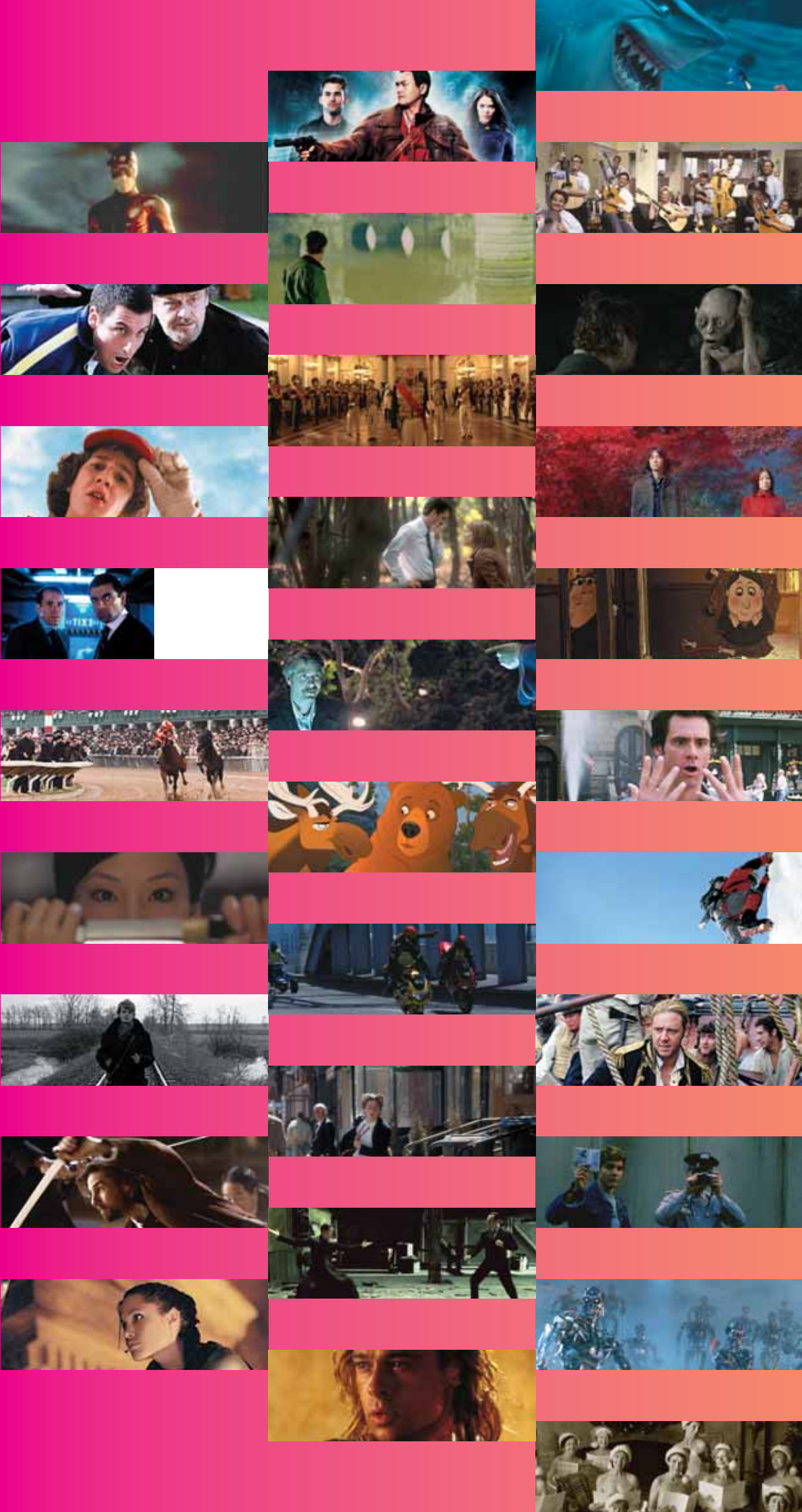
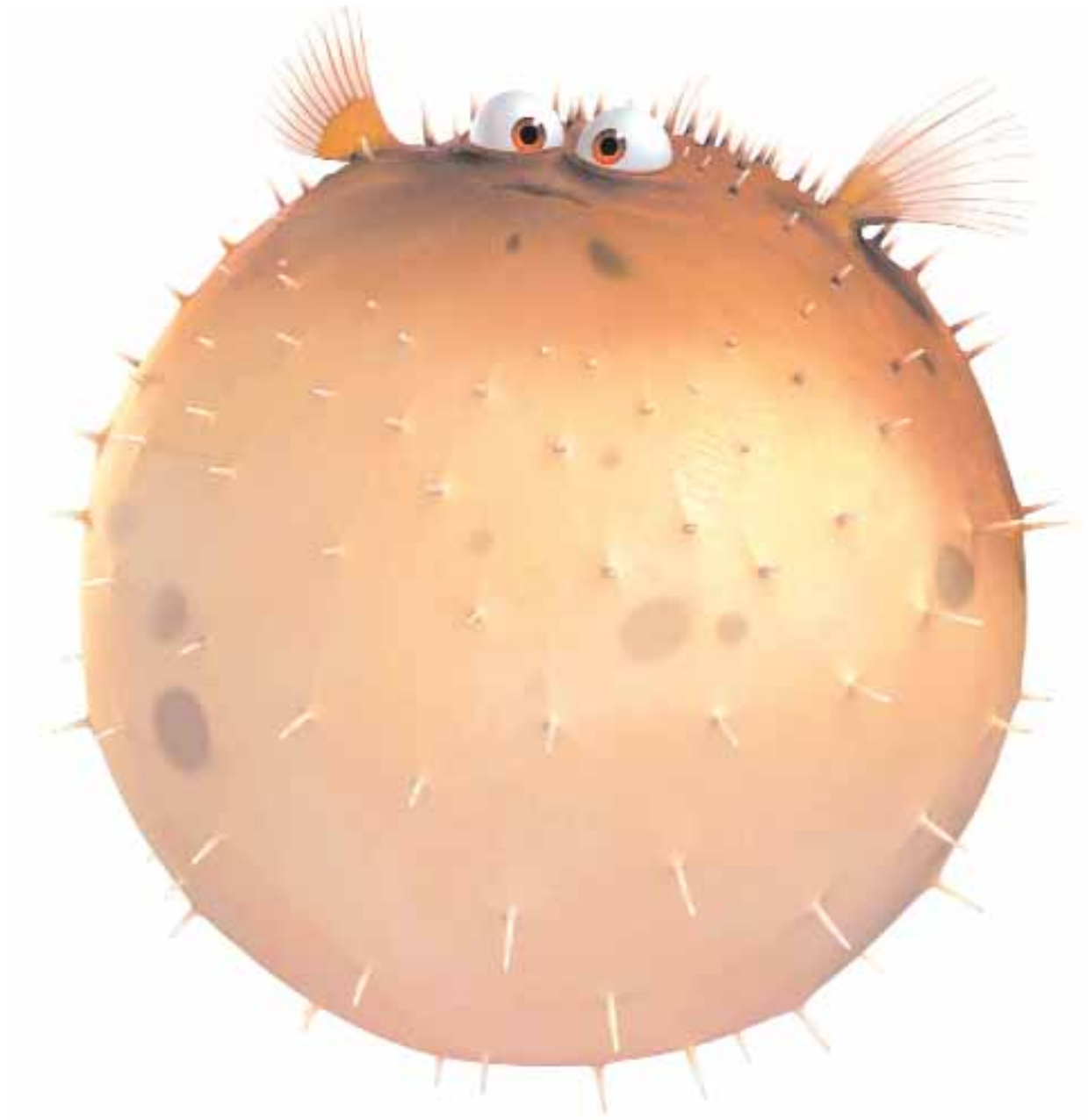




annual report 2003





annual report 2003



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In my introduction to last year's Annual Report I referred to the importance attached to the Board's Guidelines, and to the need to ensure that they are revised as necessary to keep abreast of public concerns.

The Guidelines, which are published and also readily accessible on our website, set out the Board's policies and approach, and the criteria by which films and videos are classified for the appropriate age groups. Apart from guiding the decisions taken by the Board and its specialist examiners in respect of individual works submitted for classification, and helping to ensure rationality and consistency, they provide the framework for explaining the basis for the Board's decisions. This means that any debate on the merits of a particular decision can have a firm foundation: is the relevant Guideline deficient in some way? Or was it, in the case concerned, wrongly applied?

It is essential that the Board enjoys the widest possible measure of public, political and media understanding and confidence. That means gauging as best we can where the public stands. The current Guidelines were drawn up after a very extensive programme of consultation, using several methods to form a quantitative and qualitative assessment of public views and concerns.

We have now, since the beginning of 2004, launched a further programme of consultation to establish once more how far our Guidelines continue to reflect public concerns. I and my valued colleagues on the Presidential team, Janet Lewis-Jones and John Taylor, will also draw on our own experience, and in particular on the cumulative practice of our team of examiners in operating the current Guidelines on a daily and weekly basis, to remedy points that need to be clarified, developed or strengthened.

Our aim is to publish new Guidelines, revised and updated as needed, so that they can be reflected in future Annual Reports.

Our consultation exercise involves:

- A questionnaire on the BBFC website.
- 'Hall tests', where a demographically balanced sample of the national population takes time to read the Guidelines and answer a similar questionnaire to the website questionnaire.
- Focus groups located throughout the UK looking in depth at one of the following issues: '12A' film classification, violence, bad language and drugs.
- A nationwide survey of over 4,000 people.
- Contributions from individuals, interested groups and the industry.

We hope that as many people as possible will help us in this exercise. A copy of our questionnaire will be sent to anyone interested, and it can also be accessed (and answered) on our website (www.bbfc.co.uk). But comments need not be limited to answering this questionnaire. We should be glad to receive any other points people want to put to us.

The Guidelines may need developing in a number of ways. These are the sorts of issues we will be considering:

- Are we right, particularly for classifications below 18, to be so vigilant about both sex and violence? (The Guidelines explain how this works for different age groups.)
- Are we right to take a strong line on language so that, on this ground alone, some works are classified more highly than their contents would otherwise require?
- Are we right, in the case of films and videos classified 18 (and therefore suitable only for adults), to make as our starting point respect for the right of adults to choose their own entertainment, within the law?

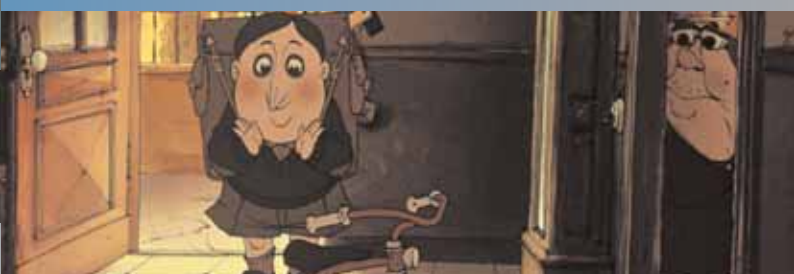
- Are we nonetheless right to exercise, as we do (including in the case of R18 videos available only in licensed sex shops), particular caution in respect of sexual violence, humiliation, or indeed any portrayal of sexual activity, real or simulated, which involves lack of consent?

But of course our main objective is to discover what concerns members of the public and that may differ from the issues mentioned above.

Underlying the specific questions in the Guidelines, some of which are touched on above, is a more general issue: what should be the basis for classification (and, where necessary, censorship) decisions? The Board's present approach is based upon these considerations: is the material lawful? Is it publicly acceptable? Is it, for the age group concerned, harmful?

The last issue is plainly the most difficult, cannot be categorically demonstrated and relies in the end on a reasonable judgement. We keep ourselves informed of such insights as social science provides. And we have the benefit, as occasion demands, of advice from clinical and other specialists. We also enjoy, on a regular basis, the advice of our two standing consultative bodies – the Consultative Committee and the Advisory Panel on Children's Viewing – which bring together people of relevant interests, expertise and personal distinction. It remains the case, however, that assessing actual or potential harm is difficult and that the academic terrain is much disputed. Indeed, in scenes of piscine mastication worthy of a sequel to *Jaws*, academic colleagues speedily gather, as at the scent of blood in the water, when any researcher claims to have established definitively that what is on the screen causes harm, or that it does not. The resulting methodological massacre tends to leave little trace of the original claimed finding. The research evidence, in short, remains largely inconclusive.

Good Bye Lenin! '15'
Belleville Rendez-Vous '12A'
Anger Management '15'
Kill Bill Vol. 1 '18'





In spite of that we remain alert to the risks of harm. Though difficult to assess it is plainly one valid test, indeed the most important test of all. But is it, together with the obvious requirement that the material should also be lawful, sufficient?

I should like to thank Ewart Needham, the Chairman of the Council of Management, and his colleagues for their support in ensuring the good management of the Board's work.

Finally I should like to express my appreciation of the work of our Director, Robin Duval, who has announced that he will be retiring from the Board later this year. (At the time of writing, there is an open competition to identify his successor.) Robin became Director in January 1999 and for over five years has been the central figure in developing and managing the Board's work, and the key professional deciding and advising on classification policy and its application in particular cases. It has been a period of great development and achievement. For one thing the Board's work has expanded: for example in 1998 less than 6,000 works were classified, in 2003 almost 14,000. The number of examining and other staff has also expanded significantly, though not proportionately: new methods of work have led to shorter turnaround times, better communication with those submitting works, lower fees

and greater efficiency. Robin managed the consultation process and the preparation and introduction of our published Guidelines, now an integral part of the Board's working culture and key to public understanding of its approach. He has retained, an achievement in itself, a lively enthusiasm for film. He has a keen sense both of its social potential, for good or ill, and of the cultural and creative dimension. The Presidential team, the Council of Management, the Board's staff and all those with whom the Board deals will miss him: his sound judgement, his breadth of vision, sensitivity of understanding and his sympathy and good humour.

A handwritten signature in black ink that reads "Quentin Thomas". The signature is written in a cursive, slightly informal style.

Sir Quentin Thomas

April 2004



director's report08



This is my sixth and last report as Director of the BBFC.

It is conventional for an outgoing chief executive to look back on his/her term of office and review how things have changed.

When I took on the job at the beginning of January 1999, the Board's income was just under £3million. Staff totalled 52 of whom 13 (a quarter) were examiners, 13 were 'administration' and eight management (plus technical and other staff). This year's Annual Report records a rise in income to over £6 million and of staff to 64 of whom 21 (a third) are examiners, 11 administration and nine management. The rise in income has been fuelled by a huge rise in workload, in turn the consequence of a thriving video and DVD market. Around 14,000 works were submitted in 2003, compared with less than 6,000 in 1998.

The Board's fees have been reduced or rebated 3 times – in December 2001 and in 2002 and 2003. Another reduction is anticipated in 2004. The combined effect of these cuts in income over less than 2 years will be to reduce it overall by *more than a third*. At the same time the Board's turnaround time (how long it takes to examine and classify a work) has fallen to about a quarter of what it used to be.

But none of these productivity and efficiency increases would have been conceivable without the quite remarkable drive and dedication of the BBFC's staff at every level. The Board is small enough to maintain a 'family' atmosphere. It is an independent non-profit making company limited by guarantee – there are no fat cats and share options here. Everybody knows everybody else. There is a genuine sense of collective commitment and I have been exceptionally lucky to have been part of it.

But from the wider perspective of the general public, the press, government and so on, none of this is particularly likely to be apparent. The changes *they* may have noticed have been rather different. In his introduction, the President has mentioned the BBFC's greater public transparency, the advent of our published Guidelines and their consistent application, the ongoing process of testing them against public consent and expert and clinical opinion. These do – taken together – represent something of a sea-change in the way the Board presents itself to the world outside, and the way it conducts its professional business.

And we have been making different decisions. The most visible change, I believe, is that the Board is now more relaxed about sexual portrayals. This is a consequence of the accumulating evidence – some of it the BBFC's own research, some from independent sources such as the regular British Social Attitudes survey – that the public by the late 1990s had come to regard the BBFC as excessively 'nannying' in its approach to sex in films. We have not significantly changed the parameters at the most junior classification levels. But the new Guidelines of 2000 have resulted in a markedly less interventionist approach to sex at '15' and '18'.

And yet in many other ways, not a great deal has changed. The Board has continued to pursue a robust policy on sexual violence, regularly cutting or raising the classification level of material which makes entertainment out of sexual assault. Other material which we perceive as harmful (the Video Recordings Act directs our vigilance 'to any harm that may be caused to potential viewers or, through their behaviour, to society...') may also end up on the cutting room floor. Last year one of the three videos we rejected in its entirety was *Bumfights* in which homeless people ('bums') were abused and humiliated for cheap laughs. We were in no doubt of its potential to encourage harmful emulation.

In fact, the overall level of cuts imposed by the Board, although it remains very low as a proportion of all submissions, has risen in each of the last four years. In 2000 it was at an historic low of 2.4 per cent of all works. Last year it was 3.3 per cent. Clearly the Board, while learning a lesson from the public about excessive and unneeded nannying, has not relaxed its determination to intervene where the need is evident enough.

What may the future hold? The Board will need to stay close to standards of public acceptability. It will need to continue to work closely with its expert and specialist advisers and keep a keen eye open for whatever useful information and evidence social and academic research can provide. There will be a greater value in the provision of information and advice alongside the formal ratings. The public will want it and I believe the industry will increasingly become persuaded of the benefits in delivering it. Indeed, in an increasingly rich media environment, the Board's role as a provider of basic advice and guidance is likely to expand.

There will of course be other new challenges for the Board to meet before it can be sure of celebrating its centenary in 2013. One of them may be that of 'harmonisation'. Might the BBFC eventually be subsumed within a single great Euro film regulator, for example? Or might the BBFC even become that regulator? After all, ours is the only cinema and video regulation body which is *neither* owned and controlled by the industry itself *nor* is a department within a particular national government.



In the Cut '18'
Seabiscuit 'PG'
The Lord of the Rings -
The Return of the King '12A'
Master and Commander -
The Far Side of the World '12A'






This is not, however, a serious prospect. As things presently stand, 'harmonisation' is an impracticable chimera. A European Commission report, published last July, revealed that no less than three-quarters of films classified in Europe received the full range of classifications from 'all ages' to restricted to 15 or 16 year olds (which in some countries is the adult limit). A film can be banned altogether in one European country and be given a rating down to '12' in another (Lars von Trier's **The Idiots**, for example). The pattern worldwide is even more extreme.

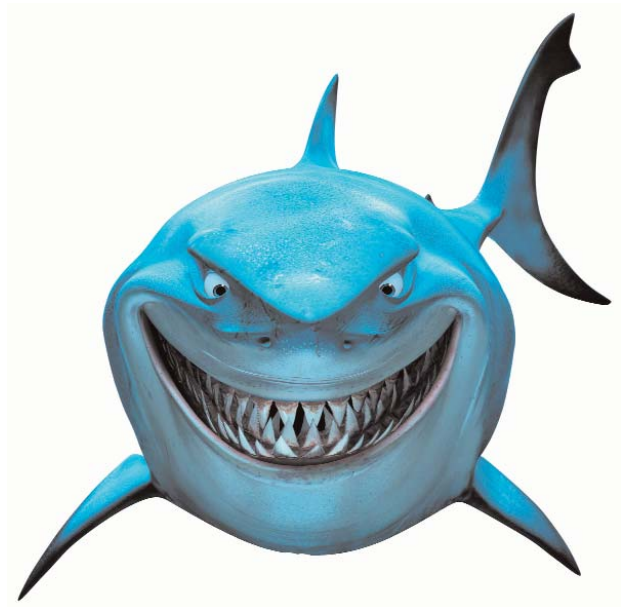
Bizarre as all this may seem, it is not really difficult to explain. The British are almost alone in Europe (though not in the world) in their sensitivity to bad language. The French place a much higher premium upon the cultural value of film than other nations when they classify. **Pulp Fiction**, **The Exorcist**, **Hannibal**, **Gangs of New York** and **Secretary** have all received the '12' rating in France (and '18's in Britain). The Spanish tend to take a harder line than anyone on sexual immorality and the Scandinavians are most sensitive on violence and least on sex.

Some European nations prohibit censorship for adults, others cut or ban films. In some countries the age ratings are advisory only, in others (including France) they are mandatory. The example of videogames, which are now regulated in most of Europe from Hilversum, suggests that harmonisation – even in such a basic context as this – may only be achievable by agreeing to abide by the standards of the most restrictive nations.

Last of all: a few more thank-yous. I have been very fortunate to be able to work throughout my time with a most sympathetic and helpful Presidential Team. The Board's Vice Presidents, Janet Lewis-Jones and Lord Taylor of Warwick, and its Presidents – Andreas Whittam Smith and (since 2002) Sir Quentin Thomas – have been an unfailing source of wisdom. The Council of Management has provided the soundest guidance to the Board in all financial and administrative matters, under its Chairman Ewart Needham and his two predecessors Dennis Kimbley and Brian Smith. I am most grateful to them all.

A handwritten signature in black ink, appearing to read 'Quentin Thomas', with a large, stylized flourish at the end.

April 2004



accountability14

Accountability to the public is central to the Board's activities as a regulator. The Board also has a duty to the industry, who pay fees to have their works classified. This Annual Report provides information about the classification decisions made by the Board during 2003 as well as information about the Board's financial position. As well as being available as a publication, it can be accessed on the Board's website and is placed in the libraries of both Houses of Parliament.

This year we have made a change to the way that the classification decisions are presented. We believe that people are most interested in why certain films were given a particular rating, 'U', 'PG' etc., and how this compares with other films in the same category. So this year works have been grouped by the classification category they received and the particular classification issues are discussed within that context. We hope that this will help readers to better understand what is acceptable at each category and why films receive the rating they do.

Consulting the Public

Just over three years after the publication of the first publicly researched set of classification Guidelines, the Board decided to go back to the public to ask 'Are we still getting it right?'. This review, which will run on into the summer of 2004, will result in a new set of Guidelines published towards the end of the year. Whether many changes to the Guidelines are necessary remains to be seen, but the claim that the Guidelines – among other things – reflect the views of the public can only stand up to scrutiny if the Board keeps in touch with those views.

While it is important to compare like with like, the Board has taken advantage of improvements in internet technology as well as improvements in research techniques. Since 1999, when the first internet questionnaire went on the Board's website, awareness of

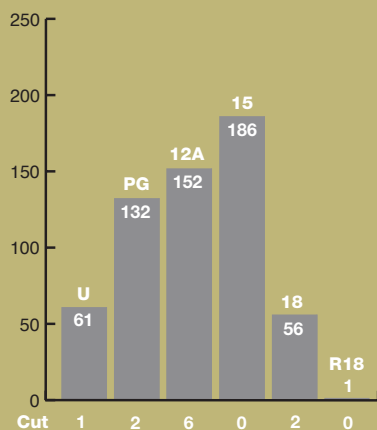
and access to emails and the internet has increased dramatically. This time around the internet questionnaire will reach a far wider audience and provide a far greater range of responses than were received three or so years ago. The two Citizens Juries carried out in 2000 have been upgraded to 28 focus groups spread across the UK and a panel of over 4,000 people will be asked to complete questionnaires. In addition, there will be 1,200 'hall tests' of individuals stopped in the street and asked to read the Guidelines and answer questions. These samples will be demographically balanced. The outcomes of this wide ranging consultation will appear in next year's Annual Report.

12A and Consumer Advice

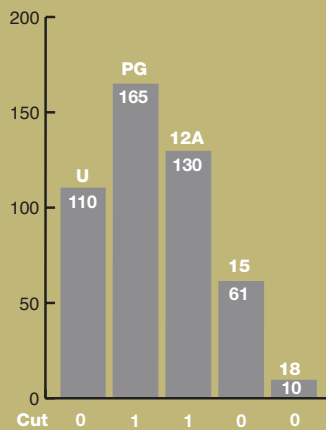
The Board provides Consumer Advice, explaining which issues have placed the film in its particular classification category, for every work passed. For cinema films this appears on marketing materials such as posters, print and television advertisements. Videos and DVDs carry the information on the back cover, close to the category symbol. In 2003 the advice appeared on publicity for cinema films across the full range of classifications from 'U' to '18' as the industry accepted the usefulness of Consumer Advice to potential viewers.

The provision of Consumer Advice is, however, a *requirement* of the '12A' classification. The Consumer Advice for ***Terminator 3: Rise of the Machines*** was, for example, 'Contains strong language and violence', while the Farrelly Brothers' comedy ***Stuck On You*** received a '12A' for 'moderate sex references and one use of strong language'. Providing parents with this sort of information allows them to make informed decisions. Thus parents who objected to their children seeing violence but were relaxed about sex references and a very limited amount of bad language could give ***Terminator 3*** a miss but happily take their children to see ***Stuck on You***.

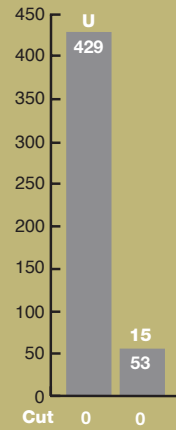
**Film
Total – 588**



**Film Trailers
Total – 476**



**Film Advertisements
Total – 482**

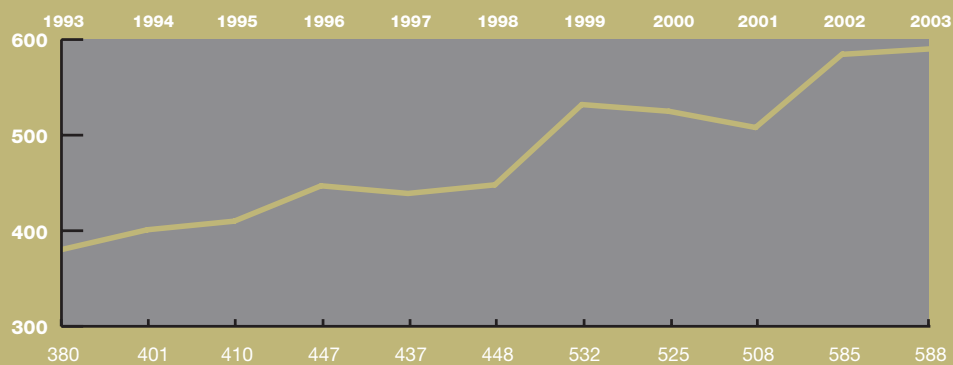


Film Statistics

* Inc 12A

	93	94	95	96	97	98	99	00	01	02	03
U	32	46	37	42	38	56	65	61	43	71	61
PG	83	92	110	98	113	109	121	112	121	142	132
12	54	60	49	66	60	40	72	88	107	122*	
12A											152
15	126	122	123	166	134	174	192	174	174	201	186
18	84	81	91	75	92	69	73	85	59	48	56
R18	1										1

Film Submissions 1993-2003



Over the past two years, the BBFC, working with the industry and the British Video Association, has successfully increased the number of video and DVD titles on which Consumer Advice is displayed. In 2003 the BBFC offered distributors a new, concise format for Consumer Advice as an alternative to the established 'grid' format found on videos for many years. The new single line of information, as in cinema Consumer Advice, is often clearer and takes up less room on packaging than the grid, and by the end of 2003 there were very encouraging signs that the industry had begun to use the new format for both retail and rental product.

The Board promised to keep the '12A' film category, introduced at the end of August 2002, under review. The Guidelines consultation will provide the opportunity to ask the public a number of questions about how well the category is working, how well people understand what it means and whether it needs to be fine tuned, possibly with a lower age cut-off below which children will not be allowed into the cinema. In addition, the value and effectiveness of the Consumer Advice for the '12A' category will be probed.

Despite the agreement to provide Consumer Advice with all '12A' films (as well as 'PG' and 'U' films), not all distributors were from the outset consistent in its provision. In some cases it was missing altogether from the film

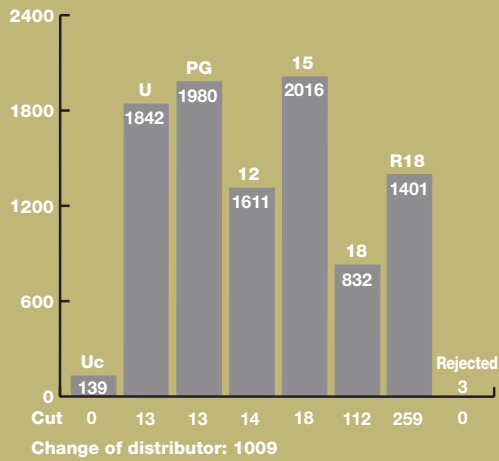
publicity and in other cases it was so small as to be unreadable. The Board monitored this throughout the year and drew the matter to the attention of the distributors on a film by film basis. We are glad to note that the provision of Consumer Advice *has* improved and in fact some distributors now include it in the publicity for all of their films, including '15' and '18' rated works. The public consultation has included a question asking if the public would like to see all film publicity carry Consumer Advice. The Board will be advising the industry of the outcome of that, as well as of other relevant findings.

Letters from the Public

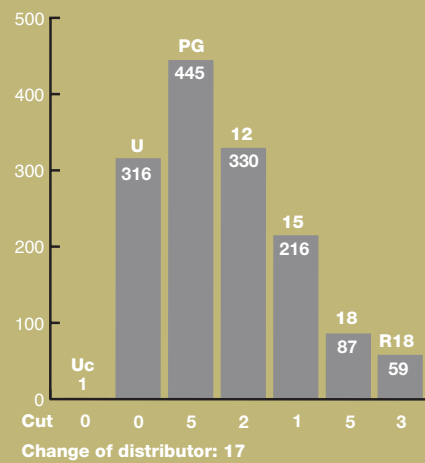
Emails continue to be the favoured form for contacting the BBFC but the traditional letter is still preferred by some correspondents. It is unusual for a film to generate a lot of letters or emails, with two to three complaints being the norm. However, once in a while, one particular film generates a larger than average postbag and in 2003 it was ***Terminator 3: Rise of the Machines*** with altogether 54 complaints from members of the public. This was the third in the Terminator series. The first two were classified '18' (in 1984) and '15' (in 1991) respectively and the '12A' rating for the new film concerned some correspondents who, basing their comments on memories of the first two, complained before the film had opened. The '12A' rating reflected the fact that the violence was now rather less detailed and realistic, and more in the James Bond vein. However, there were still a considerable number of complaints about one particular fantasy effect in which the female android rammed her hand through both the front seat and the body of its passenger. For some viewers, however, it was the presence of three uses of strong language which confounded their expectations of the '12A' category.



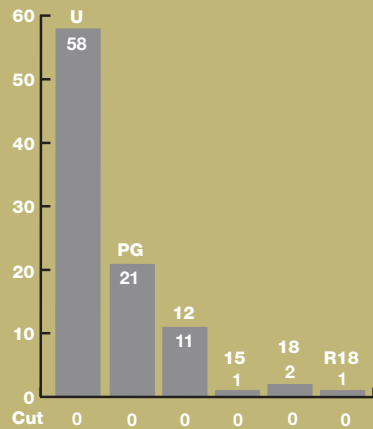
Video Total – 10833



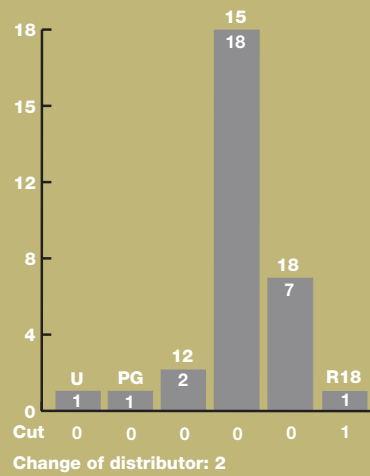
Video Trailers Total – 1471



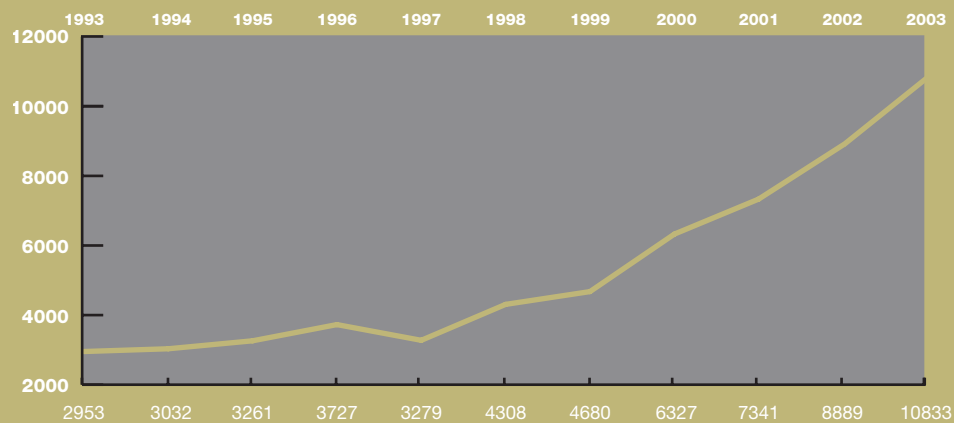
Video Advertisements Total – 94



Digital Media Total – 32



Video Submissions 1993-2003



Audiences may be unprepared for the content of film trailers in the cinema, and individuals may react more critically to them than they would to a full-length cinema film, which is more likely to be a known quantity. Several trailers (whose classification did not exceed that of the main feature which they accompanied) disturbed some people enough for them to write in and complain. The language in the trailers (rated respectively '12A' and '15') for **Blackball** and **40 Days and 40 Nights** was considered too strong. The visual sexual innuendo in the '12A' rated trailer for **American Pie: The Wedding** proved too much for ten correspondents who were embarrassed because of the young children in the audience. The '12A' trailer for **Jeepers Creepers II** was considered too scary.

As in other years placing a film in the restrictive '15' category produced complaints from younger filmgoers who could not see the film. The antics of the superhero **Daredevil** were too violent for '12A', much to the annoyance of a number of young fans who wrote to the BBFC to complain.

2003 was the first full year of the '12A' cinema rating and produced a full range of comments – not all of them critical. The complaints, however, ranged from the inappropriateness of certain films at '12A' – **Pirates of the Caribbean, Terminator 3, Hulk, X2** – given the likelihood of young children in the audience, to complaints about young children disrupting the viewing for the rest of the audience. There was a significant postbag from older people who objected to their enjoyment of the film being disturbed by very young children running up and down the aisles, crying, going to the toilet etc.

Very few '18' rated films provoked more than a single letter or email of complaint. The most complained of '18' rated release of 2003 was **Irreversible**, but even this high profile title generated only five complaints about its violence or sexual explicitness. At the other extreme, the most complained of 'U' rated release was **Finding Nemo**, which was the cause of three complaints, all about the cartoon sharks which were felt to be too frightening for very small children.

Perhaps the most significant indicator of the year was the general absence of concern about **Monsters' Ball**, which included scenes of sexual activity at '15' which would not have been acceptable in the days before the publication of the classification Guidelines. The consultation which preceded them, as well as other independently conducted research, indicated to the BBFC that the public are generally quite relaxed today about portrayals of consensual and loving sex. Neither the cinema release in 2002 nor the DVD/video release in 2003 provoked any significant level of complaints about **Monsters' Ball** (a total last year of three letters).

All letters which come in to the BBFC with a return address receive a full response. Many correspondents are clearly more concerned to express their views than invite a reply: they often leave off their address and sometimes even their names. One such letter apparently came from the government of Beelzebub and we can take this opportunity to assure them that the BBFC Director is not, and we believe has never been, a servant of Astaroth the Destroyer.

Johnny English 'PG'



Media Education

BBFC examiners continued to receive invitations to speak in schools, colleges and universities. Most of the students they met were in the 16–24 age range, but there were also visits to primary schools, in particular to pilot the cbbfc website. As usual, monthly student seminars were held at the Board's premises in Soho Square. In July, examiners attended the BFI Media Studies Conference on London's South Bank, meeting teachers and distributing the Board's educational materials. In September, the Board took part in the annual training event for secondary media teachers from all over Wales. In October, examiners gave presentations round the country during National Schools Film Week.

Adult education took the form of cinema workshops, presentations at film festivals and talks for the general public. Examiners were interviewed for individual student research projects, as well as for TV, radio, newspapers and magazines.

In 2003, the results of the 15–18 consultation carried out during 2001 and 2002 were analysed. The intention was to supplement the information gained in more formal research with adults. The consultation took the form of roadshows in Cambridge, Coventry, Brighton, Farnborough, Ramsgate, Dundee, Hartlepool, Pembrokeshire and two London venues (at the National Film Theatre and in Stratford, East London). Participants were self-selected (or selected by teachers) and were drawn from sixth form colleges, secondary schools and colleges of further education. The majority of the students were over-16s studying advanced courses in Media. Only 163 of the 1,027 who returned questionnaires were aged 15. Slightly more than half of the respondents were female. The ethnic composition of audiences varied between venues. Those who attended were not a cross-section of the 15–18 year old population but they held a useful range of opinions, providing insights into the attitudes towards classification of at least part of this age group.

Like the adults who participated in the 1999–2000 BBFC Guidelines Consultation, the majority of the 15–18 year olds (79 per cent) agreed that over-18s should be allowed to watch what they wanted on film and video. seventy two per cent agreed that the BBFC had a duty to protect under-18s from material which had the potential to cause harm. Where children's films were concerned, there was greater anxiety about drugs than about sex, violence and strong language. On-screen depictions of smoking and alcohol were volunteered as a cause of concern. There was considerable scepticism about the notion that watching violence in films might make people more violent in real life (only 16 per cent agreed), while only 37 per cent



agreed that films could sometimes lead to copycat behaviour. Students' comments revealed some opposition to the idea that bad language should affect the classification of films for their age group. Some argued that there should be a top category of '16' and that young people over this age should be included in formal consultation exercises and in the classification process. The comment most frequently made was that those over the age of consent (16) should be allowed to watch depictions of sex which are currently classified '18'.

A consultation exercise has now begun with 12–14 year olds. The roadshow formula was rejected for this age group in favour of school visits as it was felt that many young teenagers would be unwilling to speak up in front of large audiences. Using data from the schools' inspectorate, Ofsted, and other sources, it has been possible to select a range of schools which will yield a more representative sample of young people than attended the 15–18 roadshows. A pilot exercise was held in Hendon in July and the consultation proper began in November with visits to Huddersfield and Rayleigh in Essex. Visits to the West Midlands and Inner London were scheduled for the early part of 2004.

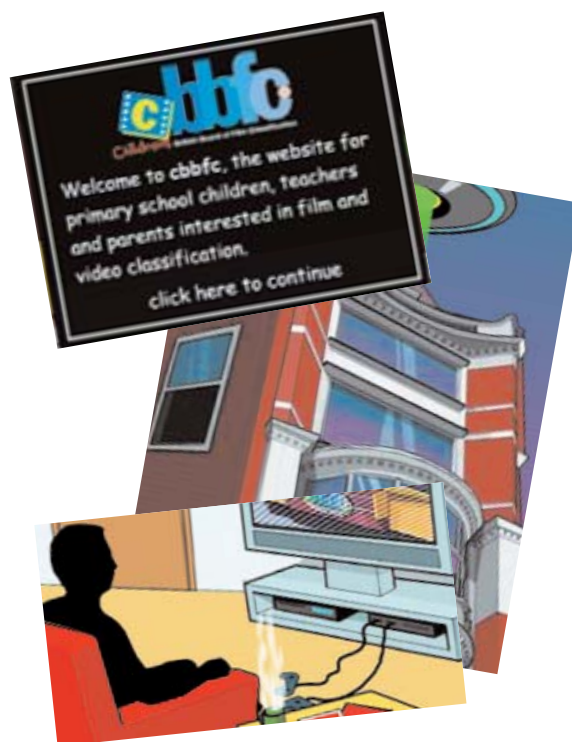
Small group discussions on issues such as bad language and horror were an important feature of the 12–14 consultations. The sessions included a presentation with video clips and the completion of a questionnaire. The young people appreciated being consulted and much useful data has already been gathered about the opinions and viewing habits of this age group. There will be a rolling programme of 12–14 consultations over about 18 months in 2004–5.

Among the Board's initiatives in 2002 was a project to contact certain groups whose views might not normally be heard. This continued into 2003 with visits to the Tamil Sangam Association in Manor Park, the Bangladeshi Youth Action Scheme in Tower Hamlets and the Learning Initiative for Multi-Ethnic Groups in Wolverton, Bucks. The majority of those who attended were of the Muslim or Hindu faiths. Most older members of the audiences had been brought up in India or Pakistan, while the younger ones were British-born. The work of the BBFC was explained and discussion included the classification of politically sensitive films as well as the usual issues such as

sex and violence. In general, the audiences were more relaxed about violence than the population as a whole, but felt that the Board's standards on sex and drugs were out of keeping with the expectations of their communities. This was true for young people as well as the parent and grandparent generations. It was explained that the Board's classification Guidelines were based on public consultation exercises. These sessions provided a rich source of detailed information for the Board. Work will continue, with different communities, in 2004.

cbbfc – the children's website

While the Board's examiners have continued for many years to host student seminars and make regular visits to secondary schools, colleges, universities and a variety of other educational establishments and events, it was not until 2003 that the challenge of directly addressing the UK's thousands of primary school-aged children on the topic of film, video and DVD classification was finally met.





Biker Boyz '12A'

Noi Albinol '15'

Confessions of a Dangerous Mind '15'





Terminator 3: Rise of the Machines '12A'

A particular difficulty with the BBFC's comprehensive main website (www.bbfc.co.uk) is that it – inevitably – contains information about the classification of adult-rated works which schools or parents may not consider appropriate for very young children. In June a website was launched by the Board aimed specifically at this age group along with their parents and teachers. The 'Children's British Board of Film Classification' website – 'cbbfc' (www.cbbfc.co.uk) – was thoroughly researched by a team of examiners, using both their expertise at the Board and previous professional experience in education, before an initial site was created. This was rigorously tested over a number of months in the early part of 2003 at a London primary school. The input of the pupils proved invaluable in helping to create the fully-working, feature-packed version of the site that was successfully launched in early summer.

Cbbfc appears so far to be the only website in the world dedicated to unravelling the myths and mysteries of film classification for children. Response to the site from its intended target audience has been very positive. The project has also caught the eye of other regulatory bodies around the world and also educators and relevant sections of the press, whose comments have echoed its favourable reception in homes and schools in the UK.

At present, children using the site can find out exactly how and why films, videos and DVDs are classified in the UK – they can even have a go at classifying trailers and clips for themselves using one of the site's numerous interactive elements. Additional features promote general literacy as well as acknowledge the ever-increasing importance of living in a media-rich society. The Board believes that educating children in media literacy at a young age, using tools such as 'cbbfc', is an important contribution to the ability of future generations to handle and process the great quantities of content to which they will be exposed.

The site currently averages around 17,000 hits per month. Future plans for 'cbbfc', to help bring it to the attention of even more teachers, parents and youngsters, should see

this figure rise and help secure the site as an important part of media education for pre-teenagers in the UK. Other enhancements will include further interactive elements and more in the way of resources for teachers and parents directly linked to the requirements of the current National Curriculum. The 'fun' elements of the site, which have helped make it such a popular cyber destination for youngsters, will, of course, remain very much part of the mix.

Research

As well as putting in train the process associated with the Guidelines consultation, the BBFC in 2003 co-funded two pieces of research looking at the reactions of children and young people to media images. *How Children Interpret Screen Violence* concentrated on children aged 9–13. Ten extended group discussions were conducted, considering children's attitudes to a variety of representations of on-screen violence, both on television and in the cinema.

The findings showed that the children, unsurprisingly, viewed violent images from a child-centred perspective. They were able to distinguish between fictional violence and violence that was 'real'. They also made clear judgements about the justified use of violence which in turn affected how 'violent' an image was perceived to be. Their reactions to violent images were influenced by their age, gender, maturity and personal circumstances. The research found no evidence of a confusion in participants' minds between violence in fiction and violence in real life.

Children make important distinctions about the different kinds of violent actions generally described by them as 'scary'. The news may be scary because the event depicted could happen 'to me' and this is frightening and perhaps distressing; whereas the scariness of a horror film might be enjoyed, like a roller-coaster ride, as a pleasurable and visceral reaction to the shocks and horrors depicted.

Thus the children had a very clear understanding of the different television and film genres and the kind of violence expected from each genre. Clear distinctions were made between cartoon-like film violence and film violence that shows more realistic human emotions and pain, even when presented in a fantastical setting. The children were more likely to view action as violent when it contained a child character with whom they identified. Dramas and soap operas were recognised as fictional representations while the news was known to be the real world. Of all of the images presented to the children in the research, events on the news were the most affecting, especially if the consequences of the violence involved other children or people with whom they could identify.

The second piece of research which the Board co-funded was entitled *Young People, Media and Personal Relationships*. It did not look at film or video specifically, but there were elements in the findings which had a useful read-across to film regulation. Though children may frequently encounter sexual material in the media, they are not always the naive or incompetent consumers they may be assumed to be. Their ability to interpret sexual content develops both with age and with their experience of media.

Younger children often ignore or misinterpret references to sexual matters, particularly where these are in the form of comic innuendo or 'suggestion'. Younger children are also less aware of the cultural conventions through which sex is signified in the media. Far from embracing an amoral view of the world, the research found that children made judgements about sexual behaviour in the media in the context of 'love and relationships'. They were interested in the consequences of individual behaviour on others, and they placed a strong emphasis on the need for trust, fidelity and mutual respect.

Children use media consumption as an opportunity to rehearse independently-held views and assumptions. Their reactions to sexual material depend largely on family values. What is clear from this research is that the media are less influential in forming children's attitudes than other factors closer to home.

In November 2002, the BBFC had commissioned two focus groups to consider the acceptability of violence and sexual violence in three particular works (*Irreversible*, *Love Camp 7* and *My Sweet Satan*). This was a follow-up, and supplementary to the important Cumberbatch report summarised in last year's Annual Report. The outcomes of the new research were reported to the BBFC in 2003. They were consistent with the general finding of the 2002 work that the public was likely to be less tolerant of sexual violence than violence by itself. In the case of the controversial French film *Irreversible*, the violence was seen 'as essentially justified by the context and narrative'. *Love Camp 7* was found to be particularly offensive (it was rejected by the BBFC in 2002). In the case of *My Sweet Satan*, the distaste of respondents was mediated by their sense of the poor quality and inadequacy of the film-making.

BBFC Cinema Advertisement

In the run-up to the start of the 2004 public consultation process, the Board's cinema advertisement, which had been shown in cinemas at the beginning of 2003, was repeated throughout December and into January 2004. The Board commissioned research to establish how well the advertisement was recognised and to explore levels of awareness of the BBFC's role and activities among cinema-goers. People were polled as they left 16 cinemas from Edinburgh to Port Talbot and Plymouth, both before and during the advertisement's run.





Lara Croft Tomb Raider -
The Cradle of Life '12A'
Mystic River '15'
Phone Booth '15'

The results showed that the advertisement was well remembered, even after only one viewing, coming ahead of well-known advertisers like Pepsi and second only to the Orange advertisement telling people to switch off their mobile phones. The people who recognised the advertisement knew that it was either for the BBFC or the body which classified films. Forty-two per cent of those who remembered the advertisement thought it got across well the message about what the BBFC does.

All respondents, regardless of whether they recognised or remembered the advertisement, were asked how much they knew about the classification system and how useful it was for them. Not surprisingly it was parents who found the classifications most useful, using them to determine which films to watch with their children. People in the 18–24 age group understood the classifications but generally did not use them when determining which film to see. When asked whether the BBFC should protect young people under 18 from unsuitable or harmful material in films, almost 90 per cent of respondents agreed. Over half of the sample had noticed the Consumer Advice which is now displayed on film advertising. The advertisement can be viewed on the BBFC's website.

Information Technology

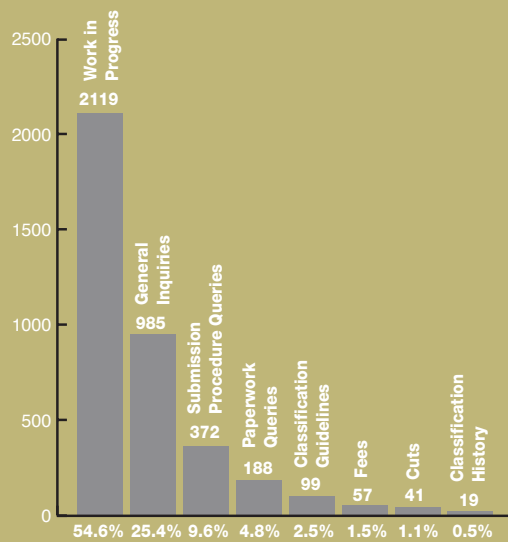
Over the past few years the BBFC has consistently increased the level of information available to both the public and corporate customers. Our main BBFC website has played an important part in making that information available to the widest possible audience. Improvements in connection speed and web-server capability have allowed us to expand the scope of information and support a higher number of visitors than ever before. Our children's website, cbbfc, which we launched in June, is proving very popular, with hits running at around 17,000 per month.

For our corporate customers the overwhelming success of the confidential information only Extranet service has allowed us to move forward to a new level of customer service. The Extranet now allows customers to make updates directly into our line of business systems. The first phase of this has enabled customers to accept BBFC provisional decisions electronically rather than on paper. As the roll-out of this continues, customers are seeing a typical reduction in turnaround times from one week to one day. We have further service improvements planned that will bring us close to a paperless system for all our customers.

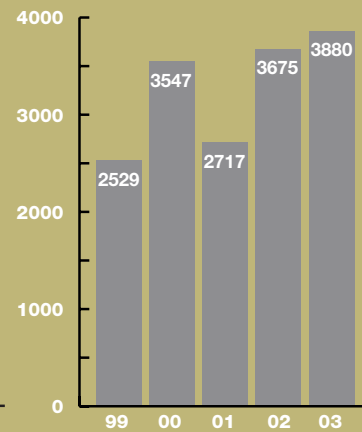
The year ended with a record number of virus infections detected in incoming email and web traffic. As there is no sign of an end to these unwelcome visitors we have again updated and upgraded our computer security measures. We have also increased our physical security and work is continuing to improve other aspects of the resilience of our systems.

The BBFC is continuing to adopt open-source solutions where possible. This is reducing costs on a long-term basis and often delivering better solutions than the commercial alternatives. The roll-out of the StarOffice software suite was completed on target and is delivering the cost savings expected. Many elements of the website are now served using the apache web server and the squid proxy is used to improve internet access speed. The first production uses of Linux are in place at extreme ends of the use spectrum. One system is providing a low cost disaster recovery solution, the other an inexpensive alternative for project planning on a desktop test bed. Substantial further changes are expected in the software environment.

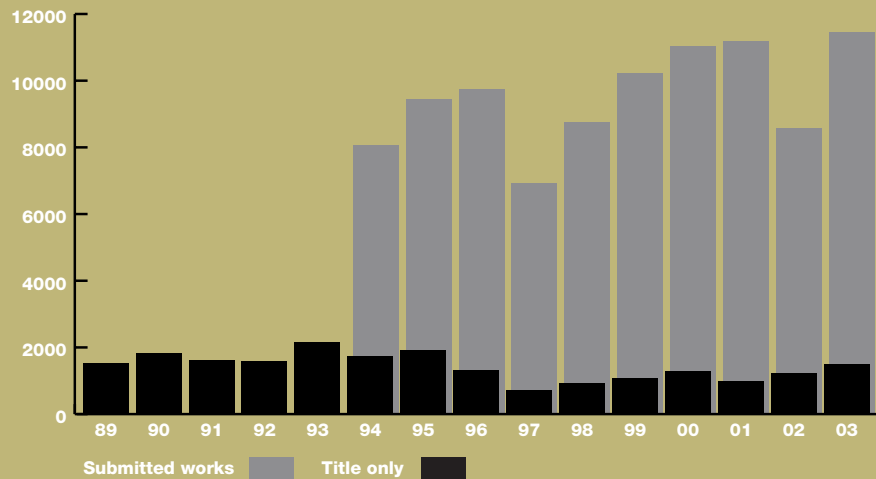
Helpline Call Types 2003 Total 3880



Number of Client Helpline Calls



Provision of Evidence 1989-2003



As forecast last year we have made a further investment in server hardware to support the increasing numbers of users of the services and the volume of work. The new systems from Sun Microsystems provide sufficient capacity to meet expected needs for the next five years.

Customer Helpline

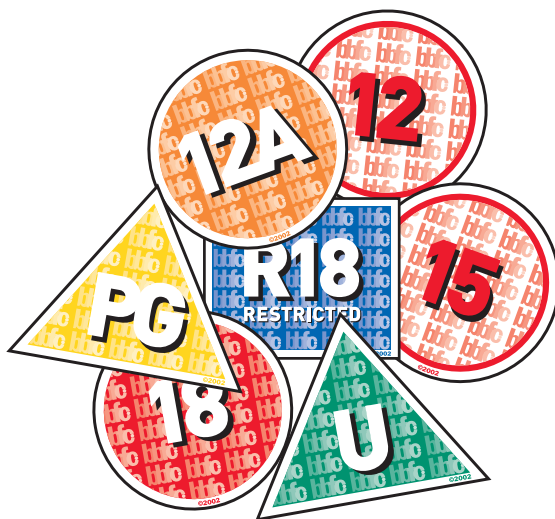
The customer helpline (020 7440 0299) continues to provide a valuable information service to customers as well as members of the public. In 2003 the helpline received more calls than any other year (3,880). Work in progress calls saw the biggest climb with a 10 per cent increase on 2002. This can be accounted for by the 20 per cent increase in video feature submissions which inevitably led to an increase in work progress enquiries from the Board's customers.

Enforcement

The Board continues to assist Trading Standards Officers and the police with their responsibilities under the Video Recordings Act in relation to illegal videos, DVDs and digital media. Enforcement agencies can check with the Board whether a seized video or DVD has been classified by the BBFC or whether it is the same as the version we have classified. Our evidence is therefore of prime importance in any subsequent legal proceedings. The Board dealt with nearly 13,000 queries in 2003. Items submitted for physical comparison totalled 1,754 and there were 11,229 'title only' enquiries. This constitutes a 30 per cent rise on 2002's submissions overall.

The total number of videos, DVDs, VCDs, laserdiscs and computer games submitted by police and Trading Standards Officers since they were given the power under the Video Recordings Act to seize illegal materials in 1988 is 21,726. During the same period 84,966 titles have been checked.





classification1



Universal

'U' is firmly established in the minds of the public as the category of safe viewing for children. However, Universal or 'suitable for all' does not necessarily mean that all 'U' films and videos will be of interest to children or intended for them. The public expects, nevertheless, that children will be the principal focus of concern for classification at 'U', regardless of the likely appeal of the work.

The BBFC works on the basis – set out clearly in the published classification Guidelines – that a 'U' film should be suitable for youngsters aged four and over. We know, however, that parents take even younger children to see 'U' films at the cinema. In most cases there are no problems, but very young children can be unpredictable in their responses to films. Some may well find sudden close-ups or zoom shots frightening, while others are more robust. What causes one child to giggle with delight may have the next child cowering behind the seat.

The Board is required to act in the best interests of children. This means attempting to steer a course between over-protecting on the one hand, and risking upsetting children and/or parents on the other. To establish where the acceptable path lies, examiners work on certain basic premises which are reflected in the Guidelines. A 'U' rated film or video should provide wholesome entertainment for

audiences in which a positive moral framework is evident. Moral and narrative outcomes should be similarly positive, and violence, verbal or physical, should not be seen as the appropriate way for characters to resolve problems. Additionally, the film should not be too intense in terms of violence, sound effects or scary images for its young audience. Language and behaviour in 'U' films should be appropriate for younger children, with particular regard to the risk of dangerous and socially unacceptable imitation. The Guidelines at this level allow no references to, or sight of, illegal drugs.

Problems arise when a film that is otherwise wholly suitable for a young audience, is very briefly but clearly in breach of the 'U' Guidelines, perhaps in the form of an isolated use of stronger language or a fleeting verbal reference to drugs. As BBFC policy presently stands, this is likely to result in a higher classification or a cut to the offending scene. While each case is considered on its own merits, taking into account the overall context and the likely audience, the room for manoeuvre under our present Guidelines is very limited. One aim of our Guidelines consultation exercise in 2004 is to discover the extent to which the public accepts context as a relevant mediating factor in situations of this kind.

It is important to state that films in the 'U' category might, on occasion, contain mild language or mild violence, and parents should not assume that the 'U' category provides an entirely bland diet. For completely issue-free viewing there are 'Uc' videos, intended (like *Teletubbies*) for the very young, which parents can expect the majority of pre-school children to view safely without parental accompaniment. However, it cannot be overstated that even the most innocuous images can unaccountably upset some children.



In the junior categories, it is BBFC policy to remove from films and videos any dangerous behaviour that impressionable children might copy – what we refer to as imitable techniques. The likelihood of cuts is increased if the dangerous behaviour is performed by a character who is a child role model, or if the activity might be incorporated into children's play. This also complies with the harm requirements of the Video Recordings Act 1984, especially in the case of combat techniques such as head butts and ear-claps.

An example of this occurred in the animated feature ***Sinbad – Legend of the Seven Seas***, in which Sinbad whisks the helmet from the head of an enemy soldier and delivers a brisk head butt. Here two elements led to the Board's decision to cut: firstly, it is the hero who administers the punishment, remaining undamaged himself, and secondly, the technique is easily replicated in the playground. By contrast, a similar head butt administered by the young heroine to a metallic robotic child in the 2002 feature ***Spy Kids*** was not cut, since the

consequences were painfully clear. While it is current policy to remove such techniques in the junior categories unless there are mitigating factors, one of the issues addressed in the current public consultation is whether or not the public feels that caution is still warranted.

Concerns about imitability are not restricted to combat techniques. Another area of concern is the dangers of misuse of electricity. In the 'U' rated video ***Lizzie McGuire***, a live-action children's comedy series, an adult is given an electric shock by children as a joke. In view of the level of detail supplied, a cut to the scene was judged to be prudent. A similar issue arose in the DVD extras for ***Stitch! The Movie*** in which cartoon characters were shown holding live electric wires together to create sparks. This was also cut as a precautionary measure.

Such practical problems are fairly straightforward, but finer judgements may be required where violence and horror are concerned. The Guidelines allow for mild peril, violence and horror, with the important proviso that reassurance must be provided for younger children and that fight scenes and scary sequences must not be prolonged. 'U' rated films in 2003 presented no problems in this respect, although some younger children found the shark in ***Finding Nemo*** rather frightening. The animated feature, ***Brother Bear***, contained fight scenes and placed the young hero and his bear companion in danger. However, these sequences were sensitively handled and avoided the kind of detail that would preclude a 'U' classification.

The classification of 'bad language' continues to be a complex area, given the widely varying tolerance of parents to slang or bad language at the lower categories. Some parents are very concerned about bad language contained in films and videos, believing that their children will imitate what they hear, while others are more relaxed and take the view that children are exposed to swearing in daily life.





Elf 'PG'

Hulk '12A'

Brother Bear 'U'

While the Guidelines allow a modicum of mild bad language at 'U', it is difficult to gauge the limits at the boundary with the 'PG' category, given variations in public opinion. In accordance with BBFC policy, a video version of **Muppet Treasure Island**, for example, had three uses of 'bloody' removed, which maintained consistency with previous versions. We shall be consulting the public about their reaction to mild bad language at 'U' in the 2004 Guidelines review process, although there are always likely to be people who find our intervention in this area either inadequately stringent or, alternatively, heavy-handed.

Generally of more serious concern to parents is the matter of drugs and the way that drugs are used or referred to on screen. Current policy at 'U' is very clear. A 'U' rated work should contain *no* references to illegal drugs or drugs use. While the rationale behind this Guideline reflects and respects parental anxiety, it has generated certain difficulties for classification. For example, not all references to 'legal' drugs would automatically be acceptable at 'U'; on the other hand, a reference to opium in an historical documentary might in theory be the sole issue that moves an otherwise innocuous work from 'U' to 'PG'. But examiners are accustomed to making judgements which require a common sense and practical interpretation of the Guidelines.

Typical difficulties arise with public information campaigns about drug abuse. It could be argued that anti-drug advertisements should be classified at 'U' in order to educate as wide an audience as possible. In practice, even the mildest of them carry verbal drugs references which (if we interpret parent expectation correctly) should automatically remove them from the 'U' category despite their benign intention. Nevertheless, a 'safe driving' advertisement was passed 'U' in 2003, because it contained a mention of drugs-testing by the police, but no mention of illegal drugs. There is a tension between the

need to respect the views of those parents who would prefer to protect young children from knowledge about drugs at a very young age, and those who feel that the sooner children become drugs-aware, the better. This is another matter on which the public view will be canvassed in the Guidelines Review consultation.

There were no instances of sexual activity or references to trouble the Board in the 'U' film category in 2003 – the Guidelines permit only the mildest of examples. However, an interesting issue arose with the animated French film **Kirikou and the Sorceress**, based on an African legend about a tiny boy who saves his village from a wicked enchantress. Given the cultural background to the story, there was considerable nudity involving both women and children, but because the film was animated and the nudity was natural with no sexual element, it was felt that a 'U' would suffice.





Parental Guidance

The BBFC Guidelines state that a 'PG' film or video should not disturb a child of eight years or over. Parents are advised to consider whether the content may upset younger or more sensitive children. Only the parents or carers will know whether their child (whatever their age) might be upset by a 'PG' rated film or video. While the need to protect the young and vulnerable remains critical at this category, it must be counterbalanced by the higher tolerance of older children generally, as they travel towards adolescence.

The basis of a 'PG' film should still be moral, but there may be room for a degree of ambiguity and for the working out of more complex themes and issues than permitted at 'U'. In theory most issues are acceptable at any category, provided the treatment is appropriate. At 'PG', one can find films acceptable for children and young people dealing with serious topics like bereavement (the 1996 ***Fly Away Home***) and racism (the 1962 classic ***To Kill A Mockingbird***). The 2003 British feature ***Wondrous Oblivion*** examined the issue of religious and racial tolerance in 1960s Britain. Because the handling was sensitive, the film was entirely suitable for children of eight years and above, as well as adults.

Films that span the interest range from older children through to the adult audience often present issues that are not easily resolved by the Guidelines. The New Zealand feature ***Whale Rider*** concerned a young Maori girl striving to win the respect of her grandfather, who judges her

harshly because she is a girl rather than the boy he wanted. His initial rejection of her causes her great distress and gives rise to scenes of emotional intensity, which made the feature unsuitable for 'U'. Tonal issues like this must be taken into account alongside the more obvious issues listed in the Guidelines. Similarly, context and treatment might render a line of dialogue or sequence either suitable or not at a particular category. The Mandarin Chinese feature ***Springtime in a Small Town***, a slow-burning drama, handled its theme so discreetly that the attempted suicide of one of the characters could be contained at 'PG', whereas greater detail would have prompted a '12A'.

Comparative maturity of theme might be accompanied by a correspondingly increased intensity of tone, or by more powerful sound and visual effects than the 'U' category allows. A 'PG' film makes a greater allowance for language, although strong language ('fuck' etc) is always unacceptable at this level, and other examples of invective are judged according to their context and tone. Horror and violence at 'PG' are also examined in terms of setting and intensity. The distancing effect of a historical or fantasy setting might permit a greater allowance for fighting or horror as heroes combat evil creatures, but more realistic depictions of these elements might push a film up to '12A'.

The issues that result in a 'PG' classification are flagged up in the Consumer Advice, so that parents can make sensible and informed judgements about their children's viewing. The publicity material for the 2003 remake of the classic ***Peter Pan*** carried such advice clearly warning parents of the dark tone (derived from the original source play) and challenging any assumption that the name 'Peter Pan' is synonymous with anodyne entertainment.

One critical issue where the classification of violence is concerned is realism. In research commissioned by the BBFC and other regulators, children between ten and twelve years made a clear distinction when discussing ***The Lord of the Rings – The Fellowship of the Ring:***



The Italian Job '12A'
 Peter Pan 'PG'
 The Lord of the Rings -
 The Return of the King '12A'
 Finding Nemo 'U'

'The violence rating is tempered by the fact that it is a fantasy and the nature of the storyline is fantastical....the unrealistic nature of the violence (the drawn-out wounding of the central character) reminds the audience this is not real.' One girl remarked, 'A normal person would die after one arrow'. (*How Children Interpret Screen Violence – Andrea Millwood Hargrave, 2003*). The Consumer Advice for the Jackie Chan film, **The Medallion**, noted the moderate fantasy action violence that the film contained. While the quality of the violence might have seemed strong for 'PG', the fact that the scenario was unreal undercut the seriousness of the portrayal. Jackie Chan performed acrobatic martial arts feats well beyond the ability of the untrained which, combined with the magic conferred by the medallion of the title, produced a fantasy context that contained the violence at 'PG'.

Another potentially dangerous combat technique occurred in a trio of Bud Spencer comedy action videos made in the 70s and 80s, **Crime Busters**, **Even Angels Eat Beans** and **Double Trouble**, which came in for DVD release. Ear-claps were removed from these for a 'PG'. The Video Recordings Act 1984 provides a clear rationale for such cuts, based on the potential for harm resulting from viewing a video. The harm could be to the viewer, or to society at large from the subsequent behaviour of the viewer. The BBFC recognises that children are especially likely to copy what appear to be 'cool' fighting techniques in their play.

While violence in 'PG' films and videos might rise to the 'moderate' level, there are clear restraints on the amount of detail that may be shown. The Hollywood comedy feature **Secondhand Lions** was cut for details of infliction of injury and the display and use of a flick knife. This reflected current concerns about the proliferation of weapons and violence amongst the young. A scene in a diner showed a young boy looking on in amazement as his elderly but

tough uncle despatches a group of troublesome young men. The uncle disarms a punk, then ironically demonstrates to him how to hold his flick knife for maximum effect before disposing of the weapon and finishing off the whole gang with well-aimed punches and arm-twisting. The sequence was re-edited to remove the instructive flick knife elements without any damage to the narrative flow. In this case the violence was too strong and realistic-looking to be defused by the comic tone. By contrast, in the British comedy **Johnny English** the violence was sufficiently slapstick in nature to allow a 'PG' rating without cuts.

Another example of an imitable technique arose with the Malayalam film **Ente Veedu...Appoontem...** in which a child sprayed insecticide into the face of his infant brother. Although the film made the dangers obvious, the ease with which household aerosols can be obtained and used as a weapon made the Board question the acceptability of the scene at 'PG'. It concluded, however, that the on-screen consequences were sufficiently evident for the sequence to be allowed to remain intact. A similar issue arose in a 'making of' documentary for the 'PG' rated comedy **Clockstoppers**. The sight of an aerosol paint canister being punctured with a knife was in this case cut because the possible (and dangerous) outcome was not made clear. But decisions about what children at any given age might imitate are not easy to make. The BBFC errs on the side of caution at 'U', while allowing for some increased maturity and common sense at 'PG'.

One consideration in the classification of imitable techniques at 'PG' is the fact that the certificate covers such a wide audience range. Although the 'PG' rating signals that there are issues that might warrant parental caution, we know that many 'PG' rated videos are watched by children without adults present. This factor leads to cuts like those made to the trailer for the Eddie

Johnny English 'PG'
The League of Extraordinary Gentlemen '12A'
Igby Goes Down '15'





Peter Pan 'PG'

Murphy comedy **Daddy Day Care** in which a child drank bubble-mixture and then blew bubbles from his mouth. While this might be a good joke, it is possible that very young children might want to try it for themselves with possibly quite serious consequences.

Dangerous use of electricity prompted a cut to a re-release of the 1966 spy spoof **Our Man Flint** in a scene where an apparently dead man is revived by Flint using a light bulb socket. This cut was made to the original 1988 video version and is equally necessary now for a 'PG'.

While concerns about on-screen use and references to drugs at 'PG' are as relevant as at 'U', a certain degree of leeway is afforded by the Guidelines which allow 'No references to illegal drugs or drugs use unless entirely innocuous'. This proviso meant that **The Fighting Temptations** could be classified at 'PG' rather than '12A', despite a passing reference to a 'crack fiend' in a rap lyric heard on a radio. An important consideration was the comment by one of the characters that the expression was 'inappropriate'. A similar example cropped up in the Jack Black comedy **The School of Rock** (classified in October) in the form of a passing comic reference. The main character is incredulous when a fellow teacher complains that his music is disturbing classes. He comments, 'Miss Lemons must be on crack, right kids?' Again, the reference was fleeting, and used as a casual euphemism for 'crazy', and so not a sufficient reason by itself for raising the category from 'PG' to '12A'.

In the drama **Honey**, verbal drugs references were set against a background that acknowledged the existence of crack cocaine, but made abundantly clear the dangers of drugs and drug dealing. Since the anti-drug message was

paramount and appropriate role models were provided, the serious theme of drug abuse was just containable at 'PG'. However, the word 'innocuous' is a difficult guideline to interpret and we shall be seeking further guidance from the public involved in the Guidelines review.

Equally subjective is what is meant by 'mild bad language'. As in all categories, context and tone determine whether certain words are acceptable. Central to this issue of acceptability is estimating the potential level of offence and weighing up other factors, like comic context, for which an allowance might be made, or the *frequency* with which low level bad language occurs. Naturally this cannot be a precise process, since the individual's reaction to language is conditioned by personal background, experience and even the region where someone lives.

The fine decisions that have to be made on the basis of language may be illustrated by two feature films. The subtitled Chinese drama **Together** earned a 'PG' for the occasional use of the word 'bastard', and one of 'bitch', the latter not directed at another person. By contrast, the Hollywood feature **Uptown Girls**, in all respects a 'PG' film apart from the language, was rated '12A' on the basis of two utterances of the phrase 'slutbag whore'.



Problems can arise when there is a mismatch between parental and public expectations of a film, and the content of the film itself. An example of this is ***The Cat in the Hat***, classified 'PG' in 2003 for a 2004 release. Parental memories of the popular children's book would undoubtedly be confounded by the treatment afforded to this Dr Seuss classic. The language and sexual innuendo in the film did not accord with the tone of the book, and included a pun on 'hoe' / 'ho' (the latter as in 'whore') which would be entirely misplaced at 'U'. Other examples of similar humour confirmed the 'PG' certificate.

While mild sexual innuendo is permitted at 'PG', the boundary with the '12A' category is not always easy to define. In the S Club Seven film ***Seeing Double*** there was a very brief sight of a vibrating egg, apparently a sex toy, that one of the female characters takes out of her bag. The image was permitted at 'PG' only because we considered that the reference would totally escape the young audience. Indeed, no complaints have been received since the film's release. Greater emphasis on the object would no doubt have resulted in a '12A'. Research commissioned by the BBFC and other regulators notes that younger children 'were far from being the precocious sexual sophisticates imagined by some adult critics. Younger children's partial knowledge means that they often ignore or misinterpret many references to sexual matters, particularly where these are in the form of comic innuendo'. (*Young People, Media and Personal Relationships* – Buckingham and Bragg 2003). Similarly, passing verbal references to 'pornography' have been permitted in 'PG' video works, and are to be found in television series like ***The Simpsons*** and ***Futurama***. Any visual or stronger references would attract a '12' or '12A'.

The BBFC's attitude to nudity at 'PG' is relatively straightforward. Nudity that has no sexual element and is not the focus of the film or video, like swimming or bathing

scenes, is generally acceptable at 'PG'. Some Japanese anime works, like ***The Adventures of Lizer 3***, a sci-fi series, contain incidental female nudity. In one episode a female crew member stepped naked into an all-enveloping battle machine in which she then fought. The nudity was not detailed, with breast and genital area concealed, making it acceptable at 'PG'. Any sexualisation of the nudity would have required a '12' rating, as was the case with some episodes of the anime ***City Hunter*** series.

The general term 'horror' covers a range of possibilities: it might signify monsters, sci-fi aliens, creatures from the deep or the supernatural – or the simply scary. Live-action 'scary scenes' on film are treated with caution. These range from chilling images of the villainous Captain Hook in ***Peter Pan***, which were highlighted as 'scary' in the Consumer Advice, to the 'jump moments' in the Eddie Murphy comedy/horror feature ***The Haunted Mansion***. The term 'horror' might equally apply to medical detail in a feature or documentary, but we make every effort to be as specific as the Consumer Advice allows about what has caused the 'PG' rating. The documentary, ***The Boy David Story*** about a young Peruvian child treated for severe facial deformities, was acceptable at 'PG' despite the inevitable degree of medical detail. We were able to rely upon the attendant Consumer Advice (generated, as always, by BBFC examiners) to alert the squeamish.



The Cat in the Hat 'PG'
Pirates of the Caribbean -
The Curse of the Black Pearl '12A'
Holes 'PG'





‘12A’ Cinema ‘12’ Video May be unsuitable for children under 12 years

Before the introduction of the ‘12’ category for cinema in 1989 and in 1994 for video, anyone under the age of 15 was restricted to the relatively limited fare of the ‘PG’ category. Films and videos relevant to the age and development of 12–15 year olds might be raised to the ‘15’ category, and out of their reach, by a single issue which was unsuitable at ‘PG’. For instance, one use of the word ‘fuck’ might make an otherwise ‘PG’ film a ‘15’. The introduction of the ‘12’, in line with the practice in many other countries, meant that there was no longer an unrealistic gap between ‘PG’ and ‘15’.

Despite the introduction of this intermediate classification, the Board continued over the years to receive letters from parents objecting to the fact that they could not take their 10 or 11-year-olds to see the latest blockbuster at the cinema even though they believed the film to be suitable.

We know that the development of children varies considerably, perhaps particularly in this age group. Many parents have been clear that their children are capable of dealing with quite mature themes and content. After a pilot experiment in all the cinemas in Norwich and a nationwide consultation, the Board in August 2002 replaced the ‘12’ cinema category with the ‘12A’ category. It is supported by Consumer Advice on posters, TV advertisements and listings giving a brief indication of the film’s most notable content in terms most usually of the violence, sex, horror or language. This information assists parents to make informed decisions about what their children can watch.

‘12A’ is not another version of ‘PG’. As the Guideline definition quoted above (and also in the lobbies of all cinemas) makes clear, the ‘12A’ means that the theme, treatment and content of a film *may be unsuitable* for children under 12 years. A responsible adult may take children under 12 to a ‘12A’ film if they believe that they are robust enough to cope with the rather more intense levels of action and complex themes than are found at ‘PG’. The children must be accompanied by an adult throughout the performance. The new category has brought a few problems of its own, especially when a particular ‘12A’ work is quite close to the margins of a ‘15’ or the material may upset the smallest children or it entirely fails to engage a younger audience. Bored youngsters become restless and this can result in the enjoyment of a film being spoiled for others. On the basis of complaints received it is apparent that some adults have made less than responsible decisions by, for example, taking very young children to see films such as the ‘12A’ rated ***Terminator 3*** and ***The Hours***. The Board undertook when the new category was launched that it would keep it under review. As part of the current Guidelines consultation, we will be asking the public for their views about ‘12A’. In particular we are interested whether they would prefer a lower age limit (for instance, eight years old) to be placed on ‘12A’ films.

The Hours '12A'





Agent Cody Banks '12A'
Confessions of a Dangerous Mind '15'
Bruce Almighty '12A'

In deciding what makes a work appropriate for the 12–14 age group the Board appreciates that many adolescents, and some younger children, are media literate and familiar with the conventions and structure of different genres, for example, through TV programmes. However, the '12A' category recognises that those best placed to decide what is most suitable for children younger than 12 are their parents or guardians. On video the requirement that no one under the age of 12 can rent or buy a '12' rated video is reflected in our obligations under the Video Recordings Act to take account of elements which could be harmful to this age group, including dangerous techniques which can be slowed down and replayed. If a film contains issues which do not comfortably fit within the parameters of the '12A'/'12' Guidelines, and the distributor specifically requests a '12A'/'12' rating, then cuts have to be made, most notably where unacceptably violent or even sadistic action is shown or where potentially dangerous or instructive detail is present.

As with the 'U' and 'PG' categories, the head butt remains a concern at '12A'/'12'. This combat technique, frequently employed by the major action heroes of the 90s, has gradually worked its way into films intended by their producers for younger audiences. Provided they are delivered effectively, head butts are capable of causing maximum damage to the victim whilst leaving the assailant relatively unscathed. They are, of course, easy to emulate.

As a consequence, cuts to head butts are frequently called for. The extent of BBFC intervention, however, does depend on the level of detail and the context within which these acts takes place. What is of particular concern is when the perpetrator is a charismatic character with the potential to act as a role model for younger viewers. Equally, cuts may be made where heavy impact sounds accompany the action and the follow-on shot lingers with some relish on the bruised and bloodied victim. The construction of such sequences often gives the impression that the head butt may be something to be applauded rather than condemned.

Charlie's Angels: Full Throttle had a particularly crunchy head butt removed, notwithstanding that it was delivered by a villain to one of the 'Angels'. A different solution was found in the case of the French film **Effroyables Jardins**, a fairly gentle comedy-drama about the capture of a local resistance group by Nazi soldiers during World War 2. Although it contained a strong head butt, the distributor did not want the work to be cut. As a result it was classified uncut at '15'.

It is not just head butts that cause the BBFC concern at the lower categories. The double ear-clap – again a violent act beloved by the heavy-duty action heroes of the past – is another imitable combat technique which has gradually found its way into films intended for younger audiences. Were they indeed to copy the technique it could result in perforated eardrums. Consequently **Agent Cody Banks**, a spy drama with huge junior appeal, was cut for its clear display of a double ear-clap.

The windpipe, or throat chop, is another technique that can result in serious injury to the victim. Although less common than head butts or ear-claps, a throat chop made a brief appearance in the submitted trailer for the '15' rated **Confessions of a Dangerous Mind**. The distributor had requested a '12A' so that it could play with a wider range of films. However, given the unbidden nature of trailers, and the fact that the technique appeared out of context, the throat chop was cut. The Board errs on the side of caution when dealing with such fighting methods at the junior categories. As part of the Guidelines review in 2004, the public will be asked whether we are in this respect too cautious or not sufficiently interventionist.

Violence has always played an important part in children's literature and films and some researchers even suggest that fictional violence may provide a safety-valve allowing younger people to conquer their fears. Nevertheless, at '12A'/'12' the Board strives to ensure that presentations of violence – whether serious or comic – are in keeping with

what most adults would consider appropriate for young adolescents. This requires the Board to make judgements about the manner in which violence is portrayed in films. In making decisions our chief concerns at every category include: the portrayal of violence as a normal solution to problems; heroic role models who inflict pain and injury without good cause; callousness towards victims; encouraging aggressive attitudes; and taking pleasure in the sadistic infliction of pain or humiliation. Those works that glorify or glamorise violence will always receive a more restrictive classification and may even be cut.



Theme and context play as important a role in the decision-making process as the actual detail of the violent act. In 2003 excessive use of violence was an issue in the film **2 Fast 2 Furious** for which the distributor requested a '12A' rating. The work contained a scene in which the two 'heroes' corner the 'villain' and proceed to stamp and spit on him after he has been subdued. This was judged to be beyond what is acceptable at this level and was cut to achieve the '12A'.

The acceptability of the use of weapons and any accompanying bloody effects may depend upon how

readily available those weapons are and the likely effect upon the audience. In some instances, film-makers may illustrate the effect of a bullet or knife upon the human body in a manner that glamorises the weapon. Violent street-crime today increasingly involves deadly and easily accessible weapons that need no additional glamorisation.

The sight of blood is a device to encourage us to believe that what we are viewing is real. However, the amount of blood shown can go beyond what is acceptable for a particular category. Explicitly bloody scenes do not sit comfortably with 'family viewing' at '12A' and the relevant Guidelines specifically forbid any emphasis on injuries or blood. One example of a film which fell foul of the Guidelines was the South Asian film **Dum**. Fifteen seconds were cut from a scene where the hero holds a gun to the villain's forehead, pulls the trigger and the bullet is shown exiting the back of the man's skull together with sight of bloody brains. Multiple bloody impact effects were also removed for another South Asian film, **The Hero – Love Story of a Spy**.

In some cases the frequency and strength of the violence is such that cutting cannot achieve the desired result without seriously damaging the narrative. An example of this was the video version of the Cantonese TV series **Vigilante Force** whose narrative could have been accommodated at '12' but which was ultimately pushed to '15' because of the strength and quantity of the violence throughout.

The use of strong language in films is an issue that continues to exercise the Board and public alike. It is difficult to regulate such language in a way that satisfies everyone since reactions to it can be very subjective. Some parents and older people are frequently shocked by the use of terms that were once deemed utterly taboo. This is further compounded when the strongest words are spoken by children. On the other hand, many people are



Kiss of Life '12A'



Terminator 3: Rise of the Machines '12A'
American Pie: The Wedding '15'

considerably more relaxed about the use of strong language and often make the point that the language in films is not significantly different from what may be heard in the playground. Nevertheless, the BBFC receives regular complaints about bad language in films, particularly when it occurs in the junior categories.

In the case of the '12A'/'12' category we limit the use of the strongest language. Where strong language is used at all it must be rare and justified by context. In practice, this means that no more than one or two uses of the word 'fuck' are likely to be permitted. This can prove problematic with some Hollywood films where screenwriters will often insert a single use of the word into the dialogue in order to guarantee the more profitable (because more street-credible) American 'PG-13' rating, and it is arguable whether this use is contextually justifiable or not. Very rarely, more than one or two uses of the expletive may be allowable, a case in point being the film ***Terminator 3: Rise of the Machines***. A '12A' rating was considered appropriate for the general theme and content of the latest instalment of this popular, well-known series. However, the film contained three uses (or variants) of the word. Certainly, they seemed adequately justified by their context, given the character's realisation that humanity was about to be wiped out. The Board judged that the language (in a two-hour film) was sufficiently 'rare' and was not designed to offend the audience. And indeed it does appear that the great majority of the (huge) audience for this film was more willing to accept it than might have been the case in other films and contexts. However, the Guidelines review will be testing public concerns about strong language to see whether or not we have been correct in our assumptions.

Milder expletives can also provoke occasional complaints – if the context is unexpected. A number of individuals wrote to express their annoyance at the presence of such language in the '12A' trailer for the '15' rated ***Blackball***. This comedy about a foul-mouthed Crown Green bowling player included the words 'tosser', 'wanker', 'twat' and 'bollocks' and these followed each other rapidly within the short time-span of the trailer. For some, this was an unacceptable level of bad language at '12A', especially given the unbidden nature of the trailer. Consumer Advice cannot realistically be provided for them to alert viewers to what is coming. The Board is therefore considering whether we should in future be more cautious than we already are in classifying '12A' trailers.

The strongest language is not allowed under any circumstances at '12A'/'12' and is sometimes bleeped out for works seeking this category. An example of this was a 'motherfucker' bleeped out of the DVD of ***Bringing Down the House***.

The appropriateness of illegal drug use or references to drugs at the '12A'/'12' category remains a major concern for the Board and one that is not always easily resolved. Foremost is our concern that any representations do not promote or encourage the consumption of illegal drugs. The Board is acutely aware that most of society is seriously concerned about the issue of drugs and any material that might be perceived as promoting their use is unlikely to be tolerated. Similarly, we are concerned about films that may trivialise the issue or give the appearance that it is a normal and acceptable activity. As ever, theme, treatment and context are the essential elements we need to bear in mind when making the final decision. Films that treat the subject

intelligently and critically may be given more leeway than those that appear to suggest that drugs may be harmless fun. In the event, illegal drug depictions are rarely found in works under '15', although occasional verbal references are not unusual. A humorous but critical treatment was acceptable in the case of the film ***Bedazzled*** in which Brendan Fraser found himself being granted three wishes by the Devil in return for his soul. His first wish is to be rich and his wish is granted, but not quite in the way that he expected. He is transported to South America where a number of armed toughs appear to be preparing a strange white powder. He sniffs it and realises that his wish to be wealthy has been deliberately misinterpreted by the Devil who has turned him into a greedy cocaine baron. In a less derogatory context, the cocaine reference would normally be beyond the scope of the '12A'/'12' Guidelines. Here the 'lifestyle' had been deliberately made unattractive.

In 2003 a touching film about a mother suffering from a terminal illness, ***Pieces of April***, was classified at '12A'. It featured a brief moment in which the mother attempts to alleviate the pain by smoking cannabis. It was clear that this was not a recreational use of the drug, but an attempt to portray realistically an issue that, for some people, does not always have entirely negative connotations. Certainly, the theme of someone coping with a terminal illness lent a

sombre mood to the work and could not possibly be mistaken for an attempt to excuse or normalise non-medical use of a drug.

Sex, nudity and sexual references caused less difficulty at '12A'/'12' in 2003 than violence and drugs. However, the nudge-nudge, wink-wink innuendo of the ***Carry On*** films has been replaced by rather more overt references that can cause embarrassment for some cinema-goers. This seems to be particularly the case for adults in the company of younger children, even though those children may fail to comprehend the meaning. At '12A'/'12' the Guidelines allow for nudity both in a natural and sexual context, though in the latter case it must be brief and discreet. Similarly, sex may be implied, but should be within the context of a loving relationship. It may reflect the familiarity of most adolescents with sex education gained through school.

Where films do not easily fit into one category a considered judgement has to be made which may not satisfy everyone. One particular example was the Welsh feature ***Y Mabinogi (Otherworld)***. Based on the ancient Welsh folk tales, its mythic fantasy setting and use of animation argued for a possible 'PG', but the violence and especially some animated male and female nudity (and the impression of a naked couple having sex) made it just too strong for that category. The fact that the sexual content was animated, rather than live action, obscured any realistic detail and kept the work, in the Board's view, below the '15' threshold. Nevertheless, the inclusion of such detail in the trailer for the film was not thought acceptable at '12A' because of the unbidden nature of trailers which lack the context offered by the feature. The sexual scenes permitted at '12A' in the feature were therefore deleted from the trailer.



Spirited Away 'PG'
Daredevil '15'
Secondhand Lions 'PG'



American Pie: The Wedding '15'



Sexual humour and innuendo are probably the most difficult of all issues to classify since their acceptability to an audience often depends on the individual's reaction to the joke. A sexual joke may be offensive and crude to one person, whilst another might think it hilarious. Balancing the pros and cons of such humour against the likely appeal of a film is particularly difficult in the case of trailers and the '12A' trailer for the '15' rated **American Pie: The Wedding** proved to be no exception. Some rapid fire innuendo was followed by a visual gag in which a woman in a restaurant goes underneath a table to retrieve an item dropped by her fiancé. As she does so, her fiancé's father enters the restaurant and (it is implied) assumes that what he is witnessing is an act of oral sex. We felt that this could be contained at '12A' on the basis that the oral sex joke was not particularly evident and would probably be missed by most children. However, a number of correspondents disagreed and thought it inappropriate for younger viewers.

Horror works are a particular challenge within the '12A'/'12' category. For many people 'horror' conjures up images of supernatural creatures and murdering psychopaths, but the genre does not always fit easily within this model. For instance, the film **Jaws** was not a traditional horror film, but reputedly succeeded in scaring people to such an extent that many refused to go swimming for a long time. The most successful horror films in fact tend to play upon our own innermost fears. Before the Board can pass a horror work at '12A'/'12', we have to consider whether the sensations generated by the film are so great that younger people, whose imaginations may be more receptive, may actually be disturbed by the experience. It is often the film's ability to play upon the imagination (rather than its explicit visual details) that can make this task so difficult. '12A'/'12'

rated films, like **Signs** and **The Others**, are typical of this style where a brooding, threatening atmosphere is created yet little explicit 'horror' is shown. Although the Guidelines allow for '...sustained threat and menace...', **The Others** generated a fair amount of comment from the public, some of whom thought it far too spooky for children.

However, the combination of horror and violence is an inevitable feature of many works. At the higher categories **A Nightmare on Elm Street** and **Friday the Thirteenth** typically feature victims being hacked and slashed to a bloody death. This level of detail is entirely unacceptable at '12A'/'12' and we will only permit brief and minor moments of blood-letting dependent on context. An example of this in 2003 was **Dracula – Pages from a Virgin's Diary** which took the form of a ballet performance in the style of a silent, black and white film. It contained moments of violence, including the skewering of Dracula on a stake, complete with sight of blood. However, it was felt that the familiarity of young audiences with similar imagery in popular television series such as **Buffy the Vampire Slayer**, together with the highly stylised nature of the horror and violence, allowed the film to be passed at '12A'.

Finally, another trailer proved rather too much for some of the '12A' audience it was intended for. The trailer for the '15' rated **Jeepers Creepers 2** featured unsettling images of a scarecrow suddenly turning its head to camera and a glimpse of a demonic figure also leaping towards the camera. There was no violent content and the degree of threat and menace present in this short work was considered acceptable at '12A'. However, a number of complaints were received from adults whose children had found the 'jump' moments and scary figures rather too frightening. Responses of this kind will be factored in to the consultation research referred to earlier.



Suitable only for 15 years and over

The BBFC recognises that, by the time they reach 15, most young people have developed the levels of maturity and understanding necessary to deal with more complex film themes and issues. Possible 'harm' is still very carefully considered, although we accept that by this age young people are likely to be making their own viewing choices and able to 'self-censor' where necessary. Nevertheless, we also appreciate that parents and guardians still have some influence and control and will be concerned about issues such as drug abuse and sexual violence.

This is not an age group where it is possible ever to satisfy everybody. What is unsuitable for a 15-year-old may be perfectly acceptable for someone approaching 18, but the Board will always tend to err in favour of the younger rather than the older end of the scale. However, more latitude is allowed at '15' than would be acceptable at the more junior categories, particularly in relation to potential offence. Matters of taste become of lesser concern at this level and we allow more freedom with regard to bad language, sex, and sexual references so long as our judgements are in line with what parents could reasonably expect a 15-year-old to know.

When it comes to scenes raising questions of potential harm, such as violence or drugs, the Board is more likely to intervene. One area of particular concern at '15' is

dangerous and imitable techniques. The concern here rests with representations of novel techniques that may cause serious injury either to the imitator or to a third party as a result of their behaviour. An example of this is youth-orientated works that contain explicit images of characters attempting to kill themselves in ways that are both unfamiliar and lethal. In 2003, the video work ***Just a Kiss*** was cut to remove the sight of a woman character attempting to kill herself in a more effective variation of the conventional wrist-slashing technique. Our professional medical advisers were concerned enough about this method to warrant its removal. Another work, ***Garage Days***, contained bonus DVD material that included scenes deleted from the original film. One scene offered visual and verbal instruction on how to render oneself unconscious with no indication of the serious dangers. This scene was removed from the classified version. A work featuring the WWE wrestler, Ric Flair, also had a sequence removed in which a plastic bag was used to cut off the oxygen supply of one of the wrestlers. Although in this case the dangers of the technique were fairly obvious, it was altogether too easy to copy. WWE works attract younger audiences and it was felt that, even at '15', there was a significant risk that younger viewers could access the work. This is one example where the robust majority have had to take a back seat in order to safeguard a more vulnerable minority.

It is instructive to compare the role of violence in '15' rated works today with what was being produced only 10 years ago. In the mid-1990s, the Board was concerned about what it called Hollywood's love affair with violence. The 90s was the period when action heroes such as Arnold Schwarzenegger, Jean Claude Van Damme, Sylvester Stallone and Steven Seagal were at the peak of their box-office success. As each new film attempted to outdo the violence of the previous one, the Board's response was to require cuts to films such as ***Eraser*** and ***Under Siege II***, before they could be considered acceptable for a 15+ audience. However, cinema has



Swimming Pool '15'
Spun '18'

The Lord of the Rings - The Return of the King '12A'



moved on to other genres and the '15' rated action movie is usually now restricted to the occasional video feature. A rare example of a film submitted last year that met the criteria of the old-style action movie was **The Rundown**, which sought to make a new old-style action hero of the wrestler known as The Rock. It was not, however, so violent as to require BBFC intervention at the '15' rating level. It did suggest that there is plenty of potential still for new Schwarzeneggers and Van Dammes. In the meantime, it is evident that violence has, if anything, been toned down in order to achieve the more profitable American 'PG-13' rating or the UK '12A' rating.

At the same time there is evidence that the image of the strong, macho hero has been adopted by some South Asian film-makers. The violence is usually mitigated by the inclusion of song and dance routines or a comic thread. Two South Asian films, **Hawayein** and **LOC Kargil**, tested the boundaries of violence at '15'. While the theme and treatment in both works was considered acceptable at this level, occasional and extended moments of strong, bloody violence were in conflict with the Guidelines, which state that, whilst scenes of violence can be strong, they may not dwell on the infliction of pain and resultant injury. The sheer volume of bloody detail, as the slow-motion camera focused on the impact of bullets, pushed **LOC Kargil** into the '18' category. Similarly, **Hawayein** would have been acceptable at '15' until a climactic fight scene where its breach of the Guidelines, which constrain 'dwelling on the infliction of pain and injuries', resulted in an '18' rating.

The Board's Guidelines at '15' do not permit an emphasis on the use of easily accessible lethal weapons. In the past, regulators have tended to take a relaxed view about firearms in Hollywood movies on the grounds that Britain lacked the gun culture that existed in the USA. However,

there are signs that ownership of firearms is now increasing amongst younger people. This may so far be restricted to criminals and street gangs, but it is a worrying trend. In a world where the real issue is one of *supply*, it must be doubtful whether films have any significant influence in this. Nonetheless, the obsession with weapons in Hollywood films shows little sign of abating, and may become a greater concern for the Board.

Another major issue at '15' is the presentation of drug use and abuse. The Guidelines state that drug-taking may be shown but clear instructive detail is unacceptable. Furthermore, the film as a whole must not promote or encourage drug use. We accept that honest representations of drugs and drug use should reflect the awareness the audience has of the role drugs play in contemporary youth culture. This, of course, must be tempered by ensuring that such depictions are responsible and do not give the impression that drug use is a normal or consequence-free activity. Non-critiqued works, where drugs play a significant role in the narrative, are unlikely to meet the criteria of acceptability at '15'.

Occasionally we are presented with a treatment of drug-taking which, erring on the side of caution, might take the film into a higher category. However, sometimes the context can mean that a film may be contained at '15'. In the cinema, in contrast to video, the potential for under-age viewing is more limited and it is impossible to replay scenes over and over again. In 2002, the film **City by the Sea** featured a scene in which the preparation and ingestion of crack cocaine was implied, but considered to be fleeting enough for a '15' rating for cinema. When it came to the video, however, the ability to replay a scene as often as you like, and out of context, meant that the work was rated higher at '18'.

The film ***Man Dancin'*** (for release in 2004) was a possible candidate for an '18' because of a scene in which the hero, who has started a crusade against the local gang boss, finds himself being forcibly injected with heroin by the villain's cronies. The scene included shots of the drug being prepared before being injected into the victim's arm. However, although the detail was strong, the focus of the scene was on a form of torture with no implication of drugs being taken for pleasure or relief. The scene was in fact clearly aversive rather than alluring, and taken together with the film's overwhelmingly anti-drugs narrative, this led to the conclusion that it could be given a '15' rating for cinema. However, like ***City by the Sea***, the work will be reconsidered carefully when it is submitted for video release.



It has already been noted that, by the time an audience reaches the age of 15, matters of offence, taste and decency are rather lower down on the list of our concerns. However, the question of bad language and what is or is not appropriate for this age group continues to be a problem, especially when it comes to extreme verbal abuse and the strongest expletives. While the Guidelines permit multiple uses of the word 'fuck' at '15' in line with public opinion, the word 'cunt' presents peculiar difficulties since it tops the list of swear-words found to be most

offensive to the public. Whether or not this term is acceptable at '15' at all is dependent on the context in which it is used and how it is expressed. Even so, the use of the word at '15' continues to be only rarely acceptable.

Touching the Void – a UK dramatised documentary reliving the story of two mountaineers struggling to survive after an accident – featured one of the mountaineers berating himself for failing to appreciate the difficulties of the climb. Stuck in a crevasse on his own with death seemingly imminent, he screams: 'You fucking cunt!' It was agreed that, within this particular context, the audience was simply being asked to identify with the man's frustration and fear of dying and the expletive itself was neither gratuitous nor deliberately intended to offend. The film accordingly received an uncut '15'. In a similar vein, ***The Mother*** featured a scene in which the main character, fuelled by cocaine, railed against the injustices of the world and in his frustration used the expression 'fucking cunt'. Again, the context of the expression was considered appropriate, and the film was passed '15'.

Gratuitous use, or uses merely intended to deliver shock or offence, are likely to be treated less leniently (though there are no constraints at '18'). In the video ***Old School – Inside the Actors Studio – Revised*** a man is asked, in a deliberately provocative way, what his favourite swear-word is and he responds by repeating the term 'whore-cunt' twice. The Board did not accept this and the company chose to remove the expression in order to gain a '15'. In the work ***Deathwatch – Featurette*** the line of dialogue: 'You bunch of fucking, nancy, scumbag cunts' was considered to be both contextually unjustified and offensively aggressive in delivery and was cut for '15'. The Board is aware of public sensibilities about expletives through research by other regulatory bodies and also through its own public consultation process. Nonetheless, this is an issue which will be kept under review and is included in the list of topics to be debated by the Guideline review focus groups.

Touching the Void '15'



The conventions of the horror film have remained fairly constant throughout the history of cinema and most teenagers know what to expect from such films. People pay to be scared, although some can feel uneasy unless there is a comforting resolution at the film's conclusion. Contemporary horror films offer the thrill of anticipation often coupled with the latest, and usually bloody, special effects, and our Guidelines make some allowance for this. Difficulties arise however where, for example, terrorisation of victims is sustained, where the infliction of pain or injury is dwelt upon or where sexual violence is included. Such material is likely to result in an adult rating or even cuts unless sufficient mitigating factors are present. These may include comedy or a narrative that encourages the audience to take the various horrors with more than a pinch of salt.

Older works in particular may well seem risible to modern audiences, but this by itself is unlikely to be the deciding factor when determining the correct category for a film. The Board needs to bear in mind that audiences of the generation brought up on the gothic horror of the 'Hammer' films may find some modern horror films, with their excess of bloody violence, difficult to stomach. By contrast, the younger generation that has graduated on films such as **A Nightmare on Elm Street** and the **Friday the 13th** series is likely to be more robust in dealing with this type of material. Generally speaking, though, horror works can often be accommodated at '15', so long as there is no possibility of real distress to the likely audience.

Like other genres there are occasions when a horror work falls on the margins of '15'/'18'. In 2003, **Cabin Fever** proved to be a case in point. In this film, the unseen threat is a flesh-eating virus that infects a group of teenagers in a

log-cabin in the woods. Although this involves no 'violence' in the conventional sense, the scenes of copious blood-letting (largely arising from the effects of the virus) brought the film close to the upper limits of acceptability at '15'. The Board had previously given a '15' rating to the comparably gory attack by non-human agents in the 2002 work **Dog Soldiers**, though the violence in that case was more explicit. In the case of **Cabin Fever**, the fact that the bloody effects were completely out of proportion to the infection served to undercut their realism almost to the point of black comedy. After careful consideration, the film was passed '15'.

Though portrayals of sexual activity are restricted at the 'U', 'PG' and '12A'/'12' levels, more graphic depictions may be allowed at '15', depending on the context and whether the scene takes place within a responsible and loving relationship. The BBFC's Guidelines for '15' reflect the developing maturity and understanding of most teenagers about relationships and sex. From the 2003 research document *Young People, Media and Personal Relationships*, it is clear that young people do learn to an extent about these matters from the media. Parental ability to control exposure to sex in the media becomes more difficult as the child approaches adulthood, but if a work approaches the subject of sex and relationships in a proper and responsible manner, there may be little reason to deny the average 15/16-year-old access to it. Complaints about sex in '15' rated films are now rare. The example of **Monsters' Ball**, classified for video in 2003, produced the record number of three complaints in spite of a frankness of sexual portrayal which would not have been possible before the present Guidelines and the evidence of modern public tolerance of such portrayals of loving relationships.

Veronica Guerin '18

Cabin Fever '15

Intolerable Cruelty '12A



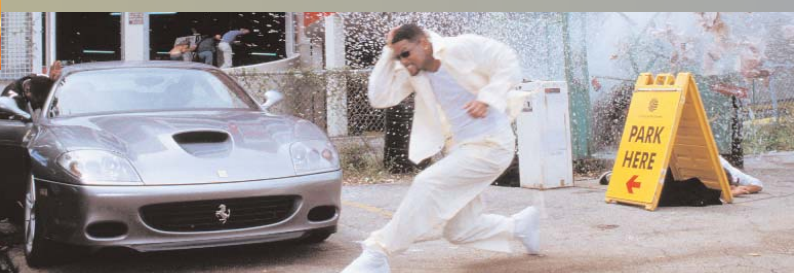
This enabled ***Cold Mountain*** to receive a comfortable '15' rating in 2003 in spite of a scene of love-making which would have been unacceptable below '18' in the 1990s. Similarly, resubmissions during the year of video versions of ***The Comfort of Strangers*** and ***White Palace***, which had both been rated '18' in 1991 for sex scenes, were well contained now at '15'.

At the other end of the scale, two very successful films which were in all other respects '12A' in content were uprated to '15' because of scenes which could not otherwise be accommodated. One was ***Good Bye Lenin!*** which contained a scene in a sex shop which showed (moderate) pornography on a television screen; the other was ***Lost in Translation*** which included a single scene in a striptease bar.

Of rather more concern is the issue of sexual violence which at '15' must be narratively justified and also brief and discreet. Without the vital justification it is likely that such material will be restricted to the adult category or even cut. This was the case with two video works in 2003. ***Angels' Wild Women*** and ***South Shaolin vs North Shaolin*** both featured prurient and exploitative scenes of rape. Cuts were required to remove the sexual assaults in part, or entirely, to obtain a '15' rating.







El Crimen del Padre Amaro -
The Crime of Father Amaro '15'
Bulletproof Monk '12A'
Bad Boys II '15'



Suitable only for Adults

At lower classification levels, concerns about the suitability of a film for its natural audience can usually be dealt with through the award of a higher category, but at '18' very often the only available alternative is to cut. Guidelines for the '18' category therefore reflect a desire to balance concerns about protecting the right to freedom of expression with the need to protect vulnerable individuals, and wider society, from possible harm. This position corresponds with the legal framework within which we operate, taking into account the Human Rights Act 1998, the Video Recordings Act 1984, the Obscene Publications Act 1959, and other legislation (see **Legal Issues**).

The Human Rights Act formally gives effect to the rights and freedoms guaranteed under the European Convention on Human Rights, which include the right to receive and impart information and ideas (which includes entertainment) without interference by public authority. However, this right is subject to necessary legal restrictions, to the interests of public safety and to 'the prevention of disorder or crime... the protection of health or morals... the protection of the reputation or rights of others'. Any intervention by public authority must be proportionate to the mischief it seeks to alleviate. The extensive consultation process that led to the creation of the current Guidelines in 2000 also indicated public support for a policy based upon censorship for adults only when issues of harm or legality arose.

Since its amendment in 1994, the Video Recordings Act has placed a duty on the Board to have 'special regard (among the other relevant factors) to any harm that may be caused to potential viewers or, through their behaviour, to society by the manner in which the (video) work deals with: criminal behaviour; illegal drugs; violent behaviour or incidents; horrific behaviour or incidents; or human sexual activity'. During 2003, the BBFC has continued to give 'special regard' to harm issues, using classification at '18' where appropriate and cutting or rejecting material where necessary.

The issue of harm may arise in a wide range of material but perhaps the most obvious concern is that harm may be caused through the direct imitation of behaviour witnessed in films or videos. The Board operates on the assumption that adults are far less likely to copy dangerous activity than children but recognises that the potential for harm through imitation does not necessarily disappear completely with age, even in works passed for adults only. BBFC Guidelines for '18' state that the Board may 'cut or reject...any detailed portrayal of violent or dangerous acts which are likely to promote the activity' and during 2003 there were again a number of video works containing scenes which required intervention.

The new 'reality TV' genre has given rise to a number of extreme stunt videos, many of which started life on television, the most famous being MTV's **Jackass** series. These typically feature groups of young male friends amusing each other and their audience by engaging in activity which is stupid, scatological or just downright dangerous. In the apparent need to outdo those videos that came before, videos submitted in 2003 took the **Jackass** formula and pushed its boundaries a little further, sometimes too far.

At the adult category the Board is much less concerned about stunts which are clearly likely to be harmful or which are difficult to replicate. However, concern increases where activities are not so self-evidently dangerous or are presented in a manner which suggests they may be easily imitated. Concern is heightened still further when the activity appears to be fun. In such cases the BBFC may require the addition of appropriate warning captions or, in the worst cases, cuts. This approach is broadly in line with that taken by the television regulators in relation to broadcasts of similar (and sometimes identical) content. It resulted in cuts to two videos featuring one of the best known 'stars' of this type of material: Steve-O.

In addition to obviously dangerous activities, **Steve-O Out On Bail** and **Don't Try This At Home – The Tour** contained readily imitable stunts which had the potential to be fatal but were nonetheless presented as fun and without any apparent harmful consequences. In the first video, for example, Steve-O's friends choked him in a headlock until he lost consciousness. This potentially lethal activity was repeated many times. This and similarly irresponsible content was cut by the Board for '18' classification. Another 'stunt' video, **Bumfights – Cause for Concern – Volume 1**, was so extreme and exploitative that it was rejected outright (details of this may be found in the section of this Annual Report under **Rejects**).

Occasionally the BBFC will seek expert advice in order to assess the likelihood of imitation or the possibility of significant harm resulting from it. This approach was adopted in relation to another 'reality' video, **Getaway in Stockholm 3**, which featured high-speed driving on public roads in Sweden. Following on the heels of its 2002 prequel, police advice was again taken before the decision was made to pass it at '18' with a cut to an easily imitated and potentially dangerous stunt.

The same approach is taken with scenes which appear to demonstrate, in detail, little known and highly effective forms of suicide. After taking advice from a specialist in the field of suicide prevention, **The Rules of Attraction** was cut for video release to remove very detailed images of a technique which was relatively unknown and which significantly increases the chances of a suicide attempt resulting in death. The scene had been passed uncut at '18' on film, but the wider availability of video – including to younger viewers – and the opportunity to replay scenes over and over again, increased the concern to a level which justified the Board's intervention, even at the adult rating.

The BBFC Guideline relating to dangerous acts at the '18' level explicitly includes illegal drug use. Promoting or encouraging the use of illegal drugs indeed is unacceptable at *any* category. On the other hand, the existence of illegal drug use in the real world means that it is bound to feature in a wide range of film and video works, from serious documentaries to big budget feature films. It is reasonable for film makers to seek to portray illegal drug use credibly. Indeed, the BBFC recognises that there is a wide range of information about drug use available to the general public and the Board keeps itself in touch with current trends in drug use and initiatives in combating it. As a result, we are unlikely to censor for adult audiences material which merely depicts widely known drug-taking procedures and which is not promoting the activity.

In most cases of this kind, classification at the highest category is judged to be the most appropriate and proportionate response. Films such as **Thirteen**, a vivid American film about the harsh rites of passage of a teenage girl and which included scenes of aerosol and cocaine abuse, and **Pure**, which portrayed the cost of drug abuse on a single mother and her young son, might have been classified below '18' were it not for the explicit scenes of drug taking.

Whale Rider 'PG'





Pure '18'
Freddy vs. Jason '18'
Werckmeister Harmonies '12A'

The BBFC has, however, continued to cut works in the adult category if they offer detailed, step by step information on techniques which are not common knowledge and which might encourage viewers to engage in drug use for the first time or in a new, potentially harmful, manner. For instance, the 1969 Barbet Schroeder work **More** contained an unusually detailed scene of heroin preparation and injection which had been cut on film in 1970. This cut was replicated for the film's video release in 2003. Whenever the Board is in doubt, expert opinion is sought. **Spun**, a US drama which focused on the lives of methamphetamine users and dealers in an unnamed US city, was passed uncut at '18' only after consideration of a report from a Senior Lecturer and Consultant Psychiatrist in addictive behaviour which judged the risk of the film assisting or encouraging experimentation in the UK to be minimal.

However, a modern-day, low budget US drama, **Gang Tapes**, which followed the activities of a criminal gang who steal a video camera and film their subsequent activities, contained a detailed and instructive scene showing how to prepare crack cocaine. This was removed before the work was classified '18'. The previously mentioned **Steve-O Out On Bail** also required the removal of a detailed scene in which Steve-O is seen to prepare and ingest Ketamine, a powerful animal tranquilliser, an activity which can result in death. By contrast, **The Magic Weed**, a documentary on cannabis, included a potentially instructive sequence about rolling 'joints'. After consideration it was decided that there was nothing sufficiently novel or unknown to the majority of the likely audience to prevent the video being passed '18' without cuts.

Bad Lieutenant, a 1992 film starring Harvey Keitel as a depraved cop finding redemption through the investigation of an horrific crime, had been cut on video in 1996 to shorten a scene of heroin injection. When it was

resubmitted in uncut form in 2003, the BBFC took note of the expert clinical advice we had sought in relation to **Trainspotting** the previous year. It was concluded that the exceptionally sordid and joyless scene lacked the elements of instruction or promotion which would now justify cuts. The sequence was consequently passed uncut at '18'.

The 2003 video submission of **Bad Lieutenant** also reinstated a previously cut sequence of sexual violence, the crime which provokes a change in the central character. The Board has long operated a strict policy on sexual violence, and BBFC Guidelines state that cuts are likely even at '18' where 'the portrayal eroticises or endorses sexual assault'. The Guideline is not intended to prohibit sexual violence as a legitimate theme for serious exploration by a film maker. Nevertheless, the Board will continue to remove scenes or images which may be harmful to the individual or to society, both for cinema and in line with the requirements of the Video Recordings Act 1984. In the case of **Bad Lieutenant**, however, it was concluded that the rape scene was sufficiently brief and aversive to be passed '18' uncut in 2003.



When sexual violence is handled responsibly by film makers it is generally dealt with through the classification system, with the given category reflecting the strength of the material. However, scenes or narratives which offer sexual violence as a pornographic pleasure for the viewer or which suggest that the victims enjoy or deserve the sexual assault are likely to be cut, even at '18'. Much of the relevant research into the effects of depictions of sexual violence was undertaken in the USA in the 1980s by researchers such as Donnerstein, Linz, Malamuth, Check, Zillman, Bryant, Berkowitz and Burt. In general it tended to identify three possible harmful effects, particularly when the victim was shown 'enjoying' the sexual violence: the stimulation of aggressive thoughts and fantasies; the cultivation of anti-female attitudes; and more aggressive subsequent behaviour. Of course, like all 'media effects' research, these findings are often hotly disputed but in the view of the Board this is an area in which the evidence supporting the case for possible harm is unusually strong, and the BBFC continues to work on the assumption that particular violent scenes with the potential to trigger sexual arousal may encourage a harmful association between sexual violence and sexual gratification.

It is also evident that this is a policy which commands the support of the public. The research *Where Do You Draw the Line?*, commissioned by the BBFC from Dr Guy Cumberbatch (and reported more fully in the BBFC Annual Report 2002), suggested, among other findings, that only 38 per cent of video renters – a broadly 'liberal' group of respondents – thought adults had a right to see graphic portrayals of sexual violence. This compared with 67 per cent who thought adults had a right to see graphic portrayals of real sex, and 74 per cent who thought they had a right to see graphic portrayals of non-sexual violence. Crucially, the study also suggested that public acceptability of an individual scene of sexual violence was heavily dependant on the narrative and context of the particular work in which it appeared.

The Board considers each portrayal of sexual violence very carefully and the decisions taken at '18' in 2003 reflected our continuing concern. The most heavily cut '18' cinema film since 1994 is ***Ich! the Killer***, classified in 2002 after the removal of scenes of sexual violence. When it was passed on video in 2003, the cuts required for cinema were replicated in full.

As in past years, a number of older works were resubmitted to the Board for reconsideration. Although there is a natural tendency for the passage of time to render their content less potent or disturbing, this may by no means be relied upon. ***Satan's Sadists***, rejected on film in 1970, was passed on video but a substantial cut was still required to remove a rape scene in which the responses of the female victim implied that she ended up enjoying the assault. ***Lust for Freedom*** was originally passed '18' on video in 1987 with over five minutes of cuts. But cuts were still required in 2003 to eroticised images of nudity within a rape scene, including close up shots of the female victim's crotch and breasts, before it could be given an '18' certificate for re-release.

Low budget exploitation features of 30 or so years ago can now appear positively silly and comic. Some limited account may be taken of the possible effect of the risibility of the material on the work's continuing power to cause harm. Despite this 'risibility factor', however, the 1974 feature ***Double Agent 73*** (starring the astonishing Chesty Morgan) had video cuts to remove shots of a woman's breasts being slashed and stabbed, even though it had been passed 'X' uncut on film in 1975. The work had, however, never been passed uncut on video.

Where works focus to a large extent on mutilating or assaulting women, substantial cuts are likely to be required. The low budget features ***Nutbag*** and ***Scrapbook*** both dealt with deranged men seeking out



The Matrix Revolutions '15'



Kill Bill Vol. 1 '18'
Matrix Revolutions '15'
The Mother '15'
Henry Portrait of a Serial Killer '18'

female victims and both required extensive cuts to remove scenes of sadistic sexual violence and humiliation. Indeed, the latter was the most heavily cut work of 2003 which was not a sextape submission: in total, more than 15 minutes of sadistic and sexualised violence, terrorisation and rape, were removed before the work was given an '18' certificate.

A number of Japanese animated titles presented the Board with lengthy and pornographic scenes of rape by aliens with penile tentacles, plus other forms of sexual violence, which we had not commonly dealt with since the early to mid-1990s. Of particular concern was a fantasy sci-fi series comprising four titles. **Mission of Darkness**, **Alien of Darkness** and **Sex Beast – Idol of Darkness** were all passed '18' after substantial cuts to remove explicit sexual detail from rape scenes. The fourth title, **Spy of Darkness**, contained a narrative so fixated on rape that no amount of cuts could make it acceptable (see **Rejects**).

The controversial French feature **Irreversible**, a high profile film release in 2002, was given a video certificate in 2003. The film, which centres around a rape and the events which result from it, was given extensive consideration, and the Board also sought the views of two clinical forensic psychiatrists. They advised that the work's brutal and harrowing depiction of rape was not designed, or likely, to titillate the viewer. Their views substantially contributed to the Board's conclusion that the work could also be passed without cuts at '18' on video.

Notably, in 2003 the Board did not have to make cuts to any *cinema* film on the grounds of sexual violence. Previously cut material was reinstated however. After being cut on both film and video since 1991, **Henry Portrait of a Serial Killer**, a shocking but critically praised work, was passed uncut on both film and video for the first time in 2003. Whilst remaining a powerful film with the potential to

shock some viewers, none of the previously cut material eroticised or endorsed the violence visited upon female victims by the central characters, and did not infringe the Board's current Guidelines and policy. The Board's conclusion was also discussed and endorsed by its Consultative Council (q.v.).

When portrayals of violence are not linked to sex, the general 'media effects' evidence relating to harm is less convincing or helpful and the BBFC's treatment of scenes of non-sexual violence in part reflects this. This distinction is warranted not only by the available evidence but also by the expectations of the general public, a view supported by two substantial pieces of BBFC research: *Sense and Sensibilities*, the research undertaken in 1999–2000 to inform the drafting of the BBFC Guidelines, and *Where Do You Draw the Line?*, the 2002 research referred to earlier. Also relevant is the Cumberbatch analysis of audience reactions to violent films in 2003 (see the **Research** section in this Annual Report).

BBFC Guidelines at '18' indicate that cuts to non-sexual violence will be likely only when the depiction is sufficiently detailed to be likely to promote the activity. In all but a few cases, restricting a work to the '18' category is judged to be a sufficient and proportionate response to the possibility of harm, taking into account the BBFC's obligations under both the Video Recordings Act and the Human Rights Act.

During 2003 many films and videos were restricted to adult audiences as a result of violent content. These included big budget US films such as **Kill Bill Vol.1** and **A Man Apart**, the UK gangster film **Charlie**, Far Eastern works like **Shiri**, **Public Enemy** and **Sympathy for Mr Vengeance**, and South Asian political dramas such as **Qayamat – City Under Threat** and **In The Name of Buddha**.

The distinction between sexual and non-sexual violence is also reflected in decisions made by the Board in relation to works which fall under the broad banner of 'horror'. During 2003, a large number of old horror works were resubmitted for video classification under the current guidelines. These had typically been cut in the past, usually many years ago. Scenes which were previously cut on grounds of non-sexual violence and gore were often reinstated, allowing horror works from the 1970s and early 80s, such as ***Dawn of the Dead***, ***The Hills Have Eyes*** and ***Blood Camp Thatcher***, to pass now at '18' uncut. By contrast, works containing scenes which eroticised or endorsed sexual violence had cuts imposed once again, including the 1969 film ***Mark of the Devil***, a period tale of witchfinders in Germany, starring Herbert Lom.

It is important to recognise, however, that audiences pay to see horror films because they like being frightened. It follows, therefore, that horror films should not be cut simply because they alarm or shock (which would entirely miss the point!). Instead, the Board's concern is to classify them to ensure that the young and vulnerable are protected. In practice this means that horror works which have a strong sexual dimension or which dwell on the infliction of pain or injury are likely to be taken up to the '18' level, or if necessary cut. In 2003, strong, gory horror films such as

House of 1000 Corpses and the remake of ***The Texas Chainsaw Massacre*** secured the highest category for their frequent and bloody horror violence.

Portrayals of consensual sex have stimulated considerable debate in recent years. BBFC research has demonstrated a generally relaxed view amongst the majority of the public, especially with regard to graphic and even explicit sexual images in works intended for adults. Decisions to pass scenes containing real sex in feature films, provided the images are justified by their context, have not provoked substantial criticism or alarm. In 2003 such images were, almost uniquely, found in a *mainstream* American film, ***In The Cut***, which was directed by Jane Campion and starred Meg Ryan. The brief explicit sex was justified because it established an important plot point within a story of sexual intrigue. The documentary ***Bodysong*** also contained images of unsimulated sexual activity, which again were justifiable by their natural place within this dialogue-free celebration of human life.

However, explicit images of real sex are not automatically accepted at '18' and were not allowed in ***Not Angels But Angels***, a documentary about rent boys in early-90s Prague. Despite its serious documentary nature, the work was cut to remove a number of gratuitously explicit still photos none of which were necessary to make the film's point. A resubmission of the 1980 film ***Cruising***, starring Al Pacino, was cut to remove subliminal shots of explicit anal penetration during a murder scene. The fact that the famous director (William Friedkin) had added the images as a gesture of defiance against the censorship the film had received from the American ratings board, the MPAA, whilst historically intriguing, was not considered an exceptional justification by this regulator for their inclusion. The three Japanese animations (***Alien of Darkness***, ***Sex Beast – Idol of Darkness***, and ***Mission of Darkness***) referred to above, which were cut for sexual violence, also took cuts for hardcore pornographic imagery which would be unacceptable below 'R18'.



Maitresse '18'
Russian Ark 'U'



Works continue to be rated '18' purely on the basis of strong sexual content, a policy which reflects the BBFC's view of public attitudes to under-18s being exposed to such material. One episode of the popular television series **Six Feet Under - An Open Book** was classified '18' on the basis of strong verbal references to sex. Bernardo Bertolucci's latest feature **The Dreamers** contained sexual activity which, although not explicit, was strong enough and frequent enough to require an '18'. Similarly the British feature **Young Adam** was taken to '18' because of the troubling nature of a sex scene, where consent was at best ambiguous.

Context can be vital in judging sex scenes but no sexual theme is automatically out of bounds at '18'. In 2003, the French feature **Maitresse** was passed uncut after being rejected in 1976 and cut in 1981 on the basis of a number of sadomasochistic scenes. These scenes, presented in the context of a serious drama, were considered to lack the detail which could encourage imitation and consequent harm.

In 2003 there was an occasional blurring of the line between 'erotic drama' and what might more simply be called pornography, for example by the resubmission of 1970s features by Jess Franco and Tinto Brass. The

latter's **Paprika** was cut to remove, among other things, a scene of incest which fell foul of BBFC policy on the portrayal of abusive relationships in sex works.

2003 saw a slight decrease in the number of softcore sex works submitted to the BBFC for an '18' certificate. This perhaps reflects the increased availability of 'R18' videos since the change in the Guidelines for that category in July 2000. A number of videos were cut to obtain an '18' (as opposed to 'R18') certificate, usually to remove explicit sexual detail. The BBFC requires that sex works at '18' contain only (apparently) simulated sex, and removes any explicit detail or activity which can be seen to be real, if the distributor will not take an 'R18' rating. In addition to apparently simulated sex, some mild fetish material was passed at '18', including works which focused on food, wet clothes or role play.

There are no constraints on bad language at '18' and some works are classified at this category purely on the basis of the very strong expletives they contain. Were such language to be classified below '18' it would confound public expectations and cause significant offence, unless the language was very rare and there was a substantial contextual justification for its presence. This policy reflects what we believe to be the broad consensus of public opinion as reflected in the 2000 Guidelines. As a result, in 2003 a number of works which could otherwise have been considered for a '15' were passed '18' solely because they included repeated use of the word 'cunt'. In **Laurel Canyon**, three uses of such language secured the adult category. Less marginally, **Veronica Guerin**, a film based on the true story of a Dublin journalist's battle against drug dealers, included a scene in which the heroine was repeatedly verbally abused in this manner, while being physically beaten. The film accordingly became an '18'.







There have always been counter-arguments, particularly within the film industry itself, challenging the Board's policy of uprating works to '18' (or '15') purely on the basis of strong and sexual expletives. Some people argue that 15-year-olds are so familiar with such language that barring them from films containing very strong language is pointless and excessive; others contend that context should have a greater bearing on the decision and that the potential for offence should be balanced against any positive qualities the work might contain. This is an area we intend to explore with the public in the review of our Guidelines. It will be interesting to discover whether people generally have changed their views about the offensiveness of words such as 'cunt' since we last took their opinions in 1999–2000.

At '18' there are no constraints on theme and several South Asian films tested this Guideline with a thematic interest in geo-political affairs and terrorist plots, stimulated mainly by the volatile relationship between Pakistan and India in recent times. Indeed, most of the '18' rated South Asian films in the year had some political strand in their narratives. ***Khadgam*** was one such Tamil film in which strong jingoistic and anti-Pakistani sentiments featured as part of the violent story. The BBFC, however, concluded that, at '18', the potential to stir up inter-community violence in the UK was minimal and the film was passed uncut.





To Be Supplied Only in Licenced Sex Shops to Adults of Not Less Than 18 Years

The 'R18' category is a special and legally restricted classification primarily for explicit videos of consensual sex between adults. 'R18' videos may be supplied to adults only in licensed sex shops and may not be supplied by mail order. As expected, the number of explicit pornographic videos submitted to the Board began to level out in 2003, reflecting the limited number of sex shops licensed to sell them.

Just over 18 per cent of 'R18' videos were cut in 2003. This is a far higher percentage than for any other category, and also represents a small increase on last year's figure. It reflects the BBFC's determination to cut material which is illegal or harmful. Examples are works that encourage an interest in abusive sexual activity, involve a lack of consent or the infliction of pain or harm, are potentially harmful if copied, or are humiliating, degrading or dehumanising. Some allowance is made for clearly consenting role-play games. In accordance with the Guidelines, sex works were cut to remove sequences in which participants were hit, humiliated, abused, asphyxiated, penetrated by objects likely to cause harm, or indulged in role play as children. Cuts were also made to sequences which suggested that the sexual activity was not consensual, and to verbal references to sex involving persons under the age of 16.

The majority of submissions conform straightforwardly with the 'R18' criteria, which are set out very clearly and at some length in the published classification Guidelines. However, the high number of submissions (well in excess of 200 works annually), which bear no evidence of being checked beforehand against the most basic requirements, suggest that some distributors are simply submitting their videos sight unseen and relying upon the Board to do their work for them. This is not acceptable. It is now BBFC policy to call an early halt to examiner viewing of abusive material which appears to be consistently in breach of clear Guidelines criteria. Such works are returned unclassified to the distributor for fundamental re-editing before we will be prepared to continue the process of examination. This situation remains under review. The Board accepts no duty to expose its staff to more than the inevitable (and reasonable) minimum of content whose unacceptability is explicit in the Guidelines.

The Board must not pass material which is in breach of the criminal law, e.g. material likely to be prosecuted under the Obscene Publications Act, which includes sado-masochistic activity which goes beyond mild and consensual, and videos featuring activities such as urolagnia. The BBFC periodically takes advice from the enforcement agencies regarding the type of material likely to be found obscene in court at the present time. The Board also refuses to pass videos filmed in the UK if it is evident that an offence was commissioned by the film maker for the purpose of making the video. This issue most commonly arises in relation to sex scenes which appear to have been filmed in a public place.

In 2003 the Board followed closely the passage of the new Sexual Offences Act 2003. As anticipated, the Act affects various aspects of our work, and provides legal support for the Board's long-standing policy of not passing sex videos involving performers under the age of 18. When the Act

A Mighty Wind '12A'



comes into force in 2004, it will also remove the remaining legal discrimination between homosexual and heterosexual group sex in private, allowing the BBFC to treat videos of gay and straight sex on an equal legal footing for the first time.

Unusually (and for the first time since 1993) a cinema film was passed at 'R18' in 2003. ***The Good Old Naughty Days*** (also known as ***Polissons et Galipettes***) is a collection of explicit black and white pornographic works from the early 20th century, originally intended for the entertainment of brothel clients. Despite its status as a historical curiosity, the BBFC's Guidelines required it to be passed at the category reserved for such images in more modern sex works. The film can only be shown in specially licensed cinemas.

Following long-awaited approval from the St Thomas' Hospital Research Ethics Committee, the Board, in co-operation with Guy's and St Thomas' Hospital NHS Trust, has begun research into the way people buy, view and use pornography. Questionnaires were handed out at two clinics at Guy's and St Thomas' Hospitals throughout December, generating a good rate of response. The Board plans to distribute more questionnaires early in 2004 with results from the research also expected in 2004.



Rejects

Films or videos which are unlawful or potentially harmful will, where possible, be cut. If this cannot be done, for instance if the cuts are so extensive that a viable release cannot be salvaged from the remaining material, or if the distributor refuses to take the required action, then a work may be refused a classification altogether. In 2003, a total of three works were rejected.

Video Voyeur is a video work consisting entirely of apparently secretly filmed footage of men in a sports changing room. The men are often seen partially or completely naked and the intent of the video appears to be to offer the pornographic thrill of spying on unwitting victims. This work had previously been submitted to the Board under a different title (***Changing Room Exposed***) in 1997. It was rejected the following year after legal advice confirmed that the video was likely to constitute a breach of privacy. In fact, the current distributor's unsubstantiated claims that the video was staged and the participants all willing actors was somewhat undermined by the admission of the previous distributors, and of their lawyers, that the work was filmed without the knowledge or consent of those shown in the video. The original rejection was therefore reconfirmed.

'Reality' material featuring destructive, crude and sometimes dangerous stunts has become an established genre. ***Bumfights – Cause for Concern – Volume 1*** took this idea to an exploitative and unacceptable extreme. Of particular concern to the BBFC are portrayals encouraging enjoyment of the humiliation of others, callousness towards victims and encouraging aggressive attitudes. The video, made in the USA, featured reality footage of apparently deprived or homeless people performing self-destructive and humiliating acts. In several sections, which parodied wildlife programmes, some street sleepers were assaulted as if they were animals. The Board took the view that the pleasures on offer were the



The Lizzie McGuire Movie 'U'
The Last Samurai '15'
Teenage Mutant Ninja Turtles 'PG'



Holes 'PG'

humiliation and exploitation of vulnerable people and that distribution of the video in the UK could lead to an increase in attacks on homeless persons. Given the extent of the unacceptable material, cuts were not a viable option and the work was rejected.

The Board has a strict policy on rape and sexual violence, a policy discussed at length in the section on the '18' category earlier in this Annual Report. Material which eroticises or endorses sexual assault is unlikely to be acceptable at any category. An animated Japanese work entitled ***Spy of Darkness*** fell into that category. The work focused almost exclusively on depictions of rape and sexual assault carried out by sexually voracious monsters. The rape scenes were drawn with a level of explicitness normally seen in 'R18' pornography. The narrative also suggested that the appropriate response from the victims was to enjoy being raped. The eroticisation and endorsement of rape was so prevalent that, unlike other works in the same series, cuts were not a viable option. The work was therefore rejected.

Legal Issues

The Protection of Children

The protection of children from material which may be harmful or unsuitable is of particular concern to the BBFC. Of the almost 14,000 works dealt with last year, ten and a half thousand were classified 'Uc' through to '15'. The change to the format of this Annual Report is designed in part to make clear how the concerns about protecting children are dealt with at the 'junior' categories. The Board is fortunate to have the Advisory Panel on Children's Viewing to provide invaluable advice on children's issues, and we have supplemented this occasionally with specialist advice from individual consultants and other professional sources.

The Protection of Children Act 1978 makes it an offence to exploit children by making indecent photographs or pseudo-photographs of them; and penalises the distribution, exhibition and ownership of such indecent photographs or pseudo-photographs. A pseudo-photograph is an image, whether made by computer graphics or otherwise, which appears to be a photograph. A child was defined as a person under the age of 16. The Sexual Offences Act 2003 raises the age to 18.

The BBFC has always considered very carefully images of children in the films and videos submitted for classification, particularly where such images involve nudity or the suggestion of sexual behaviour. The Board requires cuts to any image of a child judged to be indecent. Because the legislation provides no statutory definition of 'indecent' this is often a very difficult judgement to make. Whenever there has been doubt the BBFC has taken advice from legal experts in the field, or from the Paedophile Unit of the Metropolitan Police. Of course, even if an image of a child is judged not to be indecent in law, the provisions of the Video Recordings Act may still justify intervention if the image might be misused in a harmful manner.

Although the Sexual Offences Act amendment of the Protection of Children Act, which changes the definition of a child to mean any person under the age of 18, will not take effect until later in the year, all works classified after January 2004 will be judged in relation to the new definition. This is because it is clear that such works are likely to be in circulation in breach of the Act and the Board's legal advice is that it should take account of that when exercising its duties. However, it is not possible for the BBFC to identify and intervene with all the pre-existing films and videos that might be affected by the change. We have therefore contacted distributors advising them to ensure that they are not inadvertently distributing material containing indecent images of 16 or 17-year-olds which may now be illegal.

Use of Animals

By contrast, the terms of the The Cinematograph Films (Animals) Act 1937 have not changed in over 65 years. This legislation is concerned with the mistreatment of animals by film makers and prohibits the exhibition or supply of a film which contains any scene organised or directed in such a way as to involve the cruel infliction of pain or terror on any animal or the cruel goading of any animal to fury. When faced with an apparent scene of animal cruelty on film the Board takes steps to ensure that the release of the film would not contravene the Act. In many cases this involves seeking detailed information about the filming process. It is possible that the impression of cruelty was achieved without any real cruelty taking place, in which case the Board will require reasonable evidence to that effect. In some cases the use of animals will have been supervised on set by the American Humane Association or the Royal Society for the Prevention of Cruelty to Animals. In other cases the Board may seek the advice of a specialist veterinarian to assess the on-screen evidence. If the Board believes that actual cruelty took place and was orchestrated by the film maker, then cuts are required.

In 2003, two films containing animal cruelty, which have been discussed in previous Annual Reports, finally received cinema certificates after the necessary cuts had been made.

The Isle, a Korean film, was first submitted in 2001 and the South American film, *Japon*, in 2002. The latter was also passed on video in 2003 with the film cuts replicated. Incidentally these were the only '18' rated cinema films to be cut in 2003. In total, over two dozen video works were cut on animal cruelty grounds during the year. Many of these were repeat cuts to old works, including Robert Aldrich's Western **Ulzana's Raid**, starring Burt Lancaster, and Tony Richardson's **Tom Jones**, starring Albert Finney. Cruelty cut from video works included: cockfighting, dog fighting, horse tripping, a live monkey having its head sliced off, and a live crocodile being sliced open. Such instances remain very much the exception and the Board is satisfied that most animal action is carried out with due care to the welfare of the animals involved.

Digital Media

In line with previous years, digital media submissions made up a very small part of the works submitted to the Board in 2003. They were 32 in total – mostly comprising video games but also including a small number of DVD 'extras' in CD-ROM format.

Most of the video games available in the UK are exempt under the Video Recordings Act from BBFC classification. They are instead given ratings under the self-regulatory pan-European advisory games rating system set up by the games industry itself. The system, known as PEGI (Pan European Games Information), is administered by the Netherlands Institute for the Classification of Audio-visual Media (NICAM). PEGI came into operation early in 2003 and PEGI ratings are now commonly seen on games packaging in the UK.

The Video Standards Council acts on behalf of NICAM in the UK to ensure that games which forfeit their exemption under the Video Recordings Act due to their strong content are not inadvertently given an advisory PEGI rating. Such content generally includes higher levels of violence or other elements of concern such as sex or potentially criminal techniques found in the more 'hard-core' action games. These, therefore, constitute the majority of the games classified by the Board. Explicit sexual material, such as that found in soft-porn CD-ROMs, must be submitted and is invariably given an '18' or 'R18'.

No digital media submissions were rejected in 2003 and only one digital media work was cut. The cut removed a text file from the CD-ROM **XXXPorncard** which featured sex between immediate family members. The cut was made in accordance with BBFC Guidelines and policy for sex works before the work was passed with an 'R18' classification, which means it can only be sold in licensed sex shops.



Agent Cody Banks '12A'
A Mighty Wind '12A'
Stuck on You '12A'
Lost in Translation '15'





Notable titles classified by the Board in 2003 included two hunting games (***Cabela's Big Game Hunter*** and ***Cabela's Dangerous Hunts***) both for Playstation 2. In both games, the player equips a hunter with a variety of legitimate hunting weapons and sends him out into the wilderness to stalk and shoot wild game. The hunter may only shoot animals for which he has a permit. Killing animals for which he does not have a permit means he loses the game. Given that hunting is a legal sport and that the levels of violence were low, a 'PG' was sufficient for ***Big Game Hunter***. ***Dangerous Hunts*** had the added feature that the wild animals could attack the hunter. This made the game slightly more intense and pushed it into '12'.

Call of Duty, typical of many games classified by the Board, was set in World War 2 where the player takes part in several missions in the British, US and Russian campaigns. The game required skill and perseverance from the player, with no reward for a gung-ho approach. With the level of violence meted out on enemy soldiers reaching borderline '12'/'15' levels, it was the overall quantity and sheer intensity of the battle scenes which finally resulted in a '15' rating.

Some games sound worse than they actually are. ***Contract Jack*** required the player to take the part of a contract killer, but with a touch of humour. The player's task was to kill all the enemies on each level, with the ultimate aim of preventing a master criminal launching a moon-rocket. The deaths of enemy characters were sufficiently bloody to require a '15' classification, as was a mild torture scenario, but there were no aggravating elements (such as any emphasis upon injury or suffering) which would have demanded the adult category.

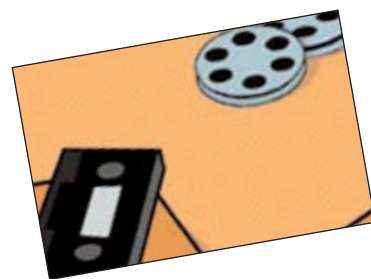
One of the more engaging games passed by the BBFC in the past year, ***Clock Tower 3***, had the player assuming the guise of a brave young girl. Through her, the player had to take on frightening mutant zombies, monsters and demons in classic horror settings such as Gothic alleyways, mausoleums and the clock tower of the title. An eerie atmosphere was effectively created and there were some truly scary moments as the player wandered alone around each dark corner.

Despite being a scary and thrilling game, the violence was not graphic enough to exceed the '15' category.

At the higher end of the classification scale was the arguably humorous but tasteless ***Postal 2***. In this, the player controlled the crack-addicted 'Postal Dude' as he performed a variety of tasks – buying milk, going to confession, acquiring medicine for a sexually transmitted disease – over a five-day period. But these apparently mundane tasks soon turned violent. ***Postal 2***'s defining classification issue was the violence with which 'Postal Dude' moved around the ironically named town of Paradise, armed with weapons including scissors, a shovel, an M16 gun, gasoline and even a cow's head, to use upon those who got in his way. Although the violence itself was less strong than that in some other adult works, the game's *anti-social* context put it well into the '18' category.

One of the strongest games to have been passed in the year was ***Manhunt***, a role-playing game in which the hero was a former Death Row prisoner being hunted down by a demented villain. The game contained strong personalised violence, including the killing of enemies by strangulation, suffocation, stabbing and a whole array of nasty and dangerous implements. Set in a darker, more gloomy world than games such as ***Grand Theft Auto – Vice City***, it offered a nightmarish environment whose realism was limited by the quite crude animation of its humanoid and faceless characters. The use of strong language and the violence nevertheless placed this at '18', though the limited nature of these pleasures meant that there was no reason to require cuts to the game.

Not all games classified by the Board contain violence, anti-social behaviour or sex. One of the more unusual game submissions was ***Eyetoy Groove***, a Playstation 2 dance game that comes with a small camera allowing the users to see themselves on screen. Players can then record themselves dancing to a variety of musical options. With a natural appeal to younger children and content which did not generate any classification issues, the game was passed 'U'.



video appeals
committee94

The Video Appeals Committee (VAC) is an independent body constituted under section 4(3) of the Video Recordings Act 1984 to hear appeals from submitting companies against any BBFC decisions they consider stricter than warranted. There were no appeals to the Video Appeals Committee during 2003.

After national press advertisement in 2002, seven new members were appointed to the VAC by an independent panel. Early in 2003, the President of the VAC organised a seminar for both new and existing members. Presentations were made by Mark Stephens of Stephens Innocent Solicitors about the role of the appellant in VAC appeals; and by the BBFC's Director about the Board's Guidelines and practice. The VAC President led discussions about the role of the VAC as well as introducing and summing up the proceedings.

At the end of 2003 the full membership of the VAC was as follows:

President

John Wood CB, solicitor; consultant to Morgan Lewis, solicitors; former director of the Serious Fraud Office; former Director of Public Prosecutions in Hong Kong

Members

Nina Bawden, CBE, MA, FRSL, JP, novelist; President, Society of Women Writers and Journalists

Biddy Baxter, MBE, DLitt, FRSA, FRTS, former producer of children's programmes; BBC editor, Blue Peter; consultant to the Director-General of the BBC; author and broadcaster
Barry Davies, former Deputy Director of Social Services and Chair of Area Child Protection Committee; consultant in child protection and investigator of complaints made by children under the Children Act 1989

Professor Philip Graham, Vice President, National Children's Bureau; Emeritus Professor of Child Psychiatry, Institute of Child Health, University of London

Pauline Gray, District Chairman of Appeals Tribunals; trustee of Relate; member, RSPCA Director-General's Remuneration Committee

Professor John Last, CBE, DLitt, Chair in museum studies at City University, London with part-time teaching contract; Company Chairman and former lay member of the Press Council

Dr Sara Levene, MA, MRCP, FRCPCH, paediatric safety consultant; medical qualified panel member of the Appeals Service; former medical advisor to the Foundation for the Study of Infant Deaths and to the Child Accident Prevention Trust
Haydon Luke, former secondary headteacher and inspector; education consultant and trainer, working in the fields of secondary education and education in and through museums and galleries

Dr Neville March Hunnings, lawyer, former member of the Lord Chancellor's Advisory Committee on Legal Education and Conduct; editor of the *Encyclopaedia of European Union Law*; author of *Film Censors and the Law*
Robert Moore, BSc (Econ) Dip.App.Soc.St. CQSW; independent consultant in social care; former Director of Social Services and one-time Children's Officer.

The Hon. Mrs Sara Morrison, FRSA, Chairman WWF; Chairman, University of Bath; retired full time director of large industrial plc; formerly many non-executive directorships including Channel Four TV

Claire Rayner, OBE, author; writer; broadcaster; President of the Patients Association; President of the British Humanist Association

Peter Rees, Cert.Ed Dip.Ed Dip.Psych MA MCMI, retired primary headteacher; independent education management consultant; education tutor at King Alfred's College, Winchester; Chair of Holloway School Governing Body; councillor; director and relationship counsellor in private practice

Dr Mike Slade, consultant clinical psychologist; clinical senior lecturer at Institute of Psychiatry, London; Associate Fellow of the British Psychological Society

Dr Fay Weldon, CBE, MA, DLitt, FRSL; author; playwright; broadcaster



consultative
council96

The Consultative Council includes representatives from the broadcasting, record and leisure software industries as well as the video industry. In addition, representatives from local government and persons of individual distinction and expertise bring their knowledge and experience to bear on the issues discussed at the thrice-yearly meetings. The Council provides the Board with advice across a broad range of classification-related issues. Observers from the Department for Culture, Media and Sport, the Metropolitan Police and the Independent Television Commission also attended the meetings and contributed to the discussions.

The Licensing Bill

The Council was kept informed of the Board's negotiations with the Department for Culture, Media and Sport on the provisions of the Licensing Bill as it affected cinema regulation. The Board had been concerned that the narrowness of the licensing objectives, set out in what is now Section 4 of the Licensing Act 2003, were a too limited basis for cinema regulation and likely to conflict with the publicly agreed principles underpinning the Board's classification system. The Board was successful in persuading the Films Minister and the DCMS Bill Team to insert a new clause in the Bill which stated that films screened in public cinemas must be approved by the local authority or by the body designated under the Video Recordings Act 1984 (i.e. the BBFC). Additionally, assurances were received that the draft licensing guidance required under Section 182 of the Act would underpin the classification principles. The legislation generally would provide additional status to the Board's Guidelines.

Director's Reports and Discussion

At each meeting the BBFC's Director presented a report reviewing recent Board activity. Members were invited to comment on classification decisions and on related matters of Board business. Problems with the provision of Consumer Advice for some '12A' cinema films were noted by members and concerns were raised about very young children being taken to see them.

Consumer Advice was a matter of concern also in relation to videos and DVDs. It was noted that its provision on DVD packaging lagged somewhat behind the video equivalent. However, through the work of the joint BVA/BBFC working party, which met quarterly to discuss issues relating to video and DVD, considerable improvement had been achieved and a reduction also in compliance failures. On DVD the BBFC had now introduced an alternative single line of Consumer Advice to be carried in the certification box on the back of the packaging sleeve. This was similar to the cinema advice provided on posters, and in listings and television commercials. It was an optional alternative to the existing grid system (with its separate lines for sex, violence, language and 'other') and likely to be most useful when space – as on a DVD sleeve – was short. The Council welcomed this sensible and practical development.

The Council also discussed, at some length, the Board's policy of not allowing different video or DVD versions of the same work to be released with different classification categories. This meant that the Board did not allow, for example, an uncut version of a work to be released at '15' if the work had previously been released with cuts to make it acceptable at '12'. The reasons for this policy had been twofold. Firstly, there was the possibility of retailer confusion – a shopkeeper could accidentally supply the wrong version to an under-age customer. Moreover, a reasonable defence against prosecution for a breach of the Video Recordings Act could then be made that he had been confused by the conflicting classifications awarded to the work. A second concern was that children already familiar with the lower classified, cut version would be tempted to seek out the forbidden fruit of the higher rated complete version.

Council members felt that the perceived difficulties underpinning the Board's policy would be more appropriately met by ensuring that the video/DVD packaging made the differences between the versions clear. The strong view was expressed that it was inappropriate for the Board, in effect, to prohibit 'Directors' Cuts' and other higher rated and stronger versions of existing works. The proper role of the Board was to classify the work in front of them into the most appropriate category. This should not discourage distributors from making cuts identified by the Board as necessary to achieve a lower category.

Similar arguments were made by the Board's Advisory Panel on Children's Viewing. The BBFC accepted this advice and proceeded, through the joint BVA/BBFC working party, to a code of practice for the packaging, labelling and publicity for differently rated versions of the same work. This was designed to ensure that retailers and consumers would not be likely to mistake an uncut version for a lower rated cut version. The new proposal was welcomed by LACORS (for local authority trading standards officers) and by the DCMS. The code of practice and the new policy was put into effect on 1 January 2004.

Other matters discussed by Council members included the BBFC's 'roadshows' for secondary school children. Members commented on their own experiences when they attended the roadshows. They also discussed the issues arising from the use of microchips in mobile handsets (PDAs), which allowed users to view film clips and even pornography. The BBFC's preliminary proposals for the 2004 classification Guidelines public consultation were discussed and members made a number of suggestions for improving the process.

Film Screenings and Discussions

Each meeting of the Consultative Council was preceded by the viewing of a film which had raised particular classification issues. The Board very much values the opinions of the members, representing as they do the industry, local government and a range of independent viewpoints. The February meeting considered **Jackass – The Movie**, an American film based on a TV series where regular characters carry out extreme stunts and activities. Surprise was expressed by some of the Council members that the film had been classified '18' rather than '15' because of its obvious appeal to teenagers and the fact that similar material was available in the TV series. Notwithstanding the fact that some of the stunts would be difficult to copy, in particular those involving an alligator, other members commented on the cumulative effect of the stunts and the dangerous and anti-social attitudes in some sketches. After some discussion the meeting concluded by endorsing the '18' rating.

The June meeting discussed **Henry Portrait of a Serial Killer** which had finally been passed '18' uncut after a history of cuts ranging from 62 seconds when it was first submitted in 1991 to 30 seconds in 1999. The Director asked the meeting to consider whether the cuts made in 1999 in any event successfully addressed whatever mischief they might find to be present in the film. Members noted that the film showed the consequences, rather than the process, of violence unlike other works the Board had recently cut. The meeting discussed whether the film was likely to be harmful and whether it might stimulate anti-social behaviour in vulnerable or disturbed people. Members with professional expertise in this area pointed out the difficulties of identifying what would appeal to, or influence disturbed people. Individuals with behavioural problems might seek out films in order to validate their own behaviour. It seemed unlikely that anything in this work would trigger harmful activity. It was agreed, with one dissenting voice, that the decision to pass the film uncut was the correct one.

Johnny English 'PG'





Good Bye Lenin! '15'

Once Upon a Time in Mexico '15'

Matchstick Men '12A'

During 2003 the Board only banned three works and the October meeting viewed one of those – the video ***Bumfights – Cause for Concern – Volume 1***. This was an American independent work showing reality footage of homeless people ('bums') fighting and performing self-destructive acts. Many of the participants were incapacitated through alcohol and/or drug intake. Other footage included consensual but real fights between non-homeless people. Council members had not been informed of the Board's decision before viewing the work. The meeting discussed the ability of the participants to give informed consent to take part while under the influence of alcohol and drugs. There was some discussion about the extent to which ethical and moral questions fell within the Board's remit. It was suggested that Board policy did in fact to some extent embrace these issues, for example in the Guidelines' constraints on humiliating or degrading activity and in the concern generally about the encouragement of anti-social behaviour. However, to the extent that ethical and moral issues were a matter of potential *offence*, it was noted that the Guidelines did not make this a defining issue at the adult-only level of an '18' certificate. It would be interesting to see if the forthcoming consultation identified a public desire for these or similar concerns to be registered at different rating levels. The Council endorsed the Board's rejection of the work.

Apart from the principal officers of the BBFC, the membership of the Consultative Council in 2003 was as follows:

Kim Bayley, British Association of Record Dealers (BARD)
 Roger Bennett, Entertainment and Leisure Software Publishers Association (ELSPA)
 Cllr Tommy Brookes, Convention of Scottish Local Authorities (COSLA)
 Lavinia Carey, British Video Association (BVA)
 June Dromgoole, Channel 4 Television
 Laurie Hall, Video Standards Council

Steve Jenkins, BBC

Cllr Peter Kent, Local Government Association (LGA)

Cllr Maurice Mills, Vice President, Northern Ireland Local Government Association (NILGA).

Cllr Goronwy Parry, Welsh Local Government Association

David Simpson, Chair, Advisory Panel

on Children's Viewing (ex officio).

Roland Stokes, Entertainment Software Retailers Association (ESRA).

Independent Members

Dr Anthony Beech

Professor David Buckingham

Jean Coussins

David Kerr

Michael Marland

Professor Colin Munroe

Colin Webb

Sally Whitaker

Observers

Paul Alsey, Department for Culture, Media and Sport

Inspector Chris Bedwell, Metropolitan Police

Alison Edwards, Policy Officer, Local Authorities

Co-ordinators of Regulatory Services (LACORS)

Eleanor Hodge, Department for Culture, Media and Sport

Gery McLaughlin, Scottish Executive

Guy Phelps ITC

Chief Superintendent Bill Tillbrook, Metropolitan Police



advisory panel
on children's
viewing 102

The members of the Advisory Panel on Children's Viewing represent a range of disciplines including social work, clinical psychology and psychotherapy, education, the law and children's media and so are able to advise the Board on a wide range of issues relating to classifying films for children. Their thrice-yearly meetings provide the Board with a useful sounding board against which to test classification decisions and debate specific policy issues.

Panel discussion has increasingly used the framework of a film or extract compilation viewing to inform and focus its considerations. In 2003, the main topics of interest were: the issue of children's sensitivity to difficult themes (such as bereavement or suicide); the potential in films to stimulate anti-social activity; and the ways in which children perceive and receive cartoon animation. All these debates are reviewed in the section following under **Film Screenings and Discussions**.

Other topics under consideration in the year included the provision of Consumer Advice for cinema films and on the packaging of videos and DVDs. The Panel broadly endorsed the conclusions reached by the Consultative Council. Members also robustly took the view that it was inappropriate for the Board effectively to prohibit different versions of the same title if one included material which raised the classification rating. Like the Consultative Council, Panel members concluded that a clear packaging and labelling code, with which distributors should comply, should sufficiently reduce any possible confusion that might arise at point of sale in video shops. The Panel welcomed the launch of the Board's new website for young children (www.cbbfc.co.uk) which would provide a useful teaching resource for schools and also enable children to develop their media literacy. Members noted also that the present classification Guidelines contain no direct advice about racist or discriminatory content in films. The Director undertook to address that issue as part of the review associated with the 2004 public consultation leading to new Guidelines being published before the end of the year. At the

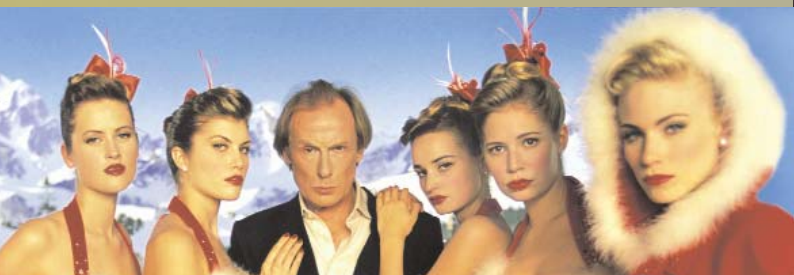
Panel's November meeting, the Board provided a full account of its consultation plans and took on board suggestions and advice from Panel members. A questionnaire was distributed to them so that individual views could also be fed back directly.

Film Screenings and Discussions

The Hours, the film watched before the March meeting of the APCV, introduced a discussion about whether some themes were unsuitable for children's viewing even when there were no classification issues, like sex or bad language, to take them into a higher category. **The Hours** fell very clearly within the '12A' Guidelines but the dominant themes of the film were suicide and death. There was some discussion about whether the '12A' rating implied a less sophisticated film which was more appropriate for children and whether some themes should be considered adult regardless of the other classification issues. The Panel considered whether the issue could be addressed in the Consumer Advice provided in the publicity for the film. This might make it sufficiently clear that the theme of the film made it unsuitable for young children. In a follow-up discussion later in the year, the Panel agreed that trying to devise a list of themes which were inappropriate viewing for children was too simplistic an approach given that the treatment of a subject would be the determining factor in terms of its impact and suitability for young viewers.

Before the July meeting the Panel viewed the film **2 Fast 2 Furious** which raised a number of child-related issues. One, easy to overlook, was the use of foreign language expletives in English language films. The film contained a scene where one of the characters used a vulgar Afro-Caribbean expression. Although some Panel members felt that the expression was inappropriate it was acknowledged that it would not have altered the classification which already took account of similar Anglo-Saxon language in the film. It was, however, agreed that examiners would be assisted by information about non-English expletives which were quite likely to feature in works submitted to the Board. Accordingly, lists of Hindi and Afro-

Love Actually '15'
Laurel Canyon '18'



Caribbean expressions were drawn up during the year.

The meeting also discussed the attractions of the film's subject – street racing – to a young audience. Some members were concerned that the glamorisation of rule breaking and illegal activity, combined with the loud and exciting soundtrack, would make the activity appealing to young people. It was suggested, on the other hand, that the film was no more problematic than some television programmes featuring illegal road behaviour; it also resembled car chase computer games which were popular with younger players. The Director pointed out that raising the film from '12A' to '15' would not prevent the age group most likely to indulge in street racing from seeing the film. The Panel doubted whether the film was more likely to promote dangerous and emulative behaviour than the car chases in most Bond films. The Director noted however that there was some evidence that the original film (to which this was a sequel) had stimulated copycat behaviour on the west coast of America. It had had no similar effect in the UK. He explained that criminal techniques like breaking into cars were cut nonetheless because of the likelihood that the techniques would be copied. In such cases, the Board preferred to err on the side of caution. In the case of this particular film, cuts were made to a violent assault by the heroes on another character. In these circumstances, the '12A' rating given to the film was acceptable to most Panel members.

In November, the Panel viewed a compilation of extracts from animation works. They considered the commonly held view that if a film or video is a cartoon/animation feature it must be suitable for children. Should the Guidelines indeed make a special allowance for content in animation works which would not be acceptable in the more realistic context of live action? The panel considered specifically whether animated violence, horror or even sex should be judged with a greater degree of leniency than live action. Members discussed the wide variety of *adult* animation, in particular Japanese manga which sometimes contains violence and sexual violence. The Board had actually rejected ***Urotsukidoji IV - Infernal Road - Episode One - The Secret Garden*** in 2000 because it depicted children involved in sexual acts. Furthermore, one of the three works rejected in 2003 was a manga cartoon,

Spy of Darkness, which also contained sexual violence. These were perhaps fairly straightforward decisions. The issues were more difficult at lower ratings levels. Drawing on their professional experience, Panel members commented that children understood, even from a very early age, that cartoons were not real. Children were less likely to copy cartoon characters than characters played by real people. Animation had the effect of distancing the children from the action.

One of the extracts viewed by the Panel was from the black-comedy cartoon series ***Happy Tree Friends***, which involved cartoon animals being eviscerated, incinerated, decapitated or otherwise maimed. It was recognised that the activities portrayed (in effect a modern realisation of the kind of scenarios familiar from the old ***Tom and Jerry***, ***Roadrunner***, etc cartoons) would be unacceptable in live action form at any level below '15' or '18'. But in this case and this context, it was agreed that the '12' rating was appropriate, which also took account of its likely appeal to young teenagers. Panel members advised, however, that it was vital that the packaging made clear that the work was not for young children.

APCV Members

David Simpson, Youth Court District Judge (Chair)

Floella Benjamin OBE, broadcaster, Independent TV
Producer, writer

Karen Johnson, Commissioning Editor
Children's Education (BBC)

Dr Sue Krasner, Chartered Clinical Psychologist

Winnie Lacey, Practice Manager, Assessment Services

Frances Lennox, Senior Crown Prosecutor

Dr Meira Likierman, Consultant Child and Adolescent
Psychotherapist

Alexander Paterson, Principal of a Residential School

Elsbeth Rea OBE, Independent Social Work Trainer

Naomi Rich, Senior Commissioning Editor, www.learnthings.com

Lewis Rudd MBE, former Controller of Children's Programmes (ITV)

Professor Jack Sanger, Visiting Professor at University of
East Anglia and Innsbruck University

William Atkinson, Headteacher

Principal Officers of the BBFC

President

Sir Quentin Thomas

Vice Presidents

Janet Lewis-Jones

Lord Taylor of Warwick

Council of Management

Chairman

Ewart Needham

Hon. Treasurer

John Millard

Members

Michael Cox

John Holton

Steve Jaggs

Graham Lee

William McMahon

Sylvia Sheridan OBE

John Wilson

Director

Robin Duval

Deputy Director

Penny Averill

Head of Communications

Sue Clark

Systems Co-ordinator

David Harding

Head of Personnel

Clive Hooper

Financial Controller

Imtiaz Osman



business
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Report of the Council for the year ended 31st December 2003

Principal activities

The company, which is limited by guarantee, is responsible for the classification of cinema films and, in accordance with the terms of the Video Recordings Act 1984, for the classification of video works. Its revenue is derived principally from fees charged to distributors for the classification of their product.

Business review

Submissions continued to rise in 2003 resulting in a significant increase in the Board's income compared with the previous year. The Board was able to acquire a 125 year lease of 3 Soho Square. It continued its refurbishment programme to maximise use of the available space as part of its commitment to provide an efficient service to its customers.

The distributor survey carried out by the Board indicates a further small increase in video volume in 2004. The Board has been able to avoid any increases to its tariff since 1999. It will continue to review its fee structure levels in the light of industry forecasts for 2004 onwards.

Council

The Members of the Council are shown on page 106 all of them held office throughout the year with the exception of Mr. K.G. Lee who was appointed on 2nd July 2003. All voting Members of the Council of Management retire in accordance with the Articles of Association and, being eligible, offer themselves for re-election.

Following an amendment to the company's articles on 3rd April 2003, all members of the Council of Management and the President are directors of the company.

Members of the Council's responsibilities

Company law requires the Members of the Council to prepare accounts for each financial year which give a true and fair view of the state of affairs of the company and of the profit or loss of the company for that period. In preparing those accounts, the Members are required to:

- Select suitable accounting policies and then apply them consistently;
- Make judgements and estimates that are reasonable and prudent;
- State whether applicable accounting standards have been followed, subject to any material departures disclosed and explained in the accounts; and
- Prepare the accounts on the going concern basis unless it is inappropriate to presume that the company will continue in business.

The Members of the Council are responsible for keeping proper accounting records which disclose with reasonable accuracy at any time the financial position of the company and which enable them to ensure that the accounts comply with the Companies Act 1985. They are also responsible for safeguarding the assets of the company and hence for taking reasonable steps for the prevention and detection of fraud and other irregularities.

Report of the Council for the year ended 31st December 2003 (continued)

Corporate Governance

The Council of Management continues to give careful consideration to, and has adopted the main principles of, corporate governance as set out in the Code of Best Practice of the Committee of the Financial Aspects of Corporate Governance (the Cadbury Report). However it is the opinion of the Council that not all the provisions of the Cadbury Report are appropriate for a company of the size and structure of the British Board of Film Classification.

Transfers to reserves

The retained profit for the year of £1,232,591 has been transferred to reserves.

Fixed assets

Information relating to changes in the tangible fixed assets is given in note 8 to the accounts.

Donations

During the year the company made charitable donations totalling £119,110.

Auditors

Since the last Annual General Meeting, the company's auditors, W.H. Payne & Co., have merged with Wilkins Kennedy.

A resolution will be proposed at the Annual General Meeting that Wilkins Kennedy be appointed as auditors to the company for the ensuing year.

By Order of the Council

Robin Duval
Secretary

3 Soho Square, London, W1D 3HD.

11th March 2004

Independent Auditors' Report to the Members of British Board of Film Classification

We have audited the accounts of British Board of Film Classification for the year ended 31st December 2003 which comprise the Profit and Loss Account, the Balance Sheet, the Cash Flow Statement and the Related Notes numbered 1 to 18. These accounts have been prepared under the historical cost convention and the accounting policies set out therein.

Respective responsibilities of the Members of the Council and auditors

The Members of Council's responsibilities for preparing the annual report and the accounts in accordance with applicable law and United Kingdom Accounting Standards are set out in the statement of Members of Council's responsibilities.

Our responsibility is to audit the accounts in accordance with relevant legal and regulatory requirements and United Kingdom Auditing Standards.

We report to you our opinion as to whether the accounts give a true and fair view and are properly prepared in accordance with the Companies Act 1985. We also report to you if, in our opinion, the Council's Report is not consistent with the accounts, if the company has not kept proper accounting records, if we have not received all the information and explanations we require for our audit, or if information specified by law regarding Members of Council's remuneration and transactions with the company is not disclosed.

We read the Council's Report and consider the implications for our report if we become aware of any apparent misstatements within it.

Basis of opinion

We conducted our audit in accordance with United Kingdom Auditing Standards issued by the Auditing Practices Board. An audit includes examination, on a test basis, of evidence relevant to the amounts and disclosures in the accounts. It also includes an assessment of the significant estimates and judgements made by the Members of Council in the preparation of the accounts, and of whether the accounting policies are appropriate to the company's circumstances, consistently applied and adequately disclosed.

We planned and performed our audit so as to obtain all the information and explanations which we considered necessary in order to provide us with sufficient evidence to give reasonable assurance that the accounts are free from material misstatement, whether caused by fraud or other irregularity or error. In forming our opinion we also evaluated the overall adequacy of the presentation of information in the accounts.

Opinion

In our opinion the accounts give a true and fair view of the state of the company's affairs as at 31st December 2003 and of its profit for the year then ended and have been properly prepared in accordance with the Companies Act 1985.

Wilkins Kennedy
Chartered Accountants and
Registered Auditor,
Bridge House,
London Bridge
London, SE1 9QR.

18th March 2004

Profit and loss account for the year ended 31st December 2003

	Note	2003	2002
Turnover	(2)	6,204,967	5,656,520
Operating costs		(5,073,233)	(4,291,827)
Operating profit		1,131,734	1,364,693
Interest receivable and similar income	(3)	103,875	133,831
Interest payable and similar charges	(4)	(110,391)	(34,500)
Profit/(loss) on current asset investments:			
- realised		(75,816)	(132,522)
- unrealised		(185,035)	(187,031)
Profit before exceptional items		1,234,437	1,144,471
Exceptional items:	(13)		
Provisions no longer required		678,500	-
Unamortised deferred expenditure written off		(260,570)	-
Profit on ordinary activities before taxation	(6)	1,652,367	1,144,471
Tax on profit on ordinary activities	(7)	(419,776)	(362,798)
Retained profit for year		1,232,591	781,673
Retained profit at beginning of year		3,377,912	2,596,239
Retained profit at end of year		£4,610,503	£3,377,912

Continuing operations

None of the company's activities were acquired or discontinued during the above two financial years.

Total recognised gains and losses

The company has no recognised gains or losses other than the profit or loss for the above two financial years.

The accompanying notes are an integral part of this profit and loss account.

Balance sheet 31st December 2003

	Note	2003	2002
Fixed assets			
Tangible assets	(8)	<u>5,413,854</u>	<u>466,326</u>
Current assets			
Deferred tax asset		110,880	80,656
Debtors	(9)	390,079	433,371
Investments	(10)	1,470,936	1,305,082
Cash at bank and in hand		<u>1,464,478</u>	<u>2,996,665</u>
		3,436,373	4,815,774
Creditors: amounts falling due within one year	(11)	<u>(1,392,953)</u>	<u>(1,202,437)</u>
Net current assets		<u>2,043,420</u>	<u>3,613,337</u>
Total assets less current liabilities		7,457,274	4,079,663
Creditors: amounts falling due after more than one year	(12)	(2,823,520)	-
Provisions for liabilities and charges	(13)	<u>-</u>	<u>(678,500)</u>
Net assets		<u>£4,633,754</u>	<u>£3,401,163</u>
Capital and reserves			
Capital reserve	(14)	23,251	23,251
Profit and loss account		<u>4,610,503</u>	<u>3,377,912</u>
Accumulated funds	(15)	<u>£4,633,754</u>	<u>£3,401,163</u>

Approved by the Council of Management on 11th March 2004.

E. J. Needham - Chairman

J. R. Millard - Treasurer

The accompanying notes are an integral part of this balance sheet.

Cash flow statement for the year ended 31st December 2003

Reconciliation of operating profit to net cash flow from operating activities	2003	2002
Operating profit	1,131,734	1,364,693
Depreciation charges	443,471	262,741
Loss on sale of tangible fixed assets	(808)	-
Increase/(decrease) in debtors	43,136	(131,079)
Increased/(decrease) in creditors	268,767	(99,685)
Net cash inflow from operating activities	<u>£1,886,300</u>	<u>£1,396,670</u>

Cash flow statement	2003	2002
Net cash inflow from operating activities	1,886,300	1,396,670
Return on investments and servicing of finance (note 16a)	(6,360)	133,229
Taxation	(665,259)	(345,000)
Capital expenditure (note 16b)	(5,650,760)	(223,492)
	(4,436,079)	961,407
Management of liquid resources (note 16c)	(56,635)	(397,674)
(Decrease)/increase in cash	<u>(£4,492,714)</u>	<u>£563,733</u>

Reconciliation of net cash flow to movement in liquid funds (note 16d)	2003	2002
(Decrease)/increase in cash in the year	(4,492,714)	563,733
Increase in current asset investments	165,853	78,121
Change in net liquid funds	(4,326,861)	641,854
Net liquid funds at beginning of year	4,301,747	3,659,893
Net liquid funds at end of year	<u>£(25,114)</u>	<u>£4,301,747</u>

The accompanying notes are an integral part of this cash flow statement.

Notes to the accounts for the year ended 31st December 2003

1. Accounting policies

The principal accounting policies, which have been consistently applied are:-

a Basis of accounting

The accounts are prepared under the historical cost convention and in accordance with applicable accounting standards.

b Tangible fixed assets

Fixed assets are stated at original cost. Depreciation is provided at rates calculated to write-off the cost less estimated residual value of each asset on a straight line basis over its estimated useful life as follows:-

Movable furniture and equipment	25 per cent per annum
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Computer equipment	33.33 per cent per annum
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Long leasehold property is amortised on a straight line basis over the duration of the lease.

Expenditure on leasehold property and immovable furniture and equipment is written off as incurred.

c Current asset investments

Current asset investments are stated at the lower of cost and net realisable value.

d Taxation

The charge for taxation is based on the profit for the year and takes into account taxation deferred because of timing differences between the treatment of certain items for accounting and taxation purposes.

Provision is made at current rates for tax deferred in respect of all material timing differences. Deferred tax assets are only recognised to the extent that they are regarded as recoverable. The company has not adopted a policy of discounting deferred tax assets and liabilities.

e Turnover

Turnover comprises the value of sales (excluding VAT) of services supplied in the normal course of business.

f Leased assets

Rentals applicable to operating leases are recognised in the profit and loss account as incurred.

g Pensions

The company operates a defined contribution pension scheme to provide retirement benefits for its staff. The amount charged to profit and loss account in respect of pension costs is the contributions payable and provided in the year.

Notes to the accounts (continued) for the year ended 31st December 2003

2. Turnover

The turnover and operating profit are attributable to the principal activity of the company.

3. Interest receivable and similar income

	2003	2002
Bank deposit interest	65,208	95,149
Income from current asset investments	38,667	38,550
Other income	-	132
	<u>£103,875</u>	<u>£133,831</u>

4. Interest payable and similar charges

	2003	2002
Financing element of the provision for short leasehold deferred expenditure (see note 13)	-	£34,500
Loan interest	<u>£110,391</u>	<u>-</u>

5. Employees

	2003	2002
Average monthly number of people employed by the company during the year:-		
Management	9	9
Administration	11	11
Examination	21	20
Technical	16	15
Accommodation	2	2
Casual	<u>5</u>	<u>4</u>
	<u>64</u>	<u>61</u>

Costs in respect of these employees:

Salaries	2,593,519	2,040,283
Social security costs	278,610	207,068
Pensions	110,745	151,286
Life assurances	<u>5,718</u>	<u>5,228</u>
	<u>£2,988,592</u>	<u>£2,403,865</u>

Notes to the accounts (continued) for the year ended 31st December 2003

6. Profit on ordinary activities before taxation	2003	2002
Profit on ordinary activities before taxation is arrived at, after charging:-	£	£
Directors' remuneration (including benefits)	188,562	-
Depreciation and amounts written off fixed assets	443,471	262,741
Auditors' remuneration	21,000	21,000
Rental of equipment	8,486	8,547
Rental of premises	160,942	375,000
	<hr/>	<hr/>
7. Tax on profit on ordinary activities	2003	2002
Reconciliation of tax charge to profit:		
Profit on ordinary activities multiplied by standard rate of corporation tax in the UK of 30 per cent (2002 - 30 per cent)	(495,710)	(343,341)
Effects of:		
Expenses not deductible for tax purposes	(3,599)	(5,546)
Investment losses not deductible against income	-	(96,101)
Investment gains not taxable	32,766	-
Depreciation in excess of capital allowances	(43,473)	(10,237)
Reversal of property deferred expenditure - not taxable	50,914	-
Franked investment income not taxable	8,075	6,900
Other items tax deductible	242	4,636
Indexation allowance	-	235
Marginal relief	857	-
Overprovision of tax	(72)	-
	<hr/>	<hr/>
	(450,000)	(443,454)
Deferred tax asset arising from the interaction of depreciation and capital allowances	30,224	80,656
	<hr/>	<hr/>
Tax on profit on ordinary activities	£(419,776)	£(362,798)
	<hr/>	<hr/>

Notes to the accounts (continued) for the year ended 31st December 2003

8. Tangible fixed assets

	Long leasehold property	Long leasehold property expenditure	Short leasehold property expenditure	Short leasehold property	Furniture and equipment	Total
Cost						
At beginning of year	-	-	480,000	460,957	2,893,472	3,834,429
Additions	5,180,700	29,383	-	-	442,175	5,652,258
Disposals	-	-	(480,000)	(460,957)	(1,278,521)	(2,219,478)
	<u>5,180,700</u>	<u>29,383</u>	<u>-</u>	<u>-</u>	<u>2,057,126</u>	<u>7,267,209</u>
Depreciation						
At beginning of year	-	-	219,430	460,957	2,687,716	3,368,103
Charge for the year	27,630	29,383	-	-	386,458	443,471
Disposals	-	-	(219,430)	(460,957)	(1,277,832)	(1,958,219)
	<u>27,630</u>	<u>29,383</u>	<u>-</u>	<u>-</u>	<u>1,796,342</u>	<u>1,853,355</u>
Net book value						
At end of year	£5,153,070	£-	£-	£-	£260,784	£5,413,854
At beginning of year	<u>£-</u>	<u>£-</u>	<u>£260,570</u>	<u>£-</u>	<u>£205,756</u>	<u>£466,326</u>

9. Debtors

	2003	2002
Trade debtors	272,547	271,085
Others	27,364	28,016
Prepayments and accrued income	90,168	134,270
	<u>£390,079</u>	<u>£433,371</u>

Notes to the accounts (continued) for the year ended 31st December 2003

10. Current asset investments – listed	2003	2002
Cost		
At beginning of year	1,704,737	1,439,585
Additions	404,968	566,802
Disposals	(424,149)	(301,650)
	<hr/>	<hr/>
At end of year	1,685,556	1,704,737
	<hr/>	<hr/>
Provision for unrealised loss		
At beginning of year	(399,655)	(212,624)
Decrease/(increase) in provision	185,035	(187,031)
	<hr/>	<hr/>
At end of year	(214,620)	(399,655)
	<hr/>	<hr/>
Cost less diminution provision at end of year	£1,470,936	£1,305,082
	<hr/>	<hr/>
UK Government securities	204,002	283,796
Other UK investments	1,266,934	1,021,286
	<hr/>	<hr/>
	£1,470,936	£1,305,082
	<hr/>	<hr/>
Market value of listed investments at end of year	£1,563,744	£1,333,317
	<hr/>	<hr/>
11. Creditors: amounts falling due within one year	2003	2002
Bank loan (secured - see note 12)	137,008	-
Trade creditors	289,485	205,075
Corporation tax	227,948	443,207
VAT	81,134	100,259
Other taxation and social security costs	223,273	142,050
Other creditors	254,310	241,671
Accruals and deferred income	179,795	70,175
	<hr/>	<hr/>
	£1,392,953	£1,202,437
	<hr/>	<hr/>

Notes to the accounts (continued) for the year ended 31st December 2003

12. Creditors: amounts falling due after more than one year

	2003	2002
Bank loan (secured)	<u>£2,823,520</u>	<u>£-</u>
Due within 1-2 years	146,438	-
Due within 2-5 years	490,455	-
Due after more than 5 years	<u>2,186,627</u>	<u>-</u>
	<u>£2,823,520</u>	<u>£-</u>

The company's bank loan is secured by a fixed legal mortgage over the long leasehold property. The company's bank loan bears a fixed rate of interest of 5.64 per cent and is repayable in quarterly instalments. The final instalment is due for payment on 6th May 2018.

13. Exceptional items

During the year the company purchased a long leasehold interest in its premises as shown in note 8. As a result of this, the previous lease fell away and provisions made in the accounts relating to obligations under that lease were no longer required. This gave rise to the following movements in the leasehold property dilapidations provisions:-

	2003	2002
Provision at beginning of year	678,500	644,000
Provision for the year	-	34,500
Provisions no longer required:		
-Amortisation	(219,430)	-
-Financing element	(198,500)	-
-Deferred expenditure	<u>(260,570)</u>	<u>-</u>
Provision at end of year	<u>£-</u>	<u>£678,500</u>

In addition, the unamortised deferred expenditure of £260,570 has been written off.

14. Capital reserve

	2003	2002
At beginning and end of year	<u>£23,251</u>	<u>£23,251</u>

The capital reserve represents surpluses realised on sales of fixed assets prior to 1984.

Notes to the accounts (continued) for the year ended 31st December 2003

15. Reconciliation of movements on accumulated funds

	2003	2002
Profit for the financial year after taxation	1,232,591	781,673
Accumulated funds at beginning of year	3,401,163	2,619,490
Accumulated funds at end of year	<u>£4,633,754</u>	<u>£3,401,163</u>

16. Cash flow statement

	2003	2002
(a) Return on investments and servicing of finance		
Interest received	65,364	94,547
Income from current asset investments	38,667	38,550
Other income	-	132
Interest paid	(110,391)	
	<u>£(6,360)</u>	<u>£133,229</u>
(b) Capital expenditure		
Payments to acquire tangible fixed assets	(5,652,258)	(223,492)
Receipts from sale of tangible fixed assets	1,498	-
	<u>£(5,650,760)</u>	<u>£(223,492)</u>
(c) Management of liquid resources		
Purchase of current asset investments	(404,968)	(566,802)
Sale proceeds of current asset investments	348,333	169,128
	<u>£(56,635)</u>	<u>£(397,674)</u>

(d) Analysis of change in net funds

	At beginning of year	Cash flows	Other non- cash changes	At end of year
Cash at bank and in hand	2,996,665	(1,532,187)	-	1,464,478
Bank loan repayable within one year	-	(137,008)	-	(137,008)
Bank loan repayable after more than one year	-	(2,823,520)	-	(2,823,520)
Current asset investments	1,305,082	56,635	109,219	1,470,936
	<u>£4,301,747</u>	<u>£(4,436,080)</u>	<u>£109,219</u>	<u>£(25,114)</u>

Notes to the accounts (continued) for the year ended 31st December 2003

17. Guarantees and other financial commitments

(a) Capital commitments

2003

2002

At the year end, capital commitments were:

Contracted for but not provided in the accounts

£-

£35,000

(b) Operating lease commitments

The minimum annual rental on property held under an operating lease was as follows:-

Lease which expires:

2003

2002

After 5 years

£-

£375,000

(c) Pension arrangements

(i) The company operates a defined contribution scheme to provide retirement benefits for staff.

(ii) The total pension charge for the year was £110,745 (2002 - £151,286).

18. Change of name

On 3rd April 2003 the name of the company was amended from 'The British Board of Film Classification'.

The Role of the BBFC

The BBFC classifies films, videos and digital media. It does this on behalf of the Local Authorities, who are responsible for cinema licensing and classification, and as the designated authority under the Video Recordings Act.

The BBFC is funded solely from the fees charged for its services.

Statement of Purpose

- 1** To provide the public with the means to make informed decisions about the films, videos or digital media which they, or those in their care, may wish to view or play.
- 2** To classify works into appropriate categories with regard to relevant legislation and in accordance with the Board's published Classification Guidelines. In doing so, to preserve a proper balance between social responsibility and freedom of expression.
- 3** To provide a reliable and efficient service to the Board's client industries.
- 4** To operate at all times in an independent, fair, consistent and transparent manner.
- 5** To be accessible and responsive to the public and its representatives.
- 6** To ensure a sound financial base for the Board's work and to preserve its independence and integrity.

Aims

The BBFC, additionally, has the following aims:

- i** To ensure that the Classification Guidelines are in line with current legal requirements and contemporary public opinion. To that end, to engage in regular and wide ranging consultation with the public and its representatives, with expert and specialist advisers and with the relevant entertainment industries.
- ii** To seek at all times, in the implementation of the Guidelines, to ensure that the younger and more vulnerable members of society are protected from harm.
- iii** To monitor closely research into the effects of the media and changes in public opinion; and to participate in relevant research projects.
- iv** To promote clear, effective and efficient working practices, lines of communication and accountability, in all aspects of the Board's work.
- v** To treat all submitting clients fairly and impartially and to promote openness by providing information and advice about Board policy and procedures.
- vi** To continue to improve the quality and efficiency of the Board's performance at all levels through ongoing internal review and early response to developments in the industry and in technology.
- vii** To ensure that the Board is responsive to new requirements for classification services.
- viii** To achieve a high level of courtesy in all forms of communication.
- ix** To keep under review appropriate means of informing audiences about film, video or digital media content and to promote their use.
- x** To explain the Board's function and activities to the public clearly and fully.
- xi** Through the application of equal opportunities and fair employment policies and practices, to develop the Board's staff to their full potential to enable them to secure the aims set out here.



