

Intimacy Guidelines for Stage and Screen

New Zealand

Intimacy Guidelines for Stage and Screen New Zealand

These Guidelines provide a framework for the stage and screen industries when creating and/or recording performances of intimate scenes, nudity, simulated sexual activity and sexual violence.

These Guidelines are created in consultation with and are endorsed by Equity New Zealand, Screen Safe, The Screen Industry Guild, Directors & Editors Guild of New Zealand, Women in Film & Television, Actors Agents Association of New Zealand, Karen Kay Management, BGT, Gail Cowan Management and are drawn from the previous Equity New Zealand Guidelines, MEAA Intimacy Guidelines for Stage and Screen, Ita O'Brien's Intimacy Guidelines and 'The Pillars', used by Intimacy Directors International.

In creating these Intimacy Guidelines for Stage and Screen, we aim to:

- Create respectful processes for all workers in the stage and screen industries
- Encourage best practice and open communication around the performance of intimacy
- Ensure informed consent is at the core of all intimacy work
- Ensure that a sense of play, trust and goodwill remain central to the creative process
- Encourage the use of an **Intimacy Coordinator** where appropriate
- Outline industry expectations even where a production does not engage an **Intimacy Coordinator**
- Best serve the spirit and intention of the project

Intimacy/Intimate scenes are defined as, but are not limited to, the following:

- a.** Intimate interaction involving bodily contact between **Performers** whether sexual or otherwise and whether involving nudity or not, for example, simulated sex, kissing, romantic caresses, handling of an infant, bathing a frail aged character.
 - b.** Intimate interaction of the **Performer** with themselves in a sexual or intimate manner, for example, masturbation, strip-tease, using a breast pump.
 - c.** The **Performer** appearing nude, scantily clad, or in their underwear, even if they are not touched.
- For the purposes of these Guidelines, 'Nudity' includes semi-nudity.

Guideline Contents

Intimacy - Context and Consent		4
Pre-production		5
Auditioning		7
The Performer's Contract		9
Preparation and Rehearsal		10
Performance		12
Extras/Stand-ins/Doubles		13
Marketing and Use of Stills		13
Post-Production		14
Ongoing Safety and Duty of Care		14
Where to Get Help		15
Intimacy Report Template		16

Intimacy - Context and Consent

Intimacy means something different to each person and in each circumstance. While intimacy is generally defined as relating to physical and/or sexual exposure to or closeness with another, notions of intimacy are shaped by a person's cultural and religious background, abilities or disabilities, gender identification, age, sexuality and past experience. Similarly, these influences have an impact on how a person goes about giving or seeking consent.

Consequently, these Guidelines deal with **best practice** for creating '**intimate scenes**', as defined broadly by the participants themselves to cover any activity or interaction within a person's close personal space, taking account of how intimacy and personal space may differ on cultural grounds.

Consent can only be given by the person doing and the person receiving the action, and consent from either person may be withdrawn. Consent must be gained from the **Performer** in relation to each and every intimate scene. It must never be assumed.

In order to genuinely consent, the **Performer** must be informed in advance and the requirements must be specific. Consent must be given in writing at the deal memo or contracting stage for those intimate scenes that involve nudity, simulated sexual activity and/or sexual violence. In addition to gaining a **Performer's** written consent, best practice should be followed in the pre-production, auditioning, preparation, rehearsal and performance stages to enable the intimate scenes to be realised with the creative engagement and active consent of the **Performer**. This also means that time will be scheduled in the preparation or rehearsal stage for a discussion of the intimate scenes between the **Performer**, the **Director**, and other involved personnel such as the **Stage Manager/Ist AD/HOD**.

Note: They replace the 2015 Equity NZ "Guidelines to Performing Nudity and Simulated Sex on Stage and Screen".

Pre-production

A risk assessment of the intimate scenes will be undertaken in the same way as is required for stunt work. As part of the risk assessment, the **Producer** will identify the intimate scenes and/or scenes with nudity, simulated sexual activity or sexual violence and will consider budgeting for an appropriately qualified and/or experienced **Intimacy Coordinator**. Where appropriate, an **Intimacy Coordinator** will be engaged to undertake the risk assessment.

The following will be considered as part of the risk assessment:

- What is the intensity and duration of the activity?
- Are intimate body parts being touched or exposed?
- Does the scene involve sexual/physical/emotional violence or abuse?
- Does the scene involve multiple performers?
- Does the scene involve explicit content (e.g. sexual fetish)?
- What is the emotional intensity of the content? (taking account of personal, cultural and power dynamics)
- Are any of the **Performers** under 18 years of age?
- Is there a notable age-gap and/or a problematic power imbalance between **Performers**?
- What level of professional experience do the **Performers** have?
- Is the scene in an exterior or public location?

If rewrites are issued and the risk assessment of an intimate scene is changed, the **Director**, **Performer/s** and **Stage Management/1st AD/HODs** will be informed of these changes in writing.

Prior to engaging all **Crew**, **Post Production** and **Editing** personnel, the **Producer** will inform them of any material that may be distressing and/or triggering.

Pre-production

The **Producer** will ensure that all departments are informed of the intimate scenes, and that **Stage Management/1st AD/HODs** and **Essential Crew** are familiarised with these Guidelines.

The **Producer** will ensure that relevant personnel are aware of and have adequate resources to carry out their obligations under the Guidelines, particularly:

- Casting Director
- Director
- Intimacy Coordinator
- Costume/Wardrobe
- Stage Management
- HODs
- Editor/s
- Head of Post Production

Where an **Intimacy Coordinator** has not been engaged, and a **Performer** involved in depicting intimacy, sex, nudity and/or sexual violence requests the assistance of an **Intimacy Coordinator**, the request will not be unreasonably denied.

Auditioning

THEATRE

There are no professional circumstances where semi-nudity or nudity, kissing or simulated sexual activity should ever be required, proposed or agreed to in a theatre audition.

SCREEN

For screen auditions, no nudity will be involved at any stage of the process. No kissing or simulated sexual activity will be involved in initial auditions. The only exception being where simulated sex comprises the entirety of the role.

Where audition scenes involve intimacy a non-contact action will be substituted. *For example, to represent a kiss the convention is to lean in and turn heads away from each other.*

In a recall, there may be a genuine need in limited situations for the audition to involve simulated sex, due to the specific requirements of the role. In such circumstances the following conditions will apply:

- The **Casting Director** will inform the **Agent** at the time of briefing of the extent of any nudity/simulated sex the role will require.
- The **Casting Director** or **Producer** will provide the **Performer** and/or their **Agent** with the audition script at least 72 hours in advance of the recall with the required nudity and/or simulated sex scene detailed and information on how the intimate content fits within the story as a whole so that a **Performer** can make a fully informed decision as to whether they are prepared to do that work.
- The auditioning of a scene involving simulated sexual activity should include a third party (such as an **Intimacy Coordinator** or responsible individual nominated by the **Performer**) who will be in attendance during the audition should the **Performer** require. This person will be specified in the audition brief.
- Where a **Performer** is required to audition in a simulated sex scene they will sign a form with the **Casting Director** or **Producer** that contains the following:
 - *The **Performer** consents to audition in a simulated sex scene*
 - *The footage will only be shared with members of the decision-making team, and shared only in password-protected, non-downloadable form*
 - *Once the role has been cast, the **Producer** will ensure all footage involving simulated sex is deleted*
 - *In the event that the **Performer** does not receive a written undertaking from the **Casting Director** or **Producer** regarding use of the footage, an audition involving simulated sex will not be recorded.*

Auditioning

- The only people allowed to be present in the audition room are the **Performer, Casting Director, Producer, Reader** and **Support Person**.
- **Casting Directors, Producers** and **Directors** should note that failure to take adequate steps to protect and dispose of such recordings may be a breach of the Harmful Digital Communications Act 2015 and New Zealand Privacy Law.

Where particular physical features are essential for a role, a body check may be required after a recall and before a role is confirmed, either with the **Casting Director** or the **Producer/Director**.

The following conditions will apply:

- Only essential personnel will be present
- A **Support Person** of the **Performer's** choosing or an **Intimacy Coordinator** may be Present
- Modesty garments will be made available to the **Performer**

In no circumstances should a **Performer** be asked or required to send a self-tape involving nudity or simulated sexual activity.

In the event that revealing clothing specific to the character is required (for example, for a swimwear commercial), the **Casting Director** will note this in the audition brief.

A **Performer** is obliged, when asked, to disclose any tattoos, significant markings or physical features likely to be exposed during the performance or that may affect filming. A **Performer** may also be required to consult with the **Production** regarding body tattoos, significant markings or particular physical features for the purposes of makeup, wardrobe or filming.

The Performer's Contract

The **Producer** will ensure that the **Performer's** contract states expressly if any of the following are required of the **Performer**:

- Nudity, and give details of whether this includes:
 - *full frontal nudity*
 - *full rear nudity including buttocks*
 - *upper frontal including breasts*
 - *side nudity, including profile of breasts, buttocks and genitals*
- Simulated sexual activity and/or sexual violence.

Performers will not agree to a contract including any of the above without fully considering what will be required and whether they are willing to perform it.

Prior to the **Performer** signing a contract consenting to nudity, simulated sexual activity or sexual violence, the **Producer** will provide a copy of the full script and provide in writing to the **Performer** and their **Agent** the following information:

- the scene/s in which the nudity will be required and the extent of the nudity involved;
- the type of contact, if any, required by the scene;
- the nature of any wardrobe required;
- information about the use of **Body Double/s**; and
- any other relevant information requested by the **Performer** to enable full and informed consent.

The use of **Body Doubles** and the action they perform must be discussed with the **Performer** and their written consent given to every scene in which a **Body Double** will be used.

The **Producer**, **Agent** and **Performer** are jointly responsible for ensuring the **Performer** is fully informed before giving their consent.

Preparation and Rehearsal

PREPARATION

Producer, **Director** and **Performer/s** will jointly consider whether the intimate scenes would benefit from the engagement of an appropriately qualified **Intimacy Coordinator**. Equity New Zealand is able to provide recommendations.

Any affected **Performer** may initiate a discussion about whether to engage an **Intimacy Coordinator** and will be kept involved in the decision making process. Once production has commenced a **Performer** may call for the assistance of an **Intimacy Coordinator** where none has been engaged. Reasonable requests for such assistance will not be denied.

If agreed amongst all affected **Performers**, **Director** and **Producer**, the **Performers** may also choose to work without an **Intimacy Coordinator**.

Performer/s who have consented to intimate scenes are entitled to participate in a discussion with the **Director**, **Producer** and **Stage Management/1st AD/HODs** about each of these scenes in advance of rehearsal/performance. The **Producer** or **Intimacy Coordinator** will facilitate this discussion.

The discussion will cover:

- the **Director's** vision for these scenes, including, where possible, a shot by shot description;
- the extent of any nudity required and what wardrobe (eg modesty garments/barriers) will be used;
- the type of contact and emotion required by the scene;
- any **Performer** who identifies as gender-diverse or trans will be consulted regarding their preferred pronoun, and **Crew/Production** will be briefed accordingly
- what the rehearsal process will be; and
- any other questions the **Performer** may have.

The **Intimacy Coordinator** will be given access to the relevant **Performers** (once cast) prior to rehearsal or filming and after discussions with the **Director** and **Producer**.

The **Producer**, **Performer** and/or others participating in the discussion may decide to record key elements of this discussion in writing in the form of an **Intimacy Report** (see an example **Intimacy Report** in these Guidelines). A copy of the written **Intimacy Report** may be distributed to other relevant personnel, for example **Stage Management/1st AD/HODs**, by agreement.

A list of **Essential Crew** required on closed sets will be identified by the **Stage Manager** (for stage) or the **Producer/1st AD** (for screen).

Preparation and Rehearsal

If the need subsequently arises for nudity, simulated sexual activity or sexual violence not expressly consented to in the **Performer's** contract, the **Performer** is not obligated to agree to the proposed changes. Whenever this need arises, the following will occur:

- The **Director** and **Performer** will discuss this as soon as possible;
- The **Performer** will be given time to consider the changes and consult with their **Agent**;
- The **Performer** may suggest alternatives to the changes;
- The agreed changes will be recorded in writing and signed by the **Performer**.

REHEARSAL

When rehearsing intimate scenes the **Performer/s** and **Director**, or the **Performer/s**, **Director** and/or **Intimacy Coordinator** will:

- Discuss and agree to times when intimate content will be scheduled for rehearsal/shooting.
- Schedule sufficient time for an unhurried process.
- Ensure there is always a minimum of three people present to keep the work in the professional realm.
- Not require **Performer/s** to be nude for rehearsals, except in the case of technical and dress rehearsals for stage or final camera rehearsal for screen.

The **Director/Producer** will ensure that a **closed room/set** will be used when rehearsing scenes involving nudity, simulated sex or sexual violence.

When rehearsing or performing intimate scenes, consideration will also be given to ensuring:

- **Performer/s** are afforded adequate personal space on set/backstage.
- Nudity is only from action to cut or stage entrance to exit, at other times **Performer/s** are covered.
- There is no nudity with genitals touching. Modesty barriers/garments will be supplied by the **Production** and used by **Performers**.
- Agreement on a strategy to halt the action where necessary (such as a 'time out').
- **Performers** involved agree to areas of physical touch and agree on the blocking of the scene to ensure consent is given at each step.
- A **Performer** does not independently override agreed choreography. A new proposal should be discussed with other relevant **Performers**, and the **Director**, and agreed upon before incorporation. An ongoing check-in process is agreed to with **Performers**.

Performance

SCREEN

When shooting nudity, simulated sexual activity or sexual violence, the **Producer** will ensure scenes are scheduled at least 48 hours in advance. The set will be closed to all but **Essential Crew**, and a verbal briefing as per the *ScreenSafe/SWAG crew briefing* will be given. If appropriate, the Producer might also consider whether the gender composition of crew on the closed set makes for an inclusive environment.

All cast and crew involved shall be briefed in advance of the content of the scene.

At the point of shooting, a **Performer** will not be pressured into performing an intimate scene if they are distressed. If this situation arises, a discussion between the **Performer**, **Performer's Agent**, **Producer** and the **Intimacy Coordinator** should take place at the first opportunity.

Performer/s may ask to have their comments or preferences about particular takes of intimate scenes noted by the **Director** and **Script Supervisor** for the editing process. **Performer/s** and the **Intimacy Coordinator** may view playback on their intimate scenes and any 'accidental' exposure not agreed to will be time coded, written down and removed at the earliest opportunity.

STAGE

ScreenSafe/SWAG crew briefing will be given. If appropriate, the **Producer** might also consider whether the gender composition of crew on the closed set makes for an inclusive environment.

Before shooting, the **Performers** will re-agree and consent to areas of physical touch with a third-party present e.g **Intimacy Coordinator** or **Director**. There will be no substantive last minute changes made to a scene involving intimacy or nudity without **Performers** consent.

Where a production involves intimate scenes, nudity, simulated sexual activity or sexual violence, the **Production** or **Stage Manager** will schedule opportunity for an **Intimacy Call** to be held before each or any performance if so requested by the **Performers** and/or the **Director** or **Stage Manager**.

An **Intimacy Call** is to be run by the **Stage Manager** or **Director** and is an opportunity for **Performers** to:

- assess the maintenance of the intimate choreography;
- refresh it if necessary; or
- accommodate any proposed adaptations.

Outside observation by monitor or other off-stage means (including observing in the wings) is prohibited except by **Essential Crew**.

Extras/Stand-ins/Doubles

Extras, Stand-ins and Doubles may be called to join scenes involving nudity, simulated sexual activity or sexual violence. Where this is the case, the **Extras/Stand-ins/Doubles** under casting consideration and/or their **Agent** should be provided with a brief of the scripted content no less than 72 hours prior to booking.

Where **Extras/Stand-ins/Doubles** are required to appear nude or simulate sexual activity or sexual violence as part of the scene, they will be considered as **Performers** for the purposes of these Guidelines.

Marketing and Use of Stills

The **Producer** may use stills or footage of the **Performer** appearing in scenes with nudity, simulated sexual activity or sexual violence provided that the **Performer's** written consent to such usage has been obtained. The selection of stills/footage for such use will be approved by the **Performer**.

No still photographs will be taken during the rehearsal or performance of a **Performer's** scenes of nudity, simulated sexual activity or sexual violence. A special still photographic session may be conducted immediately prior to or after the filming of such scenes, provided that the **Performer's** written consent is obtained and the **Performer** is clearly advised prior to and at the time of the stills session that such a session is to take place.

If other content is required for publicity purposes, the points related to consent in the above sections will be adhered to.

Post-Production

The **Producer** shall ensure that all recordings of scenes (except the final cut) involving nudity, simulated sex or sexual violence are destroyed. Recordings of such scenes held for alternative versions of the film or other legitimate purpose shall be destroyed when no longer required or within five years, whichever is sooner.

The **Producer** shall ensure that the editorial and post production teams be briefed about the following responsibilities regarding recordings of scenes involving nudity, simulated sex or sexual violence:

- the scenes should only be viewable by essential **Post Production** personnel, and
- shared only in password-protected form, and
- should not go out in general rushes, or be uploaded in general edit links.

Ongoing Safety and Duty of Care

All parties are encouraged to exercise proper self-care during and after the creation of intimate performance. When creating performances involving intimacy, nudity, sexual or violent content, **Producers** will have particular regard for their duty of care to participants in the process and will provide general support, information and resources for all personnel on request.

Where to Get Help

The **Producer** shall ensure to the best of their ability that all personnel working on scenes involving nudity, simulated sexual activity or sexual violence know where to get help:

- **SAFE TO TALK HELPLINE** 0800 044 334 (24/7). Confidential. Free.
For support and referral to specialist sexual violence/harassment services <https://safetotalk.nz/>
- **HUMAN RIGHTS COMMISSION** 0800 496 877
- **POLICE** 111 or contact your local Police Station

Intimacy Report Template

PERFORMERS *(Write the names of all performers)*

DIRECTOR

INTIMACY COORDINATOR

STUNT COORDINATOR *(If applicable)*

CAST CONSULTATIONS *What conversations have been held with cast about consent and how are expectations being managed?*

.....

INTIMACY MEETINGS HELD *Details of meetings held to clarify – degree of intimacy/nudity, specifics of simulated sexual activity, pertinent details, how scene is being shot, rehearsal time.*

.....

SCENE BREAKDOWN, BLOCKING AND NUDITY *Detailed breakdown of the scene as consented to and rehearsed by the performers and director. Include blocking (choreography) and/or reference to shot list or storyboards. Detail any nudity required.*

.....

MODESTY CLOTHING *Modesty garments to be provided by production. List here what will be worn by the performers.*

.....

CHECK-INS WITH PERFORMERS *What practices and protocols have been put in place and implemented to check-in with the Performers throughout the shoot and for closure after the shoot.*

.....

SIGNED BY THE PERFORMERS, DIRECTOR AND INTIMACY COORDINATOR:

.....