape and bestiality content would require development. So, Ms Brooker suggested that ISPs could voluntarily adopt a filter, or filters, for this kind of objectionable content while efficacy is demonstrated.

The Classification Office said that as a regulator it is agnostic about whether the filtering should be expanded. However it said that, if there is an expansion, all kinds of objectionable material should be considered, including extremist or terror-related content.

Content depicting sexual assault may be ambiguous

DIA and the Classification Office both expressed concerns about trying to filter content that may depict rape or sexual assault. Section 3(2) of the Classification Act lists the criteria for deeming a publication objectionable. Content would be classed as objectionable if it "promotes or supports, or tends to promote or support" any of the listed criteria, which include child exploitation, rape, and bestiality. The Classification Office gave three examples of material that might be labelled as rape-related content online, but would have different legal statuses:

- Records of actual sexual assault that have been uploaded online would be deemed objectionable.
- Commercially produced content involving performers that includes themes of sexual assault or coercion may or may not be deemed objectionable.

- Depictions of consenting adults engaging in sexual fantasy scenarios or roleplay, while legitimate and protected forms of sexual expression for adults, could pose a risk to children viewing it.

These examples demonstrate the difficulties of categorising pornographic content using only terms such as “forced” or “rape”. The Classification Office added that content containing some kind of non-consensual element or theme is not necessarily objectionable.

The Classification Office is responsible for making decisions about whether material is objectionable or not. This function is quasi-judicial and once determined a classification is legally enforceable by other agencies, such as DIA or the New Zealand Police. The Classification Office determines whether material is objectionable based on its interpretation of the Classification Act. Therefore, we understand that Parliament would need to amend the Act if it wished to make the classification of rape content less ambiguous.

DIA explained that it would be concerned that a wider filter would block legal content. This could be an infringement on the freedom of expression, and open the government and ISPs to the risk of legal challenge. The Classification Office said that the current system has been designed to balance freedom of expression with preventing harm. It tries to ensure the integrity of content regulation while maintaining people’s trust.

Consequently, DIA argued that expanding the scope of the Digital Child Exploitation Filter System might reduce ISPs’ voluntary uptake. One of Ms Brooker’s main arguments is that this would not be the case. She has engaged with ISPs and claims to have received their support and encouragement for expanded filtering if direction comes from the Government.

Content depicting bestiality is not ambiguous

We note that there is a misleading statement in DIA’s written submission. A publication that contains bestiality does not need to include penetration to be classified as objectionable. The Classification Office clarified that the legality of bestiality content is not ambiguous. Therefore, we think there could be an opportunity to expand filtering in New Zealand to include bestiality content, without adversely affecting freedom of expression.

Petitioner’s suggestion of a machine-learning filter

The petitioner argued that technology has made objectionable content more easily accessible and therefore should also be harnessed to protect individuals from such content. She is promoting the idea of using a machine-learning model. Ms Brooker told us that the Internet Watch Foundation uses such a model, with artificial intelligence (AI) and web-crawling. Humans then audit the content. The petitioner has spoken to ISPs, who told her that they would adopt a new filter like this as long as it was well audited and government backed. The petitioner acknowledged that this kind of filter has not yet been adopted by any country, but suggested that New Zealand could lead the world.

DIA spoke about the practicalities of introducing a machine-learning model to filter objectionable material. The department is not aware of any existing technology that could accurately block illegal material but allow legal material. Further, DIA would need a very large set of material, including illegal material, to train a machine to recognise objectionable

content. The department would require a legal exemption from the Classification Office to hold such illegal content, as well as additional resourcing.

DIA and the Classification Office strongly consider that automated detection should not replace human oversight and expert judgement. The Classification Office confirmed that the current DCEFS is not automatic and requires quality checks by the office to ensure that the blocked content is actually child sex abuse material.

Actions individuals can take

The petitioner mentioned that there is no way for people to report illegal websites. We would like to clarify that this is not the case. People can report websites that they believe contain digital child exploitation material or CSAM on the DIA website, which contains referral forms.³ Similarly, people can ask the Classification Office to review content.⁴

DIA recommended that people use spam filters and other protections. It said that people can use more aggressive filters that would potentially be said to restrict freedom of expression if used by the Government.

We asked DIA how to keep children safe online. It encouraged parents not to give children access to web-capable devices until they are in their late teens. It also said that parents should ensure that the devices their children use have appropriate child locks and filters that are enabled. It told us that most popular brands of smartphone have advanced security settings that are far more secure than any external filter. It said that manufacturers usually have step-by-step guides on their safety features on their websites.

Our response to the petition

We thank the petitioner for bringing these issues to us. We are very concerned about the prevalence of objectionable material and the ease with which it can be accessed, whether accidentally or on purpose. We applaud the petitioner's work promoting the online safety of New Zealand's children.

We heard that expanding or mandating the current filter would have significant operational, resourcing, and legislative implications. We are not convinced that filtering should be mandated, as we do not believe mandating it would materially prevent motivated users from accessing objectionable content. We are encouraged by the high uptake by ISPs of the voluntary filter and believe that whatever strategies are adopted and implemented should ensure that this remains the case.

We were concerned to hear about the challenges around the classification of rape material that may be objectionable. We think there may be an opportunity to strengthen the definition of objectionable content related to rape in the Classification Act. We recommend to the Government that it review section 3(2) of the Films, Videos, and Publications Classification Act 1993 to investigate whether the meaning of "objectionable" can be amended to make it easier to classify rape-related objectionable content.

³ [Digital Child Exploitation Contact Us - dia.govt.nz.](#)

⁴ [Request or change a classification | Classification Office.](#)

Alongside this work, we recommend to the Government that it consider whether it would be possible to offer ISPs voluntary filtering of objectionable content depicting bestiality or rape. The latter would be dependent on the outcome of the review into the definition of objectionable material.

Finally, although it is clearly important for New Zealand's laws and the Government to support and protect people online, we would also like to emphasise, particularly to parents, the steps individuals can take. We encourage all parents to use appropriate locks on their children's devices.

Appendix

Committee procedure

The petition was signed by 10,575 people. It was presented to the House by Laura McClure and referred to us on 17 April 2024. We met between 25 July 2024 and 3 July 2025 to consider it. We received written submissions and heard oral evidence from the petitioner, the Department of Internal Affairs, the Classification Office, and the Internet Service Providers Association of New Zealand. We also heard oral evidence in private from the Department of Internal Affairs.

Committee members

Greg O'Connor (Chairperson)

Carl Bates (to 29 January 2025)

Kahurangi Carter (to 8 May 2024 and from 29 January 2025)

Greg Fleming

Paulo Garcia (from 29 January 2025)

Francisco Hernandez (from 8 May 2024 to 29 January 2025)

Related resources

The documents we received as evidence in relation to this petition are available on the [Parliament website](#).

A recording of our hearing on 14 November 2024 can be accessed online on the [Parliament website](#).