



Annual Report 2006





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*The Pirates of the Caribbean - The Curse of the Black Pearl '12A'*

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*The Queen '12A'*

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*The Notorious Bettie Page '18'*

*Casino Royale '12A'*



**I**n 2006 the Board classified 18,103 works, and rejected one, compared to 16,958 in 2005 and 15,049 in 2004. Despite the overall rise there was a downward trend through the year which may persist into 2007. In any event this amounts to a significant workload.

These numbers give only a rough indication of the work involved in the continuous careful scrutiny which the examiners, the front line staff who consider in detail each work submitted, and their senior colleagues, undertake. The task requires painstaking discrimination and judgement to ensure that each of our decisions accurately reflects our published Guidelines and is consistent with decisions taken in respect of other works. I would like to express again my appreciation for the rigour the examining teams bring to their work. They maintain vigilant attention to detail: did that shot conflict with the legislation concerning animal cruelty? Did that somewhat muffled remark include language inappropriate for the age group concerned? Would that sequence risk encouraging children to copy something predictably dangerous? At the

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same time they must look at the context and show a rounded appreciation of the nature of the work, its intentions and effect.

The examination of individual works, and the policy issues to which it gives rise, is the core of the Board's function. It necessarily entails the close involvement of the Director and of the Presidential team, including the two Vice Presidents, Lord Taylor of Warwick and Janet Lewis-Jones. We work as a team and their perceptions, support and guidance have been invaluable.

Any one of our decisions may be controversial or at least subject to challenge and criticism. For example, were we right to: make **Casino Royale** '12A', despite some scenes of violence and torture; give **Hostel** an '18' certificate without cutting any of its scenes of graphic violence; give **The Ketchup Effect** '18' because of one scene, when the appeal and tone of the film overall might have pointed to '15' or less; give **Shortbus** an '18' certificate when its explicit sexual content might, in the views of some, have been accommodated more readily at 'R18'; refuse an 'R18' certificate (the only certificate for which it was conceivably eligible) to one sex work called **Struggle in Bondage**, featuring a number of sequences of women tied up and struggling with no indication that this was consensual role play?

Not everyone thought so. We believe that these decisions are consistent with our Guidelines. While the Board does not claim to be infallible and no doubt makes mistakes, at least our decisions are the product of a systematic process involving review and oversight. The fact that the Guidelines are published and available for reference on our





*Sir Quentin Thomas*





**The Board remains anxious to play its part in ensuring that the benefits of our regulatory system for films and DVDs remain available to the public, modified as appropriate, in the new media environment which is beginning to emerge**



website ([www.bbfc.co.uk](http://www.bbfc.co.uk)) means that anyone questioning our decisions can see the basis on which the decision was taken, can challenge our interpretation of the Guidelines or suggest how they should be amended.

Though the point may be obvious, it is worth saying explicitly that any alternative decision taken in respect of the works mentioned above, or any other work, could also have attracted criticism and, predictably in some instances, much greater criticism.

One way in which the Board finds it helpful to test its decisions is to view several films a year with each of its advisory bodies: the Advisory Panel on Children's Viewing, which is chaired by David Simpson, a Youth Court District Judge, and the Consultative Council, which I chair myself. There

is then a discussion, often lively, of the film, the reasoning behind the classification decision taken by the Board, and the merits (or demerits) of each. These discussions involve members of the examining team responsible for deciding, or recommending, how it was classified. A number of the works mentioned above were considered in this way by one or other of the advisory bodies. Although these discussions take place after the work in question has been classified they are immensely valuable in gauging public and expert opinion and in informing future decisions.

Each of these bodies, reflecting its respective functions, is constituted somewhat differently (the full memberships are set out elsewhere in this Report). But each includes individuals of standing and experience, those working in closely related fields and some with relevant professional expertise. Of course the discussion of particular films is only part of the work these bodies undertake. I should like to express my thanks to the members of the APCV and the Consultative Council for the work they undertake on behalf of the Board and of the public.

One or two of our decisions to give '18' certificates, without requiring cuts, led some commentators to suggest that the Board had 'given up' and abdicated its responsibilities. Naturally we reject that contention. (Perhaps *Shortbus* and *Destricted*, both decisions taken with the close involvement of the Presidential team, prompted most such comments, though equally there were film critics who thought the Board was right.)

As our Guidelines make clear, our starting point, which is consistent with what our research and



consultations tell us of public views, is that adults should be free to choose their own entertainment, within the law. Perhaps not all those who criticise us would accept that starting point.

But there are, in any case, important qualifications, including that about the law. That this is so is clear from the fact, no doubt worrying to critics from another direction, that in 2006 the Board cut 25 per cent of DVDs classified '18' and 24 per cent of those rated 'R18'. Of those cut at '18' almost all were sex works cut to avoid being rated 'R18', which would have confined them to licensed sex shops. In the case of the 'R18' works cut, this was because they appeared likely to contravene the Obscene Publications Act, contained abusive, non-consensual or violent material, or were deemed likely to encourage an interest in abusive or harmful activity.

But of course much of the Board's work concerns classification for non-adult audiences, and the provision of Consumer Advice, enabling the public to make informed decisions about what they and their children are going to watch. Even at these levels cuts may be required in a few cases (indeed up to five per cent of cinema films classified '12A') to ensure the work is suitable for the age group the distributor hopes to reach.

The Board has also been active in classifying those digital games which are submitted to it (not all were required to be). It remains ready to continue classifying a higher proportion of these works if that is what the public and the industry would find helpful or what Parliament should require. As the Director and I both made clear in our contributions to last year's Annual Report, the

Board remains anxious to play its part in ensuring that the benefits of our regulatory system for films and DVDs remain available to the public, modified as appropriate, in the new media environment which is beginning to emerge. The Director's report elaborates on this. In the meantime, like others, we await with interest the Report of the House of Commons Select Committee on Culture, Media and Sport following its enquiry on *New Media and the Creative Industries*. The Board gave written and oral evidence and some members of the Committee visited the Board.

During this year Graham Lee, previously the Vice Chairman, was elected Chairman of the Board's Council of Management. I am grateful to him, and to the other members of Council, including his predecessor Ewart Needham, for their guidance and support at a time when the Board has continued to make a number of important changes in management, and to face challenges in the new media environment.

The Board was delighted that Janet Lewis-Jones was appointed as a founder member of the BBC's Board of Trustees.

Finally, I should record my debt to the Director, David Cooke, for his leadership of the staff effort, for his management of a programme of reform and change in the interests of both the Presidential team and the Council of Management and for his wise counsel and support.



**Quentin Thomas** May 2007





**A**s I envisaged in last year's Annual Report, the BBFC began 2006 with the introduction of a new Vision Statement. Over the course of the last twelve months this has become a real working document, guiding agenda setting and decision making throughout the organisation.

Our workload increased significantly for the ninth successive year – from 16,958 submissions in 2005 to 18,103 in 2006 – but the pattern of submissions was not evenly distributed across the year, the second six months being significantly slower than the first. We are monitoring the situation closely but with the launch of new (and competing) high definition formats for DVD, the rapid roll out of video-on-demand download services on the internet, and the gradual conversion of cinema screens to digital projection technology, predicting the future is more difficult than ever.



**The BBFC is working closely with the industry to ensure that the benefits of film and DVD classification and Consumer Advice are carried over into the world of downloads and streaming**



However, of this we are sure: no matter what technology is used to get the moving image material to the eyeball of the viewer, people in the UK will benefit if harmful material is effectively controlled and if other material is clearly identified in terms of its content and its suitability for viewers of different ages. As major internet download services (which probably fall outside the current regulatory arrangements for TV, film and DVD) are launched, the benefits of regulation could be lost unless the right choices are made. During 2006, we highlighted the more serious issues raised by a purely unregulated market in video material through:

- a substantial memorandum to the Culture, Media and Sport Select Committee inquiry *New Media and the Creative Industries*
- oral evidence to the Committee
- presentations to members of the Committee and to DCMS officials giving real examples of material which was harmful but which would not be caught by the criminal law, and demonstrating the way in which commercial pressures in an unregulated market could result in more inappropriate material being available to children.

Our research continues to demonstrate that the BBFC's system of simple categories backed by individually tailored Consumer Advice is trusted, understood and appreciated by the public, especially by adults making decisions concerning the viewing (and computer game playing) of children in their care. It is already becoming clear that leading content providers, gauging public



demand and expectation, regard BBFC categories and Consumer Advice as 'labels of choice' for content offered via the internet. Although 'labelling' does not deal with all the harm issues in which the BBFC has developed unique expertise, it is clearly a vital component of any responsible media service.

The BBFC is, unsurprisingly, working closely with the industry to ensure that the benefits of film and DVD classification and Consumer Advice are carried over into the world of downloads and streaming. Towards the end of 2006, the BBFC hosted a joint industry forum with the British Video Association to discuss this issue. The forum led to the establishment of an industry-BBFC working party whose aim is to develop working models for online classification. The focus is on material which would previously have been delivered in physical film or DVD format: we are not seeking an open-ended regulatory role. Work on the 'BBFC Online' project is far from complete and will continue through 2007, but the purpose of the scheme is to ensure that the BBFC category and Consumer Advice is made clear to the consumer at point of online hire or sale. Possible models include:

- a 'buy one get one free' model in which a content provider is issued with a free online classification certificate for every work classified for DVD release under the Video Recordings Act 1984
- a 'fast and simple' service for material solely for online distribution, fully utilising the possibilities of new technology

- a 'partnership' scheme enabling non-traditional, dynamic media services to provide their own content guidance to users based on BBFC set criteria and procedures.

No final decisions will be taken without further consultation and trialling, but we are keen to show that the BBFC is prepared to be open-minded and imaginative in responding to the challenges and opportunities of new media.

The BBFC is also a member of the Cross-industry Audiovisual Content Information Group, an Ofcom backed initiative of the Broadband Stakeholder Group aimed at establishing common principles for the labelling of online content.

In recent years the BBFC has seen a surge in the number of games submitted (from just 32 in 2003 to 298 in 2006). This has partly reflected the inclusion of linear material in games, but there is also attraction to the industry in the confidence and security which BBFC classification provides. This security derives from a number of factors, including: the independence of the BBFC from the industry; the detailed scrutiny of each submitted game by professional examiners based on extensive gameplay; and the statutory force that BBFC classifications carry. Games bring with them particular challenges, many associated with the online capabilities (including the ability to change the game through 'mods' and 'patches') that have emerged in recent years.

In order to regulate games appropriately, we believe it is essential to understand what drives games players, especially with regard to choosing and playing particular games. To that end, we



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commissioned qualitative research designed to investigate the pleasures involved in playing games in general, and in playing particular types of game. The results paint a complex picture of a gamer whose intent concentration co-exists with a relative lack of emotional involvement with onscreen characters, and whose pleasure derives from progression through problem solving rather than from narrative developments. The research identifies the ways in which the nature of gameplay constantly reminds the player that it is 'only a game', and contrasts this with the immersion and emotional involvement that are commonly associated with watching feature films. Importantly, the research also suggests that the 'only a game' context does not prevent younger children from being disturbed or upset by games which encourage or allow game outcomes which are immoral or anti-social (eg hurting innocent characters). Respondents back BBFC classification as an effective means of identifying games which are unsuitable for young children.

I noted a year ago that the BBFC's unique experience in regulating 'hardcore' pornography allowed us to make a well informed contribution

to the Home Office consultation on plans to outlaw the possession of extreme pornographic material, and during 2006, officials took up our offer to meet to provide further assistance. The Government's response to the consultation demonstrated that our concerns had been fully taken on board, and signalled an intention to make classification by the BBFC a defence. We welcome this approach.

Every year a number of BBFC classification decisions attract media comment, and this year was no exception. Two major blockbusters, *The Da Vinci Code* and *Casino Royale*, sat on the borderline between '12A' and '15' when first seen in unfinished form for advice. In both cases the BBFC advised the distributor that the violence would need to be toned down if the desired '12A' category was to be achieved. The versions submitted for formal classification were, indeed, toned down and were, in our view, appropriately placed at the upper end of '12A'. Reaction to the films enabled the BBFC to underline the message that '12A' means 'suitable for persons aged 12 or over' and that, although parents have the right to take younger children, they should exercise that right responsibly, taking due account of the likely content (as indicated by the BBFC Consumer Advice) and of the sensitivity of their own particular child.

Of course some films cannot be accommodated at an advisory category at all, even with minor changes, and the BBFC's independence allows it to apply robustly the criteria developed over many years through consultation with the public. It is not unusual for films passed PG13 in the USA (the equivalent of our '12A') to receive a '15' on

grounds of violent content in the UK, and in 2006 we classified 10 per cent of films at a category higher than that requested by the distributor.

At the higher end of the scale, serious films featuring real sex were once again a feature of 2006. In line with public opinion, such works are classified '18' provided they are not primarily intended to sexually arouse and provided any explicit images are justified by the context (works which fail these tests are usually passed 'R18', restricting their sale to those who visit licensed sex shops). ***Destrixted*** featured a collection of short video works from artists and film makers commissioned to explore the relationship between film, sex and art. Not everyone will enjoy or approve of such a work, but we were satisfied that its primary purpose was to explore rather than to arouse, and that the strong sexual imagery it used was justified. Similarly, ***Shortbus***, a critically well received US comedy, placed its real sex scenes in a context quite distinct from that found in sex works passed 'R18'.

It is also worth drawing attention to ***This Film Is Not Yet Rated***, a polemical documentary about our US counterparts the Motion Picture Association of America (MPAA). It is questionable how fair and balanced a picture this film provided, but it did generate some media interest in the BBFC which allowed us to explain the steps we have taken to make ourselves fully open and accountable as well as independent.

Once again, I am very grateful for the guidance and support over the year of the Presidential Team and the Council of Management, and for the stimulating discussions we have had with the

Advisory Panel on Children's Viewing and the Consultative Council. As always, the BBFC staff have been a delight to work with. We ran a voluntary redundancy scheme at the end of the year, and I would like to say a special thanks to colleagues who have opted to leave under this scheme for all that they have contributed to the BBFC.



**David Cooke** May 2007







**T**he BBFC is accountable to the public, the film industry and Parliament and this Annual Report is a key part of our fulfilment of that requirement.

It provides a review of the work of the Board during 2006 as well as information about our financial position. This report can also be found on the Board's main website, and is placed in the libraries of both Houses of Parliament.

Throughout the year members of the Board were interviewed on both radio and television explaining the work of the BBFC and specific classification decisions. In addition to the talks given in educational establishments, outlined in the section on the educational work of the Board, the Director answered questions at the Bath Film Festival about the film *Destricted* and took part in a platform presentation with the film critic and broadcaster, Mark Kermode, about the film *This Film Is Not Yet Rated* at the Institute of Contemporary Arts in London. Examiners gave public presentations at the Edinburgh Interactive Entertainment Festival; Game City in Nottingham; the Swansea Animation Days conference; the Guernsey Film Festival; the Manchester Cornerhouse; the Hebden Bridge Picture House and the University of Kent Gulbenkian Cinema.

## Consumer Advice

2006 saw the demise of the oft quoted, but little understood, Consumer Advice phrase 'mild peril'. 'Mild peril', along with other confusing or impenetrable phrases, was dropped in favour of more contemporary and comprehensible language following the research reported on in the 2005 report.

Throughout 2006 the BBFC monitored industry compliance with Consumer Advice on both DVD and film. Consumer Advice has consistently been carried on 100 per cent of the top selling DVDs for both the rental and retail markets. Consumer Advice also routinely accompanies the marketing of most films, specifically newspaper advertising, posters and trailers on television. The Board provides regular feedback to the industry to encourage compliance and ensure that Consumer Advice is clear and prominent.

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## Letters from the public

One of the key areas of accountability to the public is replying to letters and emails. Given the number of works which the Board classifies and given the number of people who go to the cinema and watch DVDs we get relatively few complaints. In 2006 we answered 429 letters and emails. The way that public correspondence is handled by the Board changed in 2006 so that response times are now quicker and answers to the complaints are more comprehensive.

*Nacho Libre* '12A'



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The majority of people writing in do understand the role of the BBFC, but some are a little confused, like the people who complain about the price of cinema tickets, or popcorn and the people who think we make the films as well as classify them. One person wrote in to complain that he did not like Daniel Craig as the new James Bond, demanding the return of Sean Connery, but also felt that the 'two females were the worst, most unattractive side kicks I have ever seen in a James Bond film'. Casting is definitely one area the Board has no control over.

**Casino Royale** was the most complained about film with 82 complaints in 2006 and they were still coming in at the beginning of 2007. The majority were about the level of violence in the film, commenting that it should have been a '15'. A couple of letters complained about the level of nudity in the film, which is surprising given that the love scenes were chaste by comparison with other Bond films.

Films which correspondents considered to have been rated too low included **Silent Hill**, **Date Movie**, **My Super Ex-Girlfriend**, **Alien Autopsy** and **Mission Impossible III** to name a few, but it should be noted that the number of such letters per film range from the relatively high 19 for **Silent Hill** to five for **Mission Impossible III**. Given how many people will have seen those films the number of complaints is small, but regardless of how many people write in they each get a response which explains carefully the Board's rationale for the decisions.

The number of non-porn works which the Board cuts is very small, but there will always be someone who complains about any cuts. One of the episodes of the television cartoon series **Ren and Stimpy** was cut to remove a hanging, which was portrayed in a comic way, from the 'PG' rated work. The Board was concerned that this could suggest to young children that hanging was a harmless and amusing activity. While recognising the adult appeal of the work, under the terms of the Video Recordings Act the Board must have regard to any harm that may be caused to 'potential viewers'. Two people wrote in to complain about the cut, one of whom had received the box set for Christmas and was so irate that he emailed the Board on Christmas Day.

The '12A' category, which allows parents to decide whether to take children younger than 12 to see the film in the cinema, is still being abused by some parents who take very young children to avoid paying for a baby sitter. This is most likely to occur with the 'blockbuster' '12A' films like **Casino Royale** or **Pirates of the Caribbean – Dead Man's Chest** and we received a small

**Casino Royale '12A'**  
**Driving Lessons '15'**







number of letters from people who were concerned about the effect the films might have on very young children in the audience. While not imposing a lower age limit on '12A' films, the Board does not consider them suitable for very young children. At the beginning of each film there is an on screen message which says 'Suitable for 12 years and over... Responsibility for allowing under 12s to view lies with the accompanying adult. Check the Consumer Advice before taking under 12s to see a '12A' film.' Taking very young children to '12A' films is unfair both on the children and the audience if their enjoyment of the film is disrupted by upset youngsters.

Bad language in films is always guaranteed to generate complaints, even when the Consumer Advice flags it up. Five people felt moved to write and complain about 'fuck' appearing, however infrequently, in any '12A' rated film on the basis that children should not be exposed to bad language. The '12A' Guidelines state that the use of strong language 'must be infrequent' and any film with even one 'fuck' will automatically be pushed up to '12A' with 'strong language' included in the Consumer Advice. Film companies in the US want to obtain the financially lucrative PG13 rating rather than the less attractive PG and to achieve this they slip in a 'fuck' to push the rating up. In the UK the 'PG' rating does not carry the same stigma, but strong language means that a film is automatically given a '12A' even if the rest of the film is 'PG' or even 'U'.

The fact that a film is rated 'U' or 'PG' does not mean that there will be no bad language at all, just that the stronger terms will not be used. However, how people interpret the term 'bad language'

varies enormously, and with regional variations. 'Bad language' in **Ice Age 2** resulted in three letters of complaint. The offending words were 'crap', said by two dung beetles who might well be expected to use the word, and 'jerk'. We were able to reassure two people who misheard the word 'funky' in the 'U' rated **Madagascar**.

Complaints about 'inappropriate language' were received about **Inside Man** and **Kidulthood** with people complaining about the use of 'cunt' in the '15' rated films. The '15' Guidelines allow for the use of 'cunt', but only where it is justified by context, and does not involve continued aggressive use. The Consumer Advice for both films flagged up the 'very strong language'. When the phrase 'very strong language' is used in Consumer Advice it almost invariably means that the film contains 'cunt'.

Sex and sex references in films below the level of '18' can cause offence and result in complaints, particularly when they appear at the more junior categories. **My Super Ex-Girlfriend** drew seven letters and **Little Man** resulted in three letters complaining mostly about the sex references and innuendo, which the complainants thought unsuitable for a '12A' film. The Guidelines for '12A' state that 'sexual activity may be implied. Sex references may reflect what is likely to be familiar to most adolescents but should not go beyond what is suitable for them.' In the case of **Mrs Henderson Presents**, which is about the famous Windmill Theatre and its nude tableaux, two letters thought young children should not be allowed to see nudity, despite the fact that even at 'U' natural nudity in a non-sexual context is acceptable. Complaints of this kind quite often reflect the



embarrassment felt by adults in the company of children who may have asked awkward questions.

Sometimes people write in to complain based entirely on stories they have read in the press. Several police forces issued press releases, picked up by their local newspapers, condemning the video game, **Reservoir Dogs**, because they thought it might lead to attacks on the police. The game action very closely follows the plot of the well known film of the same name and, like the film, was rated '18' by the Board. In total 11 people who had read the stories in the press wrote direct to the Board to condemn the game or wrote asking their MPs to raise the matter with us.

At the other end of the spectrum is the 'Uc' category, which the Board considers particularly suitable for pre-school children and which normally raise no classification issues. But it is impossible to cover all eventualities, and a complaint was received from a mother whose daughter had hurt herself leaping about on her bed while watching **The Fimble** DVD.

Most years the Board receives at least one complaint about a well known film which has been around for many years and which it would be reasonable to assume would have been seen by almost everyone, and so immune to complaint. In previous years **Watership Down** could be guaranteed to generate at least one letter saying that it was too sad for children. In 2006 it was the turn of **Jaws**. When the film came out in 1975 it was given an 'A' rating, which stood for advisory, and a 'PG' when it was passed on video in 1987. In 2006, 31 years after it first came out, one person wrote in to complain that the film was too gory for 'PG'.

## Media Education

The BBFC's education work continued to grow in reach and scope during 2006. The education officer and examiners carried out over 100 education visits across the UK, speaking to around 10,000 students and teachers at primary to post-graduate levels, plus adult education, professional and family groups. The BBFC's education team also hosted 12 specially tailored seminars in-house, introducing over 250 students and teachers to the work of the Board.

Highlights included sessions on extreme cinema at Brighton University; a session with the advertising graduates at TequilaUK, with the

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focus on public information films and commercials; a Regulation and Censorship Revision Day for several hundred A Level students





at the National Film Theatre; and discussions on films such as ***This Film Is Not Yet Rated***. Given the increases in video games submissions over recent years examiners have also started to give talks exclusively on video games classification.

The education department itself expanded with the addition of a new part time deputy education officer and an established education team. The BBFC's education team continued to develop relationships with other media organisations including Ofcom, the British Film Institute, Film Education and First Light.

As part of Film Education's National Schools Film Week examiners hosted 18 'master classes' in film classification in England, Scotland, Wales and Northern Ireland, speaking to over 3,600 students. The education team also hosted 12 Cineschool events across London, introducing films such as ***Kidulthood*** and ***Love + Hate*** to over 1,300 students across the capital. Plans for similar events aimed at primary school children are in hand for 2007.

Examiners also attended the BFI's Media Studies for Teachers event, lead INSET sessions for AS/A2 teachers and hosted events for around 400 students and teachers as part of the London Film Festival.

The education team also hosted events, lectures and master classes at film festivals in Guernsey, Aberystwyth, Dundee, Hereford, Swansea, Middlesbrough and Edinburgh.

Other initiatives included hosting training for PGCE Media Studies Teachers at the Board in which the trainee teachers focussed on the Swedish film ***The Ketchup Effect***, speaking at

conferences hosted by Media and Film Studies Exam Boards; and the development of a prototype interactive DVD for in house seminars and external visits. The DVD allows students to act as examiners, exploring classification issues and borderline decisions.

### Online Education

Children's BBFC – Cbbfc – the website aimed at primary school children, was relaunched in December with new characters, competitions and educational activities. The site also now includes more detailed information for parents about new releases in the junior categories.

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**Sbbfc continued to attract over a hundred thousand hits a month**

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Sbbfc, a resource aimed at teachers and older students, continued to attract over a hundred thousand hits a month and was also improved and updated with case studies on famous films, BBFC history and important decisions. The site also boasts more features and articles on classification and tie-in teaching resources for all the films used by examiners during Film Education's National Schools Film Week.

The development of a large scale extranet system has also enabled the education team and administrative staff to continue to enhance both websites. Teachers and students can now book seminars, ask questions and log requests online.

***This Film Is Not Yet Rated*** '18'  
***Love + Hate*** '15'  
***Kidulthood*** '15'  
***Infamous*** '15'  
***Hard Candy*** '18'





## **In 2007 the education team plans to launch a new online resource exclusively for parents**



In 2007 the education team plans to launch a new online resource exclusively for parents that will provide further information on how and why films and video games are classified and offer a clear guide to the content and issues in films passed 'U', 'PG' and '12A'. The site will also offer information on video games classification and DVDs aimed at children.

### **Research**

As part of our ongoing efforts to understand the viewing behaviour of people under 18, the Board has, for several years, commissioned research from Taylor Nelson Sofres using an extensive panel of 15,000 respondents. The research concentrates on the activities of under 18s as cinema-goers, buyers and viewers of DVD and Pay Per View material, and particularly their access to material classified '12A', '12', '15' and '18'.

The research has allowed us to gauge the extent to which families are using their discretion with the advisory '12A'. Over the last couple of years the research has been extended to monitor the degree to which the requirement that adults accompany under 12s to '12A' films is observed, and the access of under 18s to computer games rated above their age. In addition, as more data is gathered year on year, it is becoming possible to

identify firm trends in other underage activity – for example, whether underage viewing is indicative of a special interest in a small number of films or habitual behaviour. Such information is vital to developing classification policy and promoting and securing support for the BBFC classification system amongst the cinema industry and the public.

In 2006 the Board commissioned two major pieces of research looking at why people play video games and how audiences interpret scenes of sexual violence. Both projects are due to report in 2007.

### **Information technology**

Under the terms of the Video Recordings Act the BBFC is required to preserve indefinitely all video works submitted for classification. This archive plays a small but vital role in the Board's work, but the ability to play the VHS tapes becomes more problematic each year. During 2006 the Board embarked on the procurement of a major new system to digitise and store the statutory archive of more than 140,000 VHS tapes.

The BBFC has switched from VHS to DVD as the primary medium for submitted works as the high quality VCRs required to fulfil our obligations become more difficult to purchase and maintain. Submission of material on VHS is due to end in June 2007. This will close the archive to new VHS work, making the second half of 2007 the obvious starting point for the digital archive.

The BBFC's core requirements are unusual, even unique, within the industry. A relatively small percentage of the library is accessed each year, chiefly for comparison for regulatory purposes. In addition, material may need to be viewed in real-





time to detect subtle differences from a new version, making the quality of the original vital. The ability to access the material will be preserved through digitisation, with the original tapes being retained indefinitely as the definitive version in law.

After a thorough evaluation of suppliers a consortium involving some of the industry's leading companies was selected. During the second half of the year the consortium conducted a technical proof of concept using a selection of VHS material from the archive. Ingest of VHS will use industry standard MPEG-4 encoding at 3.5 mbps, providing a visual quality broadly equivalent to that of the VHS original and real-time noise reduction that can create the impression that the quality is superior to the original.

Towards the end of the year the technical proof of concept was scaled up to a pre-production pilot. The pilot will provide accurate information about the size and cost of the systems. It is also designed to inform the workflow and process considerations that are essential to the success of the project as a whole.

Within the business IT systems, reliability and continuity have been the key objectives. Business systems benefited from a high level of availability, with a complete failure of the electrical supply to the building causing the only significant operational time lost. The cost benefit analysis that was carried out as part of the contingency planning had indicated that a standby generator was an expense not warranted by the potential loss of revenue. The digitisation project offers the prospect of greatly increasing the ability of the business systems to survive even the loss of the building.

A key development over the past year has been the availability to all staff of secure remote access. Using an encrypted Virtual Private Network (VPN), staff can access all the facilities of the main office from a remote location. The VPN is exceptionally robust, using a pair of low cost servers operating in a suitable configuration. Leaving aside the modest staff costs involved in supporting the infrastructure, providing the secure access costs less than £1 a month. Since its introduction there have been no successful intrusions.

This extension of secure remote access to staff is a logical progression from the secure remote access that customers enjoy within the BBFC extranet facility. This is now so routinely embedded within the BBFC and customer processes that it is almost taken for granted. It has achieved its design goals of being both simple and powerful. The extranet will be the cornerstone of future developments in the relationship between the BBFC and our customers.

The public face of the BBFC is, for many thousands of people, the corporate web sites. These continue to enjoy high ratings both for popularity and for accessibility. We have put a great deal of effort into making the main site meet the requirements of the British Disability Act and similar legislation in other jurisdictions. We are especially sensitive to the needs of job seekers and have improved the accessibility of our recruitment web site, [londonjobvacancies.co.uk](http://londonjobvacancies.co.uk).

The department responsible for the information systems is also an integral part of the video games submissions process. Games can be supplied for any platform, dominated by

PlayStation, XBox, PC and Nintendo, but with others also making an appearance. This requires the team to have a wide range of skills and experience to ensure pre-release games function as the makers intended, thus enabling the examiners to do their job. This area has seen rapid growth over the past twelve months, with the number of games more than doubling.

Looking ahead to 2007, the core business systems must continue to provide their levels of reliability and availability while accommodating business change. Plans are in place to pilot the acceptance of submissions electronically. On completion of a successful pilot this service will be made available to all distributors. The new developments, led by the digital archive, bring new challenges and opportunities. Not least of these is delivering the same standards of service while integrating these new solutions into the existing infrastructure.

### **Enforcement**

Film piracy continues to be a major problem and the Board continues to provide support for the agencies trying to tackle it. It is illegal under the terms of the Video Recordings Act to supply a work on video or DVD which has not been classified by the BBFC, unless it is exempt. In 2006 the Board dealt with nearly 13,000 queries from Trading Standards and police officers. Submitted seized media, including DVD and video, accounted for 1,653 of these, slightly up on 2005, while the remaining 11,008 were 'title only' enquiries (down slightly on the previous year).

### **Customer helpline**

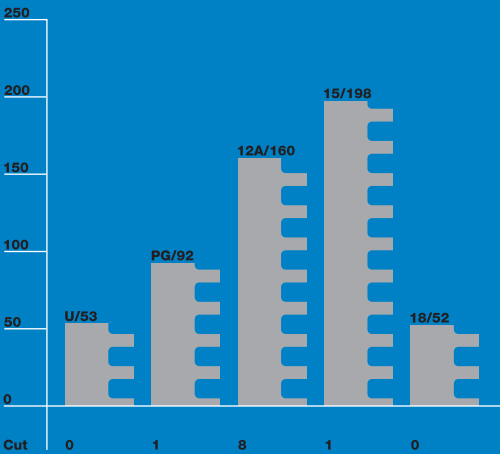
The customer helpline handled 7,471 calls in 2006, slightly fewer than the 7,618 calls taken the previous year. This dip – the first after a steady year-on-year rise over the past five years – can be attributed to increased information on the extranet which enabled customers to understand more than before about how their works were progressing, thus reducing the need for telephone advice.

### **Recycling**

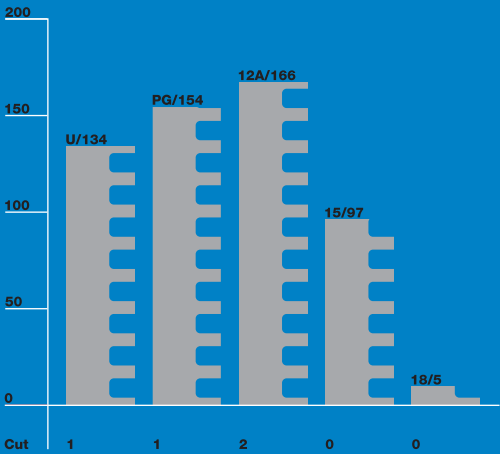
The BBFC's recycling efforts continued in 2006 with the aim of having more material which can be recycled than rubbish going out of the building. In addition to the usual paper and card, incoming media packaging is recycled and reused. Board staff also recycle food packaging. Stamps are collected and donated to the Guide Dogs for the Blind charity and inkjet cartridges are donated to the Macmillan Cancer Care charity. In addition the Board's Christmas trees were bought through a scheme where for every tree cut down two are planted to replace them. The Board's 'green team' are working on further recycling and 'green' projects for 2007.



Film total – 555



Film trailers – 566



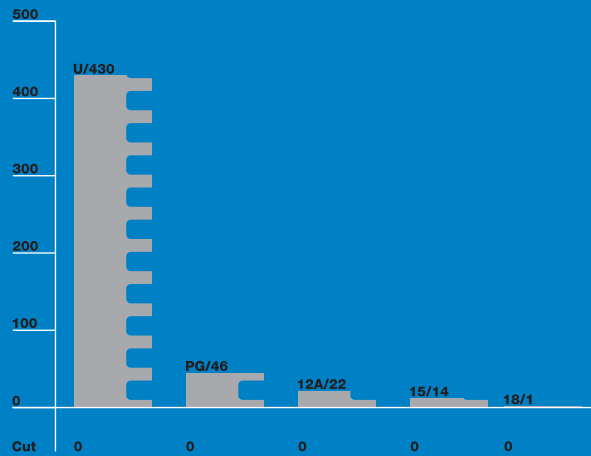
Film statistics 1996 - 2006

	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
U	42	38	56	65	61	43	71	61	41	43	53
PG	98	113	109	121	112	121	142	132	102	100	92
12	66	60	40	72	88	107	122*				
12A								152	148	153	160
15	166	134	174	192	174	174	201	188	222	219	198
18	75	92	69	73	85	59	48	56	49	54	52
R18								1		1	

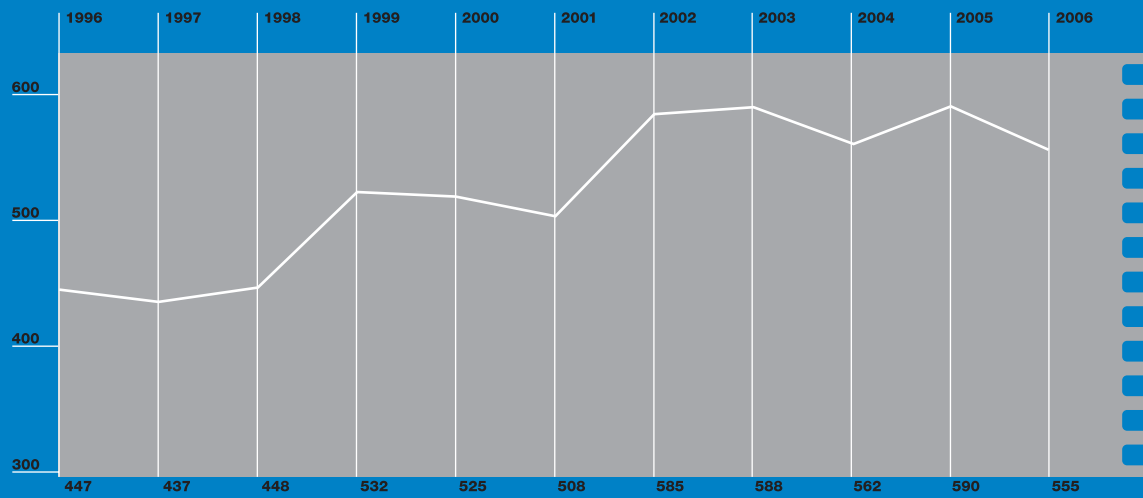
\*Inc 12A



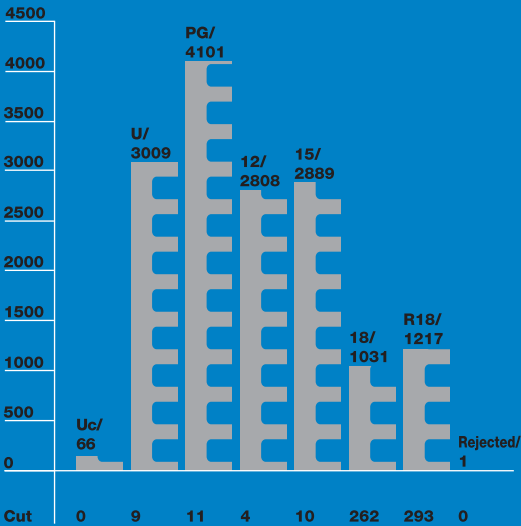
## Cinema advertisements – 513



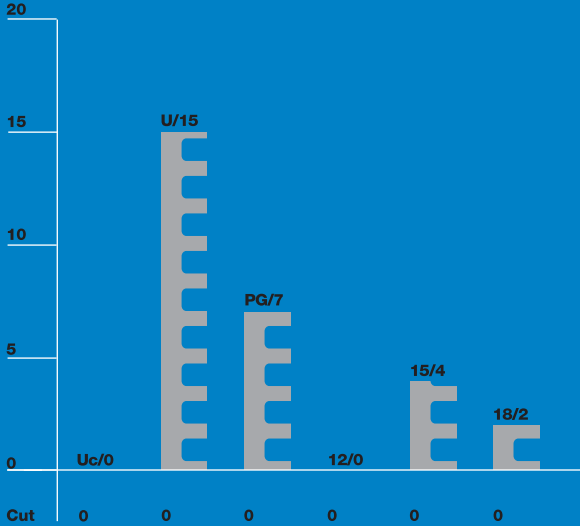
## Film submissions 1996 - 2006



Video total – 15122



Video Advertisements – 28



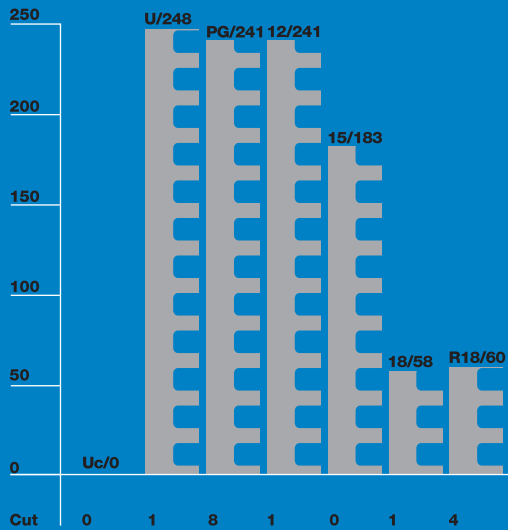
Video statistics 1996 - 2006

	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Uc	157	143	111	150	125	152	121	152	119	65	66
U	803	711	900	975	1354	1471	1807	2084	2534	3104	3009
PG	782	669	1090	1091	1590	1826	2014	2280	2485	3380	4101
12	336	297	415	457	813	859	1155	1685	1677	2273	2808
15	583	544	656	899	1244	1322	1721	2244	2113	2669	2889
18	1033	878	1090	1067	986	1059	1008	980	870	1133	1031
R18	27	32	42	29	212	651	1061	1405	1387	1237	1217
Rejected	6	5	4	9	4	1	2	3	2	7	1

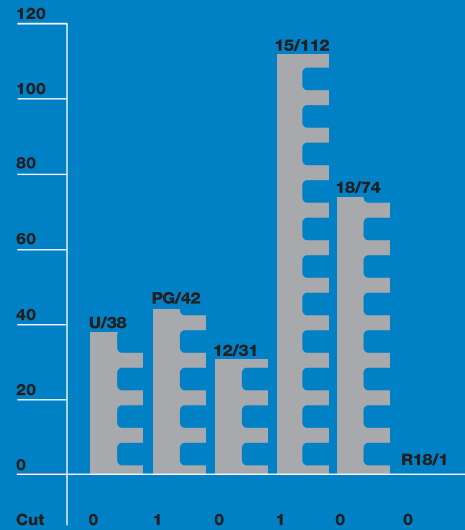




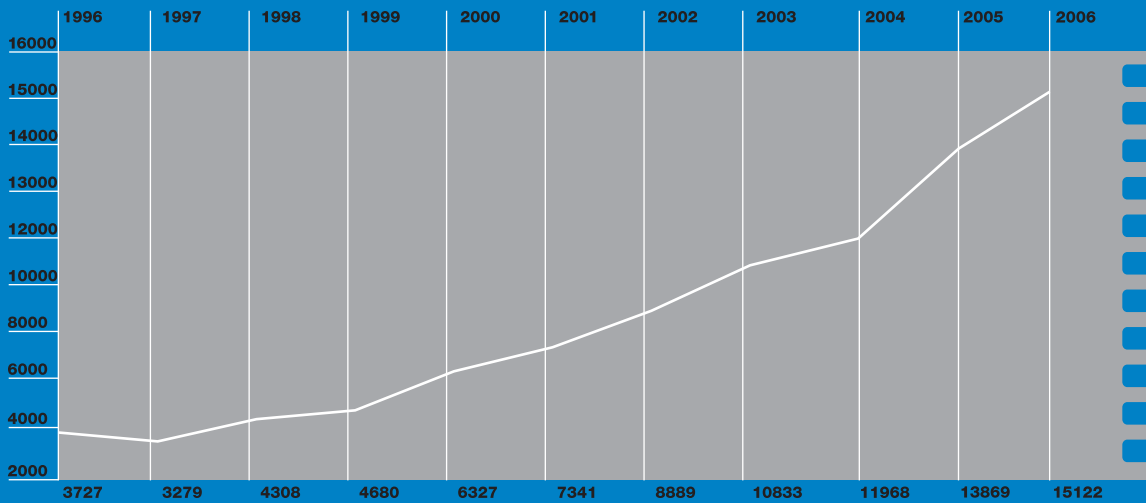
Video Trailers – 1031

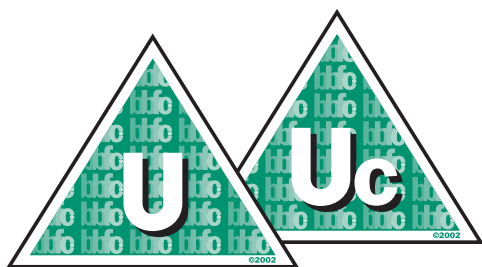


Games and other interactive – 298



Video submissions 1996 - 2006





'U' Universal – suitable for all

In 2006 works in the 'U' category ranged from the stark Mongolian film **The Cave of the Yellow Dog** and global warming documentary **An Inconvenient Truth**, to re-released musical **Oklahoma!** These examples demonstrate the breadth of the 'U' category and illustrate that it is not just a marker of children's fare.



## The 'U' category is not just a marker of children's fare



However, family-friendly material makes up a significant proportion of the works passed at 'U' and is by far the largest genre at this category in terms of box office and audience figures. Family films also presented the most interesting issues at the 'U' category.

The film **The Wild**, an animated comedy about some zoo animals having to cope with life in the jungle, was one of the big Easter holiday releases. **The Wild** contained some mild language, including one use of 'bloody', a word which is not approved of by everyone at 'U'. In this film, it was

used as part of an expression of exasperation and the examining team did not feel that particular attention was drawn to it. A scene in which the hero lion character fights with a wildebeest provoked some discussion as to whether it might be too strong to pass at 'U'. However, the tension in the scene is broken up by the inclusion of several jokes, and no one is injured. The audience does not feel that the hero is in any lasting danger and the outcome is reassuring, with the 'baddie' suitably punished.

**Ice Age – The Meltdown**, sequel to the successful 2002 film about a gang of prehistoric animals, also raised concerns about the language used. In this work, two dung beetles discuss their habitat, saying 'Do we have to bring this crap? Surely there's crap where we're going?'. Of course, being dung beetles, their environment is 'crap' and examiners felt that this accurate, comic use of the word was able to be passed at 'U', given similar uses of the word in recent films such as **Shrek** (2002) and **Spellbound** (2003).

For one big cinema release, **Flushed Away**, the company themselves chose to remove some mild language after an advice viewing. An advice viewing is a facility we offer distributors where works (sometimes unfinished) can be viewed before final submission and advice given as to the likely category a work will receive. The animated tale from Aardman, in which a pet rat is washed into a sewer town, originally contained uses of 'bugger' and 'bloody'. These were replaced by 'blinkin' and 'bother' in the cut submitted for final classification and the work was awarded a 'U' without hesitation.

**Happy Feet** 'U'  
**Charlotte's Web** 'U'









**Happy Feet**, another animated feature about a young penguin who wows his friends with his tap-dancing ability, was unusual in that it received different Consumer Advice for its different cinema and IMAX releases. The film contains some scenes where sympathetic characters are placed in danger, including one where the main character is chased by a large seal, and another in which he has a nightmare about his mother disappearing. The Consumer Advice for the cinema release read 'Contains very mild danger'. However, when **Happy Feet** was examined for its IMAX release, examiners felt that the larger screen increased the intensity of these scenes and that parents should be made aware of this difference. The Consumer Advice was therefore amended to: 'Contains some intense scenes of action and threat'.

This was an important year for Consumer Advice at 'U', with significant research resulting in a change in the wording for works which contain no classification issues. In the past, the formulation read 'Contains no sex, violence or bad language', but public research found that consumers did not consider this particularly useful. What of horror, for example, or nudity? After the careful consideration of several options, the BBFC settled for 'Contains no material likely to offend or harm'. This advice accurately conveys that there are no classification issues within a given work. This new Consumer Advice has been used since June 2006, and has met with the approval of the public, and the film and video industry.

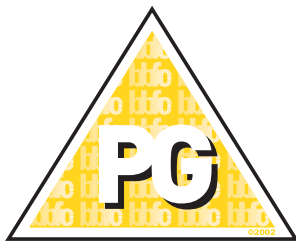
Examiners remain concerned about imitable techniques and dangerous behaviour at 'U'. This year, the most striking example of this came in the form of a video game, **Curious George**. This

game was based on a film released in summer 2006, concerning a cheeky jungle monkey discovering life in the big city. With its gentle themes, bright colours and child-friendly story line, the film was a classic 'U'. However, the tie-in video game presented some issues. The player-character in the game is George the monkey and his defining characteristic is, naturally, his curiosity. This curiosity allows him to explore various scenarios including playing in a busy road and jumping on the top of a lit cooker. This inquisitive behaviour is rewarded with 'curiosity points' which, when collected, unlock levels, video clips and other bonus features. The game did not contain any safety message and examiners felt that these potentially harmful activities were presented as safe and fun. The game was therefore passed at 'PG' and given the Consumer Advice 'Contains potentially dangerous behaviour' to warn parents about its contents.

Research has been carried out this year into the video sub-category 'Uc', which signals viewing material that is particularly aimed at pre-school children. At the present time, the BBFC applies this category only at the express request of the submitting company. Having produced internal guidelines outlining exactly what constitutes a 'Uc' work, examiners plan to undertake further research into the category during 2007. It is planned to consult members of the public, and the film and video industry in order to establish the usefulness of the 'Uc' category and to produce a clear picture of the way it is currently used and interpreted by producers and consumers.

**Cars 'PG'**





*'PG' Parental Guidance – general viewing, but some scenes may be unsuitable for young children*

Children are introduced to more challenging material such as bullying, domestic violence and bereavement, by the 'PG' category but the tone and treatment of such issues is of particular significance when considering whether to award a work a 'PG' or a higher classification.

The theme of lesbianism arose in ***Sancharram – The Journey***, a South Asian film about the lifelong friendship between two girls. There was concern that this might cause offence or embarrassment amongst the film's intended audience. However, after further viewing by two of the Board's South Asian examiners, it was decided that the treatment and portrayal of the theme was so restrained that it was acceptable at 'PG'.

The Board continues to take seriously the portrayal of racism and racial stereotyping, particularly at the lower categories. First classified 'U' on film in 1935, then 'PG' on video in 1988, ***The Littlest Rebel***, starring Shirley Temple, was resubmitted to the Board in 2006. Set in the South during the American Civil War, it includes a scene in which Shirley Temple is 'blackened up', and others in which black servants and slaves are treated with condescension. Under our current Guidelines, it was again awarded 'PG', but with explicit

Consumer Advice to reflect its content – 'Contains racial stereotyping and characters in mild danger'. Similarly, a 1963 Peter Sellers film, ***Heavens Above!***, classified 'A' on film in 1963 and 'PG' on video in 1989, was given the same 'PG' category on its most recent classification in 2006, but the nature of its content was highlighted in the Consumer Advice – 'Contains mild language and racist comments'. In both these cases, the historical and cultural setting was taken into consideration.

The world of the 'PG' category will not necessarily always be a non-threatening one. Some children watching a 'PG' film may be completely undisturbed by it, whereas others, who are more sensitive, may be upset by certain elements. At 'PG', there should be counterbalancing positive sentiments and the potential of a film for causing distress to some children is taken into account

With great appeal for eight year olds and above, the animated feature ***Monster House*** was felt to tick all the right boxes for 'PG'. The story about a group of young children dealing with a haunted house might not initially appear to be suitable for a younger audience, but its tone and treatment

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**The Board continues to take seriously the portrayal of racism and racial stereotyping, particularly at the lower categories**  
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## Being scared is a legitimate childhood thrill

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rendered it appropriate. The ‘rollercoaster’ scary scenes are quickly followed by reassurance and comic relief, and to quote one examiner, ‘being scared is a legitimate childhood thrill’.

The impact of the enormous IMAX screen is a factor that the Board has to consider when classifying films for IMAX release. This applies to films that were originally made for the ‘normal’ cinema (in 2004, the IMAX version of **Spider-Man 2** was pushed up from ‘PG’ to ‘12A’ for impact and intensity), as well as works created specifically for the IMAX theatre. One film that required the ‘PG’ category was **Deep Sea**, a fascinating 3D underwater documentary narrated by Johnny Depp and Kate Winslet. Examiners felt that the intensity of the 3D experience, which places the action directly in the viewer’s face, might prove to be too overwhelming for the very young, particularly the sequences featuring larger creatures hunting and feeding on their prey. Additional tension is created by the accompanying **Jaws**-like musical score. The ‘PG’ certificate serves as a reminder to parents that some scenes might be unsuitable for more sensitive youngsters.

**Stormbreaker**, based on the novel about a boy who is trained to be a top spy, came to the Board with a ‘PG’ request. The fantastical, Bond-like action violence caused some debate amongst the examining team, but ultimately the film was passed

‘PG’ with the Consumer Advice: ‘Contains moderate action violence’. Only one letter of complaint was received, arguing that the film should have been a ‘12A’. Another work that was passed ‘PG’ for violence was **Eragon**, a sword-and-sorcery film similar to the **Lord of the Rings** trilogy. The fight scene, featuring men being engulfed in flames, was thought to be sufficiently brief and restrained, and in a fantasy context was unlikely to cause concern at ‘PG’.

Imitable behaviour is an issue that the Board takes very seriously, and although there were fewer examples at the ‘PG’ category this year, a comic hanging scene in a song and dance routine was cut from an otherwise ‘PG’ episode of the animation series **The Ren & Stimpy Show – Fake Dad**, as it was presented as amusing, fun and risk free. The Board took the view that this could be potentially harmful to a younger audience, as children might copy what they see on screen.

The children’s animation feature **Open Season** was moved up to ‘PG’ because of similar concerns. In one scene a hunter wields a large hunting knife which, although not used, is depicted as a realistic weapon and there is a palpable sense of threat.

“

## The ‘PG’ certificate serves as a reminder to parents that some scenes might be unsuitable for more sensitive youngsters

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Also of concern was the final scene in which the animals attack the human hunters, using techniques such as spraying aerosol mustard into someone's face and using catapults to fire flaming arrows made of toasting forks.

Language is always high on the list of parental concerns, particularly at the lower categories. The distributor requested the 'U' category for the British drama ***A Mind of Her Own***, based on the remarkable true story of a severely dyslexic girl who is determined to be a doctor. Although the film contained many positive messages about friendship, fighting the odds and countering prejudice, the language required a higher category. Apart from some mild language that would not have been suitable at 'U', there were two uses of the word 'bitch', one of which is used aggressively by one female to another. This moderate language is not normally acceptable even at 'PG', but it was argued as contextually justified. The film's Consumer Advice reads: 'Contains moderate language' and no complaints from the public were received.

In the case of the film ***Stick It***, a US sports drama about a team of young female gymnasts, the distributor appealed the '12A' decision. The reconsideration team, which included both the Director and Head of Policy, determined that the work could be awarded the 'PG' category if a partially obscured use of strong language was removed from the lyrics of a rap song. The distributor chose to make the cut, and the film was passed at 'PG'.

We continue to be vigilant about scenes featuring real animal cruelty, both on film and on DVD. There were few examples at the 'PG' category this year,

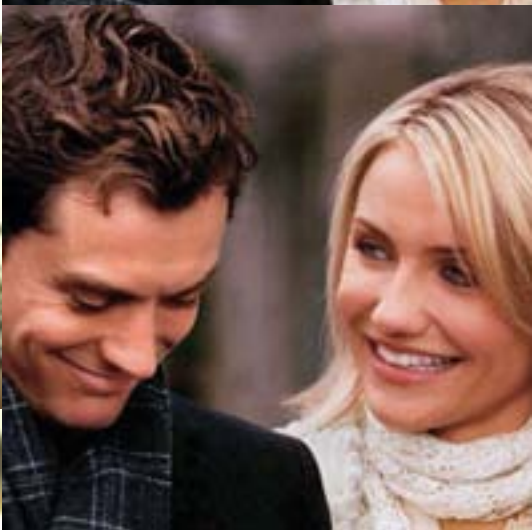
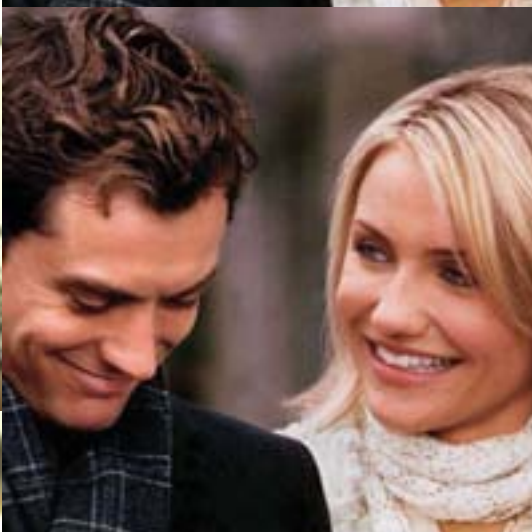
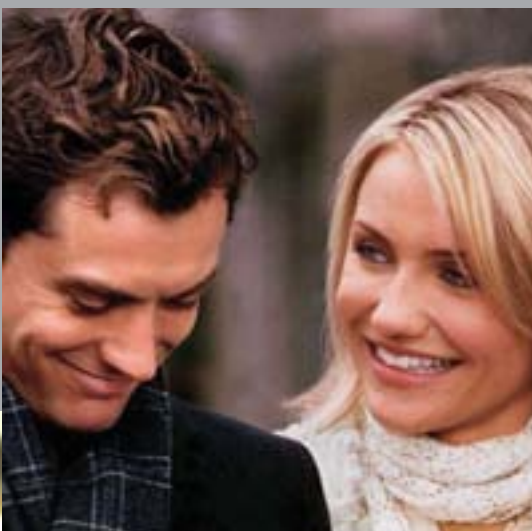
but a cut was made to a black and white 1965 Lassie film, ***Lassie – Look Homeward***, submitted for DVD release. During a scene in which a dog is shot, the animal reacts as if it has been hit by an object, knocking it to the ground. The distributor was unable to provide information about how the scene was filmed without involving cruelty, so a compulsory cut was made.

Not all 'PG' films are intended for a young audience; however, any issues that are present will have been classified as suitable for most eight year olds and above. Having always been a 'U' on both film and video, ***The African Queen*** was submitted on film for a modern classification. In line with the current Guidelines, it was rated 'PG' for 'moderate threat and violence'. All three key scenes – sight of the Preacher's injured face after having been hit by a rifle butt; the famous 'leeches' scene which might scare younger viewers; and the climactic scene where we see Charlie and Rose with nooses around their necks, about to be executed, tested the 'U' category, but were safely covered by 'PG'. Two vigilant members of the public wrote in to query this 'discrepancy', and the reasons were explained in detail.

***McLibel***, a documentary about two people who took on McDonalds and then the UK Government over libel laws, was clearly aimed at a more mature audience. It was, however, given a 'PG' after further viewing to determine whether the images of animal slaughter were acceptable at this category. The 'PG' category and the Consumer Advice, 'Contains slaughterhouse images', were felt to be sufficient warning to any parents considering taking their young children to see the film.

***The African Queen* 'PG'**  
***The Break-Up* '12A'**  
***The Holiday* '12A'**







'12A' cinema '12' video

- suitable for 12 years and over

While the BBFC considers films in the '12A' category to be suitable for children over the age of 12, parents and carers are able to take younger children to see these films at the cinema if they consider them appropriate. However, no '12A' film is suitable for very young children.

This was reflected in some of the high profile 'blockbuster' releases in 2006. The latest Bond film, **Casino Royale** and the thriller **The Da Vinci Code** were both submitted for an advice viewing pre-classification and the companies informed that some of the stronger moments of violence would not be passed at the desired '12A' category. Changes were made to these films before they were submitted and released at '12A'. The violence and horror images which remained were considered to be moderate rather than strong, without the dwelling on detail or gore which would have required a '15' classification. However,

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**No '12A' film is suitable for very young children**

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*The Da Vinci Code '12A'*

the company submitting **Nacho Libre**, the comic story of a Mexican wrestler, accepted a '12A' rather than the 'PG' requested, as the Board felt the level of detail in the wrestling scenes, the focus on violence and the likelihood of younger viewers imitating the activity were better placed at the higher category.

'12A' remained the most common category for South Asian films in all languages, with cuts being offered to some that would otherwise have been '15', mostly for the levels of violence and bloody injuries (**Fight Club – Members Only**, **Balram vs Tharadas**, **Lion**, **Pyare Mohan** and **Sri Ramadasu**) and in the case of **Mere Jeevan Saathi** and **Veiyil** for bloody detail of suicides, reflecting the Guidelines, which state that at '12A', the portrayal of suicide 'should not dwell on imitable detail'.

The Hindi film **Rang De Basanti**, chosen for the 'BAFTA goes Bollywood' event, was the story of a young British film-maker who rouses a group of young friends to take direct action against the Indian authorities. This offered a particularly complex set of issues at the requested category of 'PG', leading the first team of examiners to believe that a '15' would be required to cover the violence and theme. This decision was appealed by the distributors who felt that the film's theme was essentially a patriotic one, intended to educate and entertain young people. The film was viewed again by a second team that included the Director and Head of Policy who agreed that the contextual and moral tone allowed for a generous interpretation of the Guidelines but that a '12A' could be offered only if cuts were made to the final shoot-out that provided more emphasis on violence and bloody impacts than is usual at that category. The film was subsequently cut for '12A',





though the DVD version was later passed '15' uncut. Another prominent release at '12A' was **World Trade Center**, which received this classification to take into account the prolonged sense of danger experienced by key characters, without necessarily having the quick and reassuring resolution one would expect at the 'PG' category.

'Gross-out' spoof comedy **Date Movie** provoked much debate within the Board about whether the film's numerous sex references fell within the '12A' Guideline that 'sex references may reflect what is likely to be familiar to most adolescents but should not go beyond what is suitable for them'. It was ultimately decided that this work could be contained at '12A', with clear Consumer Advice ('Contains moderate sex references, language and gross humour') alerting potential viewers to the possibility for offence. The DVD version contained extra material, including strong language and strong sex references, and was accordingly passed '15'.

Language was the key issue in the Portuguese language film **Innocent Voices**, an account of the civil war in El Salvador seen through the eyes of a young boy. While the violence in the film was considered moderate and acceptable at '12A', particularly as this work was felt to have some educational merit for younger audiences, one use of strong language in the English subtitles was not, and this was obscured by the distributor in order to secure a '12A' classification. Language was also the defining classification issue for **U-Carmen eKhayelitsha**, a modern version of Bizet's opera Carmen, set in a South African township. Several uses of moderate language, aggressively and personally directed at Carmen herself, placed this at '12A'.

While no '12A' cinema films received compulsory cuts in 2006, three DVD works at '12' did. Instances of animal cruelty (in this case, horse falls and sight of horses on fire) were removed from **Anna and the King of Siam**, **Genghis Khan** and **Reds – Special Collector's Edition**.

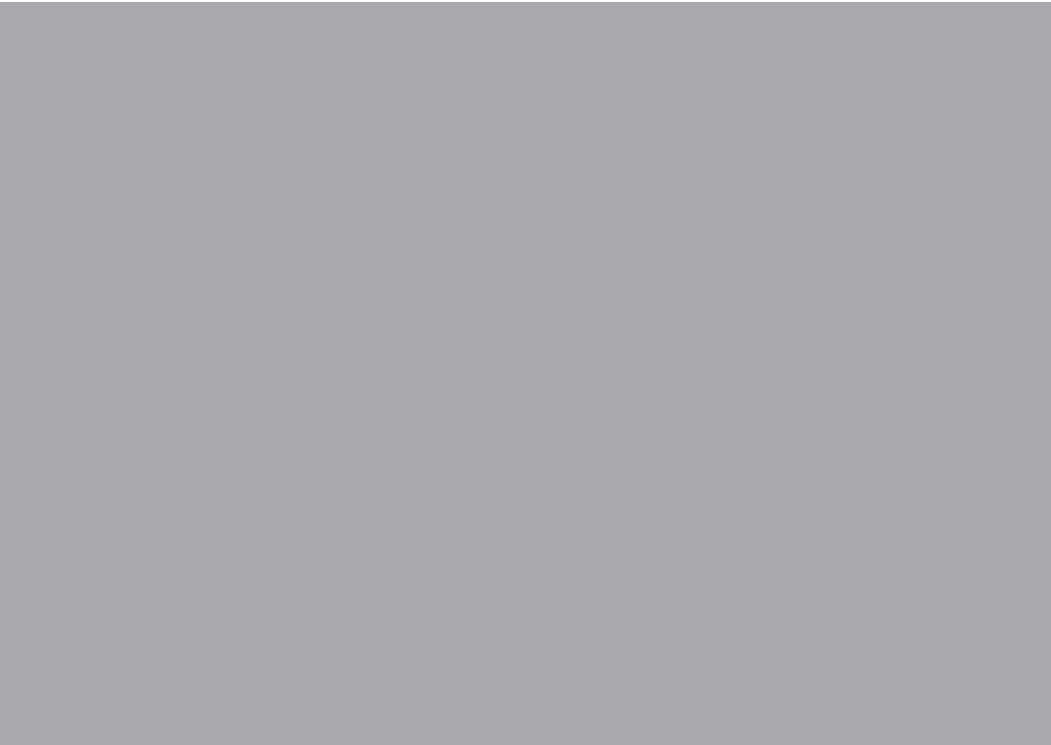
Elsewhere on DVD, an episode of the popular science-fiction series **Quantum Leap**, entitled **Dr Ruth**, was unusually passed at '12' rather than 'PG' due to the frequent sex references it contained. The **Doctor Who** episode **Tooth and Claw** also unusually received a '12' classification owing to the moderate horror and sense of threat and intensity provided by its werewolf theme.

Notable reclassifications from '15' down to '12A'/'12' in 2006 included Woody Allen's **Manhattan**, where the mild to moderate sex references and self-directed, infrequent uses of strong language can now be accommodated at the lower category, and on DVD, wartime action feature **The Dirty Dozen**, which features violence in a historical context, without a focus on blood or injury detail, comparable to more recent '12A'/'12' works.

**Shortbus '18'**  
**Marie Antoinette '12A'**









*'15' suitable for 15 years and over*

Classifying material in films and DVDs always involves balancing the specific content (eg violence or sex references) against its context (the setting or treatment).

Given the wide range of subjects and the way in which they are portrayed in films and television programmes, material at '15' can range from the border between '12' and '15', through solid '15' fare, all the way up to the borderline between '15' and '18'. Films and DVDs classified in 2006 were no exception to this pattern.

On film the British comedy drama ***Driving Lessons***, starring Julie Walters as an eccentric driving instructor, in some respects sat at the lower end of the '15' spectrum. Its distributor had originally requested a 'PG' certificate. However, it was clear that while the treatment of its coming-of-age theme and its moderate sex references placed the film at a minimum of '12A', the regular use of strong language, plus a single, non-aggressive use of 'cunt' could not be accommodated at anything below a '15', where the BBFC Guidelines allow 'frequent use of strong language (eg 'fuck')' but state that 'the strongest terms (eg 'cunt') will be acceptable only where justified by the context'. The distributor ultimately chose to release the film as an uncut '15', but later removed most of the

strong language (including the single use of 'cunt') to release the film as a '12' on DVD.

Language was also a key issue at the upper end of the category. Research has consistently shown that the public continue to find 'cunt' the most offensive strong language term. Whilst frequency of use is important in determining the category, context plays a very significant role in its acceptability below '18'. For example, continued use of aggressive or threatening language, including 'cunt', is unlikely to be acceptable at '15'.



**Continued use of aggressive or threatening language is unlikely to be acceptable at '15'**



A case in point was the horror film ***Wilderness***. The distributor had requested it be considered for a '15' when sent in for an advice viewing. However, with four uses of 'cunt', two of which were aggressive and in one case linked to a man head butting a woman, the language in the film was considered too strong for '15'. The distributor chose to reduce the very strong language in the film's final edit, leaving a single use of 'cunt' said in frustration, which could be accommodated at the '15' already required by the other violence, gore and strong language in the work.

Context may, however, mitigate the presence of

very strong language at '15'. Paul Verhoeven's Dutch wartime drama, **Zwartboek – Black Book**, contained two uses of 'cunt', delivered aggressively by a man to a woman, one as part of a woman's beating and humiliation as punishment for collaborating with the Nazis. An aggressive context such as this might in some cases push a work to '18'. However, in this instance, the presence of such language within a serious depiction of the anger and humiliation faced by wartime collaborators was felt to be justified by context. Similarly three uses of the word in **Kidulthood**, the gritty drama about London teenagers, were felt to be acceptable at '15', given that none were explicitly sexualised or aggressive, and eight uses were allowed in the science-fiction drama **Children of Men**. Such frequent use of very strong language is highly unusual at '15', but in the case of **Children of Men** it was considered exceptionally justified given that the term was heard only within the repeated chorus of a song playing at the end of the film's final credits. On DVD, also unusually, five non-threatening, non-personalised uses were passed at '15' as part of a good-natured stand-up comedy show in **Ed Byrne – Pedantic and Whimsical**.

**Provoked – A True Story**, a South Asian film aimed at the growing cross-over mainstream/Bollywood audience, told the real-life story of Kiranjit Ahluwalia who was convicted for murdering her abusive husband before being freed on appeal. The theme of domestic abuse, some violence and an immolation scene all combined to require a minimum '15' certificate. Unusually for a South Asian film, there was also one use of very strong language that led the BBFC to debate the necessity of an '18' classification. But, as the character using the word was clearly

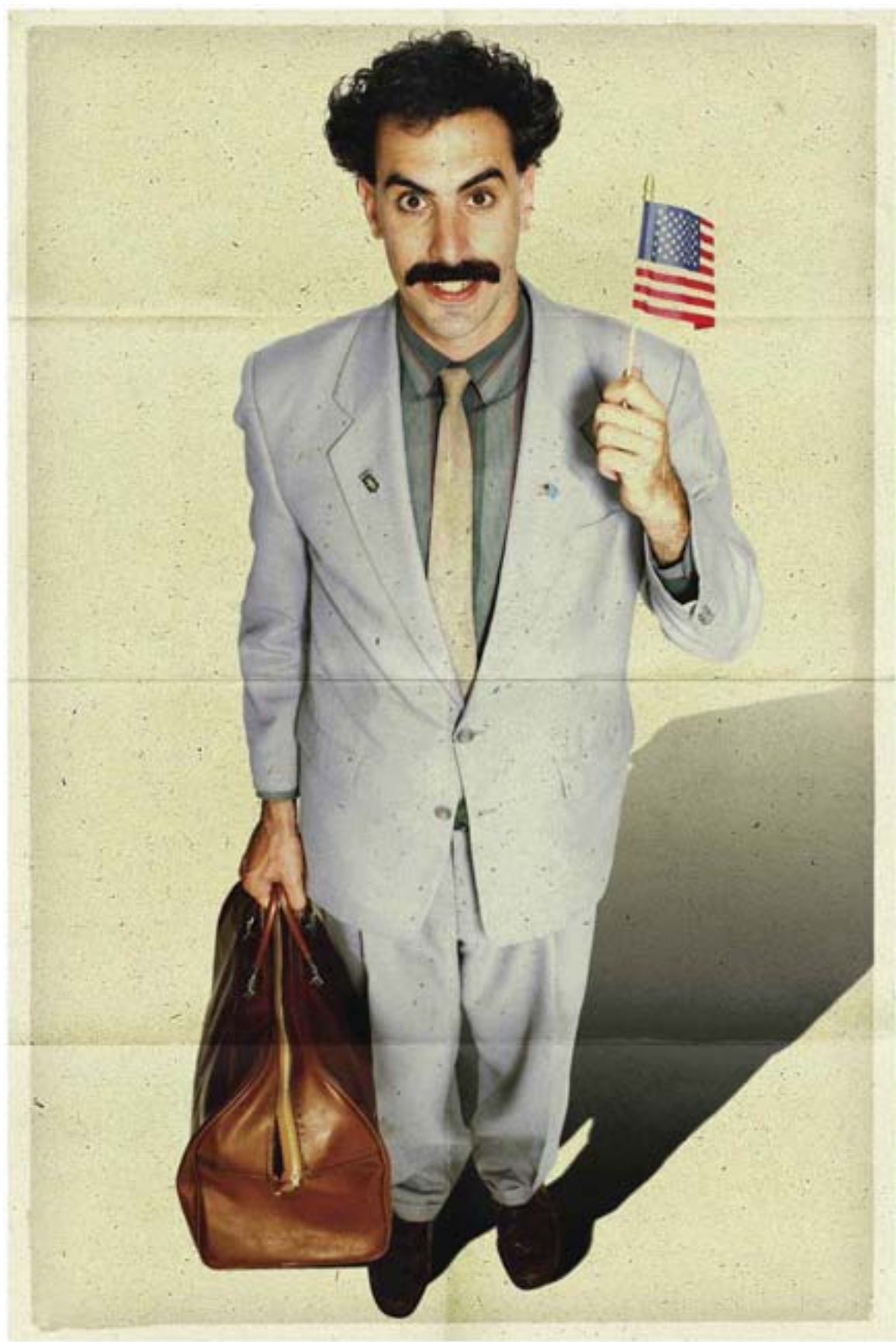
established as a deeply unpleasant man rather than a role model, and given that the scene provided an integral turning-point in the narrative, it was eventually decided that the language could be contained at '15'.

The final category awarded is often dependent on several factors, rather than a single classification issue. For example, **Children of Men's** Consumer Advice notes that it contains 'strong bloody violence and strong language'. At '15' the BBFC Guidelines state that 'violence may be strong but may not dwell on the infliction of pain or injury; scenes of sexual violence must be discreet and brief' and that 'the strongest gory images are unlikely to be acceptable'. **Children of Men** featured several moments of bloody violence, including a scene in which a bomb blast victim is lifted up to reveal that his lower body is missing. Although realistic, the gory detail was not dwelt upon, was integral to the plot and therefore acceptable at '15'. Violent detail also played a part in the '15' classification of **Zwartboek- Black Book**. The strongest moment, a callous slaying of a couple with some blood spurts and sight of a man's head shot away, placed the film at the upper end of '15'. As a relatively isolated strong moment which did not relish its gory detail, it was not felt to warrant an '18'. In **Severance**, the strong bloody violence, including sight of a name carved on a man's torso, was felt to be on a par with scenes in other recent horror films such as **Dog Soldiers** and consequently secured a '15'.

While the degree of violent detail is clearly an issue, so too are the setting, tone and circumstances surrounding the violence. The quantity of personalised violence in **Kidulthood**, for example, helped establish the '15' category. A







scene where a teenager is initiated into a gang by being coaxed into disfiguring a man's face with a Stanley knife was noted for its torture and sadism. Though tonally strong, clear detail of the cutting was carefully restricted, and the scene was pivotal in showing the turning point for the boy and his ultimate rejection of violence. **Harsh Times**, a bleak drama about a soldier trying to return to civilian life after a tour of duty in the Gulf, featured some aggressive, bloody violence involving guns and a broken bottle, the detail of which was felt to be sufficiently brief to remain at '15'. Kevin Macdonald's **Last King of Scotland** about a young Scottish doctor who plots Idi Amin's demise after he seizes power in Uganda in 1970, contains some gruesome images, including a woman's mutilated body, and strong scenes of torture as a character is suspended by hooks through his skin. As both scenes were portrayed with restraint and were being used to highlight the atrocities committed by a corrupt regime, the film was passed '15'.

The portrayal of sex and sex references can also contribute to or define a work's category. Research carried out for the BBFC indicates that public attitudes to sex are more relaxed than in the past, particularly at '15'. Reflecting this the '15' Guidelines allow nudity and sexual activity where portrayed without strong detail and 'strong verbal references to sexual behaviour'. In **Kidulthood**, for example, some frank sex references from the teens, together with a couple of sex scenes – one where a 15 year old female character offers and then performs oral sex on a drug dealer in exchange for drugs – were felt to sit at the upper end but not to exceed the limits of a '15' given that they lacked the clear detail that might otherwise require the adult category. Lars von Trier's **Manderlay**, the second film in his

**USA** trilogy, explored the experiences of a young woman and her father on a plantation and contained a sex scene between a naked couple with some emphasis on thrusting motions. However, although the scene featured strong nudity and implied sex, much of it was in fact played out in long shot and many of the close shots concentrated on the woman's face. The highly stylised setting lent the scene a detached emotional impact where the emphasis was on the wider narrative and symbolic meaning of the scene rather than any erotic charge. Weighing up these factors, the BBFC felt the portrayal of sex in this instance was acceptable at '15'.

Two other films were notable for their treatment of sex and sex references at the upper end of '15', albeit in a cruder comic context. **Clerks II**, a sequel to Kevin Smith's cult 90s comedy, featured a range of strong crude sexual humour, including dialogue and visual references to bestiality. **Borat – Cultural Learnings of America for Make Benefit Glorious Nation of Kazakhstan**, Sacha Baron Cohen's satirical expose of racist and sexist beliefs, raised questions of possible offence, both in terms of its playing with racist and 'un-PC' views and through its crude verbal and visual sex references. In both cases, the BBFC recognised that the film's main appeal sat with audiences who would not only be familiar with the already well established characters but also with similar 'bad taste' comedies (such as **South Park** and **Team America**), where the level of sexual humour and detail was strong and not to everyone's taste but not unusual at '15' in an obviously comic context. With Consumer Advice clearly spelling out the key issues – 'strong language and crude sexual humour' in the case of **Clerks II** – the works were both passed '15'.

**Borat - Cultural Learnings of America for Make Benefit Glorious Nation of Kazakhstan '15'**





DVD material, mostly comprising of television episodes, was more noteworthy at the lower and middle range of '15'. On occasion, episodes of series generally passed 'PG' and/or '12', slipped into '15'. For example, the theme and treatment of sexual violence in an episode of the 90s sci-fi series **Quantum Leap (A Leap for Lisa)**, a portrayal of a couple's experimentation with fetish activity in the ITV1 comedy-drama **Doc Martin (Series 2 – Episode 1)**, and a story revolving around a sex toy and fetishwear party in the animation series **Bob and Margaret**, were all felt to go beyond what would be considered suitable at '12'. Meanwhile strong language and the portrayal of sex and violence in **Torchwood** at times took episodes well into '15', quite beyond the realms of its more family-friendly associated series, **Dr Who**.

Other DVDs of interest were passed '15' for drug references and drug use. The BBFC's Guidelines at '15' state that 'drug taking may be shown but the film as a whole must not promote or encourage drug misuse', taking account of drugs awareness amongst teens whilst also balancing such knowledge against the potential dangers of drugs. The depiction of drugs at '15' ranged from the negative portrayal of a man's opium addiction in the Persian drama **A Snake's Tail** and cocaine snorting by familiar characters in episodes of the medical drama **House (Autopsy)** and teen drama **One Tree Hill (Let the Reigns Go Loose)**, to the comic implied sniffing of lighter fuel in **The Smell of Reeves and Mortimer (Series One – Episode One)** which lacked any indication that such misuse is highly dangerous.

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**Dangerous activity which might be copied, including certain portrayals of drug and substance misuse, is an issue considered by the BBFC at all categories**

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On film, a soldier's reliance on cannabis in **Harsh Times**, and teenagers' use of cannabis, cocaine and pills in **Kidulthood**, contributed to their previously mentioned '15' categories. However, because the portrayals were essentially negative and drugs played a significant role in the characters' dark downward spiral, the adult category was not deemed necessary. The context surrounding the portrayal of heroin addiction in the Australian drama **Candy** also saved it from an '18'. While the drug use in the film was graphic, it was careful not to present instructional detail and the characters' initial pleasures from the drug were strongly counterbalanced by the depiction of a degrading addictive cycle.

Dangerous activity which might be copied ('imitable techniques'), including certain portrayals of drug and substance misuse, is an issue considered by the BBFC at all categories. In most instances, the presentation of an imitable technique can be dealt with by using the category system to limit access to those who might be







vulnerable to copying it. However, occasionally distributors request specific categories for the purpose of marketing a film, and if no other issues challenge the category, cuts may be required to remove material to meet their category request.

**Beerfest** was one such film and the only '15' rated cinema film to be cut in 2006. The comedy focused on a drinking competition, and had elements which might raise concerns about 'binge drinking'. However, the characters involved were clearly well into adulthood, were not particularly successful or attractive and the drinking was part of a comic competitive setting, rather than one of everyday socialising. On balance a '15' category was considered appropriate. However, the film also contained a brief, comic sex scene that included sight of a man being asphyxiated with a plastic bag. The clear detail, together with the potential for harm amongst teen viewers for whom the dangers of sexual asphyxiation might not be clear, seemed to warrant an '18' certificate. However, the distributor chose to remove the shots in question to achieve a '15' certificate. The DVD version was later subsequently passed uncut at '18'.

In all, cuts were made to ten '15' rated DVDs in 2006, three of which included cuts to imitable techniques. Alan Bleasdale's drama **Jake's Progress** (and an accompanying DVD extra) featured the depiction of a young boy hanging himself on a washing line. The process of hanging was shown in some detail, including some rather novel techniques, and the boy hanged for some time before being rescued, apparently unhurt. The scene as a whole was considered potentially harmful and compulsory cuts were made to the detailed shots showing the boy wrapping the

washing line around his neck. Meanwhile a '15' rated episode of the Finnish **Jackass**-style show **The Dudesons** was required to add a warning caption – 'Playing with fire is dangerous and can kill' – over a scene where a woman sets light to flammable liquid on a man's head.

**PSW Vol 88** and **PSW Vol 89**, two magazine covermount disks of computer games clips, were also cut, but this time to meet the distributor's request for a '15' category. The disks respectively contained clips of the games **Bioshock** and **Stranglehold** featuring strong, bloody, personalised violence and horror which warranted an '18'. The clips were removed entirely to meet the '15' request.

Five compulsory cuts were made to animal cruelty in '15' rated works in 2006, ranging from cock-fighting in the French historical drama **Germinal**, a horsefall in the Western **Tom Horn**, animals caught in traps in the Cantonese film **Arhats in Fury**, to a snake and mongoose fight in **Any Which Way You Can**.

**The Departed '18'**





*'18' – suitable only for adults*

**T**he adult category represents less than ten per cent of the cinema films which came in for classification in 2006. At the lower classification levels, concerns about the suitability of a particular scene or work can usually be dealt with by giving the work a higher category. But at the adult level the only option may be to cut or even reject the work. 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 the possibly harmful effects of some film and DVD material. This position corresponds with the legal framework within which we operate taking into account the Human Rights Act 1998, the Video Recordings Act 1984 (VRA), the Obscene Publications Act 1959 (OPA), and other legislation (see Legal issues). The Board's policy, which allows where possible adults to decide for themselves what to watch, is supported by public opinion polling.

Since its amendment in 1994, the VRA 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

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**The adult category represents less than ten per cent of the cinema films which came in for classification in 2006**

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behaviour; illegal drugs; violent behaviour or incidents; horrific behaviour or incidents; or human sexual activity' During 2006, 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 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 completely disappear with age. BBFC Guidelines for '18' allow for intervention where there is any detailed portrayal of violent or dangerous acts which are likely to promote the activities.

At the adult category the Board is far less concerned about stunts which are clearly potentially harmful or difficult to replicate. But the concern remains where activities are less obviously dangerous or are presented in a manner which suggests they are easily imitated. Concern is further increased when the activity appears to be fun or when, regardless of the certificate, there is clear underage appeal. In such cases the BBFC may require the addition of



warning captions or, in extreme cases, cuts. The reality film genre enjoyed a brief resurgence in 2006 with two well known 'brands' returning with cinematic offerings. These two films both required the '18' category for the potential for imitation of the crude and dangerous stunts.

***Jackass Number Two***, a sequel to the first spin-off film from the cult MTV extreme reality show, was another compilation of extreme stunts and bad taste pranks. The film was passed at '18', not merely for its potentially imitable stunts, but also on the basis that a '15' would confound public expectations of taste at the lower category. Acts such as the drinking of horse semen, use of a beer enema and sight of defecation all contributed to the need for the adult classification.

The home grown TV version of the ***Jackass*** cult, ***Dirty Sanchez***, came up with ***Dirty Sanchez: The Movie***. This film was also passed '18', on similar grounds to the ***Jackass*** sequel. Extreme levels of paintball injury and defecation did test the limits of acceptability but, ultimately, it was felt that the work presented acts that were obviously harmful and the tastelessness was defensible for an adult audience already aware of the genre.

The BBFC Guidelines relating to dangerous acts at '18' also explicitly cover illegal drug use. Promoting or encouraging the use of illegal drugs is unacceptable at any category, including '18'. On the other hand, the existence of illegal drug use in the real world means that it is bound to feature in film and DVD works. The Board recognises that film makers may seek to make representations of illegal drug use credible but never loses sight of the fact that illegal drugs are a serious social concern, classifying upwards or cutting as

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**Promoting or encouraging the use of illegal drugs is unacceptable at any category, including '18'**

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appropriate. The Board does not see any purpose, however, in censoring for adult audiences material which merely depicts widely known drug taking procedures provided that it is not promoting such activity. Current policy in this area reflects the most up to date expert advice and the current level of knowledge about drugs.

Depictions or themes of sexual violence tend to be handled with discretion by contemporary film-makers, so intervention, other than that provided by the classification system, is rare. Scenes or narratives which depict sexual violence as sexually arousing, or which suggest that the subjects enjoy or deserve the sexual assault, are of particular concern, even at the adult category. Media research in this area identifies possible harmful effects when the victim is shown 'enjoying' sexual violence. While the relevant research into the effects of depictions of sexual violence remains contentious, the BBFC considers that this is an area in which a cautious approach remains justified, and in line with public opinion.

The BBFC continues to work on the presumption that particular violent scenes with the potential to trigger sexual arousal may encourage a harmful





association between violence and sexual gratification. In taking a strong precautionary position on this subject, the BBFC is in step with public opinion as documented in the 2002 report *Where Do You Draw the Line?*, by Dr Guy Cumberbatch, (available on the BBFC website) in which only a third of regular video renters felt that adults had a right to see graphic portrayals of sexual violence. This compares with two thirds endorsing the right to view graphic sex and three quarters, graphic violence. Significantly, and in support of BBFC practice, the study suggests that the acceptability of an individual scene of sexual violence is heavily dependant on the nature, narrative and context of the work.

In 2006 there were no cuts to any films submitted at '18' on the grounds of sexual violence. After careful deliberation the film ***The Great Ecstasy of Robert Carmichael***, a British independent feature which included a violent rape sequence, was passed without cuts. We judged that this scene was not calculated to encourage sexual assault, not least because it was so aversive and shocking.

Not many cuts for sexual violence at '18' were required on DVD this year. The 1984 feature ***Black Venus***, which was cut on its original release, came in for DVD classification, and limited cuts to reduce aggression in a gang rape scene were required. The distributor chose instead to remove the entire scene. A Channel 4 funded programme ***Disinformation – The Complete Series***, billed as an alternative news magazine, featured a discussion on pornography containing illustrative clips of degrading, violent pornography. These clips required pixilation to remove images showing violence, threat, humiliation, abuse and ambiguous consent.

Despite occurring within a documentary context, the clips themselves were pornographic in nature and breached both sexual violence policy, and 'R18' policy on consent and abuse in sex works. The BBFC is continuing to research expert opinion in this area.

In contrast, a collection of 1970s Japanese exploitation films were passed uncut. Each film had at least one scene of sexual or sexualised violence. In each case the overall context of the film and the relatively discreet handling of the specific scenes were felt to encourage sympathy in the viewer rather than having any harmful effect. In each case, the female leads in the film were strong characters and the historical settings had a distancing effect. Titles included ***Female Yakuza Tale: Inquisition and Torture, Sex and Fury, Female Prisoner 701*** and ***Female Convict Scorpion – Jailhouse 41***.

When portrayals of violence are not linked to sex, the 'media effects' evidence relating to harm is considerably less convincing and the BBFC's treatment of scenes of non-sexual violence at '18' reflects this. The Board is confident that this differentiation is not just warranted by the available evidence, but is also supported by the general public, as clearly indicated in research undertaken to inform the BBFC Guidelines.

In accordance with BBFC Guidelines, cuts at '18' to non-sexual violence are likely only when the portrayal is very detailed and likely to encourage the activity. In 2006 no works were cut purely on the grounds of violence; the award of an '18' classification being deemed a sufficient and proportionate safeguard against potential harm.

Mel Gibson's latest directorial feature, **Apocalypto**, was classified '18' for violence. Unremitting and with strong gory images that included throat cutting, a jaguar chewing a man's face and a head being struck with an axe, it was judged that, despite the '15' request, the violence in the work could only be contained at the adult classification.

Martin Scorsese's **The Departed**, a remake of **Infernal Affairs** relocated to Irish-American Boston, sees two central characters infiltrating the Boston Police Department and a Mafia gang. The inevitable conflict stemming from the race to uncover the hidden moles generates scenes of strong, graphic, and visceral violence that, together with very strong language, take the work to '18'.

**Lucky Number Slevin** and **Smokin' Aces** were two more films taken to the adult category because of their violent content. The strong, bloody violence in **Smokin' Aces**, including a torture sequence and a pivotal scene in a hotel corridor awash with blood and body parts, resulted in a clear '18' classification.

**Hard Candy**, directed by David Slade, is a morality tale that generates considerable tension as Hayley, a sassy 14 year old girl, agrees to go on a date with Jeff, a man she has encountered on the internet. Suspecting him to be a paedophile, she turns self appointed vigilante and threatens him with 'a bit of preventive maintenance'. What begins as psychological torture gives way to strong, callous violence that necessitated the restriction to an adult audience.

**Pusher 3**, which completes the Danish trilogy about an ageing drugs dealer, continued the tradition set by the earlier works of being classified

'18' for its content of strong, bloody violence. Unlike the second in the trilogy, classified in 2005, drug use was not one of the defining issues.

The 1985 Arnold Schwarzenegger action adventure **Commando**, had previously required two cuts for '18' to reduce strong bloody injury detail. These cuts were waived when the work was resubmitted, both to reflect public expectations following the Board's public consultations in recent years and because the cut scenes are now considered to have little impact on the tone of the work as a whole or its likely effect on an audience.

Audiences choose to watch horror films because they like being frightened, so the Board does not intervene because the films might alarm or shock. Classification policy ensures that the young and vulnerable are protected, which means that works with strong sexual or sadistic elements or that dwell on the infliction of pain or injury are likely to be classified '18'. At '18', horror works will probably contain the stronger gory images that are unacceptable at '15' and potentially very strong violence. Other '18' indicators may include a greater likelihood of being rooted in the real world rather than a fantastical universe, and horror played straight with little or no irony. In 2006, a number of horror films for cinema release were classified '18'.

**Underworld – Evolution** was a sequel to the '15' classified **Underworld**, and once again featured werewolves battling vampires. Although the backdrop was a clearly fantastical universe, the strong and detailed horror violence dwelt on the infliction of pain and injury in a more intense manner than the original film and took the feature to the adult category. **Evil Aliens**, which featured

**The Queen '12A'**







humans battling an alien invasion in Wales, contained a strong comic element but the conflation of strong bloody violence and sexual images required the '18' rating.

A remake, a prequel and a second sequel to notable genre works also received '18' certificates. ***The Hills Have Eyes***, a remake of a late 1970s US horror film about a family threatened by an inbred cannibalistic clan, contained strong bloody violence that dwelt on the infliction of pain and injury. ***The Texas Chainsaw Massacre: The Beginning***, a prequel to a remake of the 1970s film, depicted a similar situation in an equally strong fashion. ***Saw III*** featured a disturbed killer punishing his son's killer by forcing him to complete a series of gruesome tasks. The very strong bloody violence, some of which featured a sadistic edge, was similar to the previous two films in the series and was likely to be a known quantity to the majority of self selecting viewers. Like the previous films, it was also given an '18' classification. ***Saw III*** apparently proved too strong for some viewers, with stories of ambulances being called to cinemas in some parts of the country.

Another low budget US horror film, ***Hostel***, featured a group of young men who are abducted from what they believe to be an Eastern European brothel and subsequently sadistically tortured at an old industrial complex. The strong bloody violence, torture and strong sex all resulted in the adult category. Some film critics thought the work should have been cut.

Two distinctive foreign language horror films were also classified '18'. The German film ***Antikörper*** is a psychological thriller about a paedophile serial

killer, responsible for the rape and murder of young boys, who engages in a battle of wills with a police officer. The disturbing theme was visually restrained and discreet, but the killer's graphic descriptions of his crimes and the gruesome real world setting could not be contained below '18'. The category was also required for ***Dumplings***, a film made in 2004 in Hong Kong but submitted to the Board in 2006. In this film a woman discovers an unlikely secret of eternal youth which involves human fetuses. The strong gory images and treatment of abortion were considered likely to confound expectations unless restricted to adults.

On DVD a number of horror films were also submitted for classification and received an '18'. Some of these submissions were films made in the 1970s or early 1980s which were considered to have cult appeal for the DVD market. These included ***Don't Go Near the Park*** and ***Killer Nun***. The latter had required cuts to remove some scenes of sadistic torture on video in 1993, but these now appeared dated and lacked the power to shock or harm and so it was passed without cuts. ***The Witch Who Came From the Sea*** had briefly appeared on the Director of Public Prosecutions' 'video nasty' list in 1984 before being removed in 1985 following unsuccessful prosecutions. Its strong bloody violence was acceptable at '18', but not at a lower category.

***Blood Feast 2 – All U Can Eat***, a 2002 sequel to a film made almost forty years earlier, was submitted in 2006. Although its cannibalistic theme featured within a broadly comic context, some excessively gory scenes coupled with strong sexual imagery made '18' the appropriate classification.

***Volver*** '15'  
***Innocent Voices*** '12A'  
***Inside Man*** '15'  
***Pretty Persuasion*** '18'  
***Sixty Six*** '12A'





**Live Feed** was another low budget American film submitted for DVD classification and restricted to the adult category. A group of American tourists in China flee from a gang of Triads only to discover a more gruesome fate awaits them in a film whose sustained threat underpinned some very strong scenes of violence and gore.

During 2006 a relatively small number of South Asian films were given an '18' category. This was mostly on the grounds that the films contained a level of violence that was deemed both strong and bloody. The trend of shifting from the ever popular Bollywood love story formula towards the Hollywood style action thriller continued during 2006, though the level of violence in most of these films was easily contained at the adult category.

No Hindi language films were passed '18' in the last year, but two Telugu language films and three Tamil films achieved the adult classification. The Telugu films, **Ashok** and **Rakhi – Highly Inflammable**, both contained strong and bloody violence, aggravated by a gratuitous, glamorised or vigilante theme.

The three Tamil language titles that were passed '18' were **Aanaai – Born to Fight**, in which the hero seeks strong violent retribution against the villains; the DVD version of **Aathi**, which contained strong and glamorised violence; and the DVD of **Madrasi – An Indian**, rated '18' for strong, revenge fuelled violence.

The Board's position on sex in films for adults is underscored by research and public reaction to classification decisions. This research also continues to support the Board's policy of confining explicit

images of real sex to the 'R18' category unless such images are exceptionally justified by their context. This exceptional contextual justification is available only if the primary purpose of the work is not sexual arousal (the contrary being the Board's working definition of a porn work).

This policy was put to the test with the submission of **Destriated**, a collection of short films exploring the relationship between film, sex and art and the nature of sexual imagery by contemporary video artists and directors including Sam Taylor-Wood, Larry Clark and Gaspar Noé. It featured frequent images of explicit sexual activity and did not possess an overarching narrative. When the Board considers the issue of context it relates to more than just the story, and the work was considered to be, in purpose and effect, a serious consideration of sex and pornography as aspects of the human experience. The Board did not consider that there were grounds for depriving adults of the right to choose whether to see the work.

Narrative was, however, the main contextual justification for classification at '18' of David Cameron Mitchell's **Shortbus**. It is the story of young bohemian New Yorkers and their relationships to sex, and to each other. The Board concluded that the real explicit sexual activity was inseparable from the storytelling in this critically well received feature, and that an uncut '18' was justified on both film and DVD.

**Another Gay Movie** featured brief sight of explicit still images of sexual activity, but these were considered to be part of the texture of the broad satirical adult comedy and well removed from a pornographic context. **This Film Is Not Yet Rated**, a polemical documentary claiming



inconsistency in the US ratings system, also attracted an '18' for its strong sexual content. The work included clips from several works the Board had previously passed at '18'.

The number of softcore sex works submitted to the BBFC for an '18' certificate remained reasonably constant from 2005 to 2006. At '18', sexual activity in a sex work, those works whose primary purpose is sexual arousal or stimulation, may be realistically simulated. Sex works containing clear images of real sex are confined to the 'R18' category. When '18' sex works include what is clearly real sexual activity, distributors are offered the option of taking an 'R18' certificate without having to cut the explicit detail.

While the Board generally restricts stronger examples of sexual fetish material to 'R18', it has passed some works at '18' which have mild sexual fetish activity. ***Lady Sarah's Guide to Female Dominance*** was a series of instructive role plays where the tone was one of gentle explanation rather than encouragement, and the emphasis was placed on safety rather than potentially harmful practices. The tone of the work was mild and therefore acceptable at '18'.

***TGX*** was an account of real life extreme shows at a fetish club called 'Torture Garden', and was aimed at adults naturally drawn to the lifestyle. Although some of the stage acts featured stronger fetish imagery, these were presented in the context of a stage performance involving practiced individuals and were not considered likely to encourage harmful imitation.

The BBFC passes occasional explicit imagery at '18' in 'sex education' videos if it is considered

necessary to illustrate the educational or instructional points being made, and if it occurs within a work which genuinely and manifestly seeks to inform and educate.

A small number of works were passed '18' in 2006 purely on the grounds of very strong language. The Board is mindful of public expectations when making such decisions. The multiple or aggressive use of 'cunt' resulted in some works that would otherwise have been given '15' being passed '18'. Many of these works were DVD extras or short works such as ***The Story of Scrapefoot Read by Jack Scratch***, in which a single use of 'cunt' by Russel Brand was passed at '18'. This was due to the short duration of the work and the lack of justifiable context for its use.

In the stand up show ***Lee Mack Live***, the comedian's rapid and repeated use of very strong language resulted in an '18' on DVD. ***An Evening with Kevin Smith 2: Evening Harder – London***, was a comic work featuring Kevin Smith talking to an audience. During his routine, he directed six uses of the word 'cunt' with misogynistic tone towards females not present in the studio. This was regarded as frequent and offensive enough to warrant an '18' for the work.

Paul Andrew William's debut, ***London To Brighton***, was passed '18' for the presence of very strong language alone. This hard hitting drama included thirteen uses of 'cunt', most of which were both aggressive and directed by male characters at female characters in the story. If not for the very strong language, this film could have achieved a '15' classification.





*'R18' – to be supplied only in licensed sex shops to adults of not less than 18 years*

**T**he 'R18' category is a special and legally restricted classification primarily for explicit works of consenting sex between adults. Films may only be shown to adults in specially licensed cinemas, and DVDs may only be supplied in licensed sex shops which are open only to adults over 18. 'R18' videos may not be supplied by mail order.

The number of 'R18' submissions in 2006 was again slightly down on previous years at 1217. 'R18' submissions formed eight per cent of total submissions in 2006 compared with 12.5 per cent in 2004 and nine per cent in 2005. Despite this slight reduction in works, this material continued to attract a high level of cuts. Almost half of all works cut by the BBFC in 2006 were cut in order to receive an 'R18', with around a quarter requiring cuts during this period compared with just over 20 per cent in 2004.

The level of cuts for this category reflects BBFC policy not to pass any material which: is in breach of the criminal law; is likely to encourage an interest in sexually abusive activity; exhibits lack of consent; inflicts injury; or is likely to be harmful. Because of the high intervention rate, the BBFC liaises with the Crown Prosecution Service and

the relevant police unit on current prosecution practice regarding the Obscene Publications Act 1959 (OPA). The Board also seeks expert opinion on specific issues. This year a research consultation among forensic specialists exploring the possible harmful effects of teen references in 'R18' works was completed, with its findings influencing policy. A second consultation, exploring the 10 to 15 per cent of 'R18' submissions cut for abusive acts, was also carried out and with results due in early 2007.

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## **The number of 'R18' submissions in 2006 was again slightly down on previous years**

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One 'R18' submission was rejected. The BDSM (Bondage, Domination, Sado-masochistic) work ***Struggle in Bondage***, depicted trussed, struggling women in sundry bondage scenarios in which consent was not established. BDSM works are not routinely rejected. Allowance is made for consenting role play games and scenarios where participants do not suffer injury or pain beyond what is 'trifling and transient'. Within this genre, depending on detail and treatment, works are most likely to attract an 'R18' classification rather than an '18' even in the absence of explicit sex. Such decisions are consistent with the Video Recordings Act 1984 (VRA) and the view that the presence of such material in general shops may offend public sensibilities.

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## **One ‘R18’ submission was rejected**

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Almost half the cuts to this material were for acts considered abusive, or harmful under the terms of the VRA, for example aggressive erotic asphyxia or gagging during deep throat fellatio. Thirty per cent of the cuts were for OPA breaches, mainly urolagnia, which is the combination of urination and sexual activity. Such material still attracts prosecution under the OPA. References to childhood or incest accounted for 12 per cent of cuts. The remaining cuts removed the use of implements which, if used without particular care, could lead to lasting injury or death.



**D**igital media submissions in 2006 increased to a total of 298 works compared to 198 in 2005. Video games only have to come to the BBFC for

classification if they lose their exemption under the terms of the Video Recordings Act because they contain certain material including strong violence, sex or useful criminal techniques. The majority of games are subject to a voluntary self assessment rating system operated through the Pan European Game Information (PEGI) organisation.

The range of digital media works submitted to the Board varied from full computer games to magazine covermount discs offering demos and trailers of forthcoming games. In 2006 38 games were rated 'U', 42 rated 'PG', 31 rated '12', 112 rated '15', 74 rated '18' and one rated 'R18'. No digital media works were rejected, but two covermount discs were subject to cuts for category in order to attain a '15' certificate.

The increase in digital media submissions to the BBFC is due largely to the amount of linear video content which is now present in most games. This frequently results in the work losing its 'exempt' status unless designed to inform, educate and instruct. Many games are based on popular films and television shows, and it is not unusual for actual clips or digitally rendered ones to be included in the game.

Like their film counterparts, games such as **Scarface**, **The Godfather** and **Reservoir Dogs** achieved an '18' certificate due to the strong, violent content of these gangster based games. **Reservoir Dogs** in particular resulted in the Board

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**Digital media submissions in 2006 increased to a total of 298 works compared to 198 in 2005**

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receiving correspondence from those who were concerned that the game could encourage violence against the police. In deciding the category of a game we are bound to consider, amongst other relevant factors, whether the level and extent of the violence presents such a clear and present harm to the user or society that the game has to be heavily restricted or quite possibly cut or rejected. It was the Board's view that, whilst **Reservoir Dogs** contains a brand of violent action that makes it wholly unsuitable for those under 18, it was unlikely that adults would be encouraged by the game to emulate similar acts of violence in the real world. In support of this view, we look to precedents (such as the film itself) and other violent games that have been passed. Beyond this we know of no verifiable incidents where a violent game or film has proved to be responsible for a criminal action. Taking these elements into account, we concluded that the game could be released with an '18' certificate, notwithstanding how distasteful or unpleasant the game may appear to be.

**Canis Canem Edit** (aka **Bully**) achieved notoriety long before its actual release as a result of misconceptions created by the pre-release

**Reservoir Dogs** '18'  
**Scarface** '18'  
**The Godfather** '18'  
**Canis Canem Edit** '15'









publicity. Parents, teachers and politicians all expressed worries about this game, reflecting public concern over bullying in schools. Correspondents wrote to the BBFC before the game was submitted, asking for it to be banned, but the Board cannot ban a work before it has been classified.

The player-character is Jimmy Hopkins, whose selfish and shallow mother, recently re-married, decides to dump him off at the Bulworth Academy boarding school since she and her new husband wish to travel abroad for some considerable time. Bulworth Academy, more prison camp than educational facility, is populated by a wide range of pupils whose lives are generally made unpleasant by unsympathetic staff, school bullies and prefects who clamp down on any infringement of the school rules with ruthless efficiency. Jimmy's task is simply to survive each day at school.

The game is part mission-led and part free form. It allows the player to wander around the school, occasionally undertaking acts of mischief such as firing a catapult at the school's sporting 'jocks', letting off stink-bombs or aggravating the prefects. However, anti-social behaviour is not without risk and appropriate punishment is regularly meted out when the offender is caught. The player is unable to progress further until the punishment task is completed. Apart from this, Jimmy is obliged to attend and complete various lessons and other tasks to progress through the game. In addition, he is often called upon to defend 'weaker' pupils from the more aggressive ones.

The most that can be said about the game's anti-social elements is that they are mischievous. Though the game is certainly not as problematic as was suggested by the pre-release publicity, the Board was conscious that more impressionable youngsters might consider Jimmy's antics as acceptable behaviour. In order to discourage this, the game was classified at '15', in line with other countries such as Australia and New Zealand. The detail and impact of action in the game were clearly at a lower level than that typically found in '18' games.

#### ***Apocalypto '18'***



**F**ilms or videos which contain unlawful or potentially harmful material will, where possible, be cut. If this is not possible because, for instance the cuts are so extensive that a viable release cannot be salvaged from the remaining material, or if the distributor refuses to make the required cuts, then a work may be refused a classification altogether. In 2006, only one work was rejected.

As previously indicated, ***Struggle in Bondage*** features a series of sequences depicting women bound and gagged, writhing and struggling against their restraints. Each sequence begins with the women already bound and at no point is the audience given any indication that they have consented to being bound as part of a clearly defined role play. The struggling and whimpering of the women appears calculated to suggest that they have been bound against their will and are experiencing a sense of threat or humiliation. It is clear from the manner of presentation that the work is intended to stimulate sexual arousal in the viewer.

The Board's own research clearly indicates that the public remains concerned about works that eroticise non-consensual activities. There is also a substantial body of media effects research which suggests that material that correlates sexual arousal with lack of consent may be harmful to some viewers. The Guidelines for 'R18' state that the following is unacceptable, '...the portrayal of any sexual activity which involves lack of consent (whether real or simulated). Any form of physical restraint which prevents participants from indicating a withdrawal of consent... any sexual threats, humiliation or

abuse which does not form part of a clearly consenting role-playing game.'

The Board considered whether the issues arising in ***Struggle in Bondage***, which breached BBFC Guidelines and which research suggests are potentially harmful, could be dealt with through cuts. However, given that the unacceptable material runs throughout, cuts were not a viable option.

***An Inconvenient Truth* 'U'**  
***V is for Vendetta* '15'**







In carrying out its role the Board has due regard to several important pieces of legislation. The Human Rights Act of 1998 requires the Board to consider, amongst other things, the requirement that a film-maker's freedom of expression is not infringed by its decisions. However, the BBFC is required to intervene where something has been 'proscribed by law' or where it is 'necessary in a democratic society' for the 'protection of health and morals' or 'the prevention of crime and disorder.' Any intervention made by the BBFC must be 'proportionate' to the breach concerned.

The Video Recordings Act 1984 (VRA) requires the Board to pay special attention to material that could be said to cause 'harm' to its potential audience. The VRA specifies criminal, violent or horrific behaviour, illegal drugs and human sexual activity.

The BBFC is required to act if presented with material that is deemed obscene under the Obscene Publications Act 1959. A work is deemed obscene if it has a tendency to 'deprave and corrupt' a significant proportion of the audience likely to see it.

The Protection of Children Act 1978 (POCA) makes it an offence to exploit children by making indecent photographs or pseudo-photographs of them and penalises the distribution, showing and advertisement of such indecent photographs or pseudo-photographs. For the purposes of POCA, anyone under the age of 18 is a child. The BBFC has always refused to classify works that feature indecent images of children although this can involve some difficult decisions, not least because POCA does not define what is meant by

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**Implementation of the Cinematograph Films (Animals) Act 1937 resulted in the highest number of 'legal' cuts in 2006**

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'indecent'. The BBFC has sought legal advice to determine this definition and often returns for further advice in borderline cases.

Several works that came before the Board this year required consideration under POCA. The films **Melissa P** and **Premier Desires** featured young looking actresses involved in sexual situations. But after close consideration it was determined that the performers were either over 18 (and thus POCA did not apply) or, if they were not over 18, the images of them were not indecent. **Le Souffle Au Coeur**, the Louis Malle classic, included sex scenes featuring a character played by a 15 year old actor. The BBFC considered that the lack of nudity on the boy's part and the general discretion within the scenes meant that the film did not contain indecent material and it was passed uncut. Another Louis Malle film, **Pretty Baby**, was a period drama about child prostitution in 1917 New Orleans. It featured nude images of a 12 year old Brooke Shields. They were not considered indecent and were passed uncut.

**The Ketchup Effect** included a scene where one character attempts to masturbate another. The actors in question were 16 or 17 at the time of filming. The BBFC made enquiries with the distributor and discovered that the erect penis that is visible in the scene was, in fact, a prosthetic. That fact, plus legal advice that the scene was unlikely to be found indecent, enabled the film to be passed uncut at '18'. In many ways the film would have been suitable for '15', but this one scene necessitated the higher classification.

Implementation of the Cinematograph Films (Animals) Act 1937 (Animals Act) resulted in the highest number of 'legal' cuts in 2006. It prohibits the exhibition or supply of a film if it contains any scene which has been '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. The word 'animal' is taken to mean any domestic animal (one which is tame or sufficiently tamed to serve some purpose for the use of man) or any vertebrate which is in captivity or confinement.

Whilst the Animals Act applies only to cinema works, the Board's policy is to apply it to DVDs as well. Whilst most animal action is carried out with due attention to the welfare of the animals involved, several works were cut due to animal cruelty, most of them resubmissions of older works. The submission of the 1935 version of **Anna Karenina**, starring Greta Garbo, was cut to remove sight of a horse tripped so that it fell onto its head in a race. Similar cuts were made to **Anna and the King of Siam** and **Tom Horn**. The Clint Eastwood picture **Any Which Way You Can** had a cut to remove the sight of a snake and a mongoose being placed into a box together to

fight. **Lassie's Great Adventure** was cut to remove a scene where an eagle is tethered to the ground and goaded to fury by a barking dog and **Lassie – Look Homeward** was cut to remove sight of a dog being hit by a rifle bullet and falling to the ground. There were a number of similar examples in other works.



## Video Appeals Committee

**D**uring 2006 there were no appeals to the Video Appeals Committee (VAC). The 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.

At the end of 2006 the full membership of the VAC was as follows:

### President

#### **John Wood CB**

*Solicitor; 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, FTCL, Governor of Trinity London and Advisory Board Member, Victim Support; Chair, The John Hosier Music Trust; former editor Blue Peter, BBC Television and 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 the Tribunals Service; member of the Gender Recognition Panel*

#### **Professor John Last**

*CBE, DLitt, Former lay member of the Press Council; Chair, Bute Communications, Cardiff; Chair, Dernier Group, Merseyside; Master, Barber Surgeons Livery, City of London 2005/6; visiting professor, City University*

#### **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; Chairman of the Northern Ireland Children in Need Appeals Advisory Committee*

**The Hon. Mrs Sara Morrison**

*FIC, FCGI, FRSA, Vice President Emeritus WWF International and UK; formerly full time director of large industrial plc; many non-executive directorships including Channel Four TV*

**Claire Rayner**

*OBE, author; broadcaster; health campaigner*

**Peter Rees**

*Cert.Ed, Dip.Ed, Dip.Psych MA, MCMI, retired primary headteacher; independent education management consultant; associate lecturer at the University of Winchester; Chair of Holloway School Governing Body; Councillor, Winchester City Council; director, A2 Winchester Housing Group 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*

**Professor Fay Weldon**

*CBE, MA, DLitt, FRSL; author; playwright; broadcaster*



## Consultative Council

**T**he Consultative Council has been advising the Board for over 20 years. The Council meets three times a year and the membership is made up of representatives from the video, broadcasting, record and leisure software industries, local government and persons of individual distinction, as well as observers from the Department for Culture, Media and Sport (DCMS), the Metropolitan Police and Ofcom.

### Director's reports and discussions

These meetings enable the Director to keep the industry representatives who attend informed about work levels, which affect the timeliness with which works are classified, policy issues and controversial cases. At the February meeting the Director was able to report a record year for submissions in 2005, but by the October meeting he was reporting a downturn in submissions in the second half of 2006.

One of the policy issues discussed was the revised guidance for the language used in Consumer Advice. This resulted from the research carried out in 2005 which showed that the public wanted the information to focus on areas of possible concern using contemporary language rather than words like 'peril' and 'anguish'.

At the February meeting there was a discussion about the changes in the media industries since the advent of digital production, delivery and broadcasting. The meeting also discussed the potential problems associated with unregulated material being available via the internet and other non-regulated delivery methods. Given that the Culture, Media and Sport Select Committee was

looking at the issue it was agreed that the subject would be visited again after the Select Committee report was published in 2007. The October meeting was told that the BBFC was in discussions with the industry about how the BBFC could provide a classification service in the areas of download and video-on-demand.

The Director reported to the February meeting that the Board had submitted a response to the Home Office consultation on the possession of extreme pornography. Whilst sharing the Home Office's concerns about the availability of extreme material, the Board had raised concerns about the definition of such material and how the offence was to be 'policed'. At the October meeting the Board was able to confirm that the Home Office had announced that the legislation would go ahead and that material classified by the BBFC would not be prosecuted.

At the June meeting the Director reported back on his attendance at the video games industry conference, E3, held in Los Angeles. The conference had provided a useful insight into future trends in the industry.

### Film screenings and discussions

The practice of showing a recently classified film which had raised classification issues, or which had generated adverse comment, continued in 2006 and the Council watched ***The Proposition***, ***Hostel*** and ***This Film Is Not Yet Rated***.

***The Proposition***, seen before the February meeting, was an Australian 'western' and had been a borderline '15'/'18' decision because of the violence. The film had not opened in cinemas at the time of the meeting and so the Council did not









know the final category decision. The meeting was divided as to the rating with some thinking the violence too strong for '15' while others thought that the historical setting distanced the audience sufficiently to allow for a '15' rating. One member argued that the realistic portrayal of the violence had an aversive effect and sent out a clear anti-violence message. Other members felt that it sat more comfortably at '18' because of the realistic violence and menacing tone. The majority view was that it should be rated '18' and the Director was able to confirm that that was the final decision.

In June the film viewed was the '18' rated horror film **Hostel**. Horror fans expect extreme violence and gore, particularly at '18', and **Hostel** did not disappoint with its strong torture theme. The meeting agreed that there was no question that the work should be rated anything lower than '18' for the strength of the violence and level of gore. While there had been some sex scenes in the first part of the film they were not linked to the violence, but it was noted that one of the torturers seemed to be sexually aroused by the activity. Press reviews had been negative, with one or two exceptions, and the Daily Mail in particular had questioned why the work had not been cut. Complaints were relatively few with some people complaining only because they had read the reviews.

October's film was the documentary **This Film Is Not Yet Rated**, about the MPAA – the American equivalent of the BBFC. The film dealt with the perception among film makers that the MPAA is unreasonably tough on sex, but relaxed about violence. It included scenes from films to which the MPAA had taken exception, or had awarded

the commercially unfavourable NC-17 category. Some of the films from which the clips came had been rated '18' by the BBFC and the lack of context for such clips meant that **This Film Is Not Yet Rated** also needed an '18'. The discussion after the screening centred round whether, in a documentary setting, the scenes could have been contained at '15' because it was felt that the film would be useful for media studies students, showing as it did the contrast between the UK and US systems. The Board's position was that the scenes of sexual violence alone would take the work into the '18' category. The inclusion in the film of deleted scenes from **Team America – World Police** led to a debate about the difficulty of classifying adult material portrayed in cartoon form, in particular Japanese animé. At the end of the discussion it was agreed that, within the terms of the classification Guidelines, the film was an '18'.

**Babel '15'**



**Membership of the Consultative Council  
in 2006 was as follows:**

**Phil Archer**

*Internet Content Rating Authority (ICRA)*

**Kim Bayley**

*British Association of Record Dealers (BARD)*

**Roger Bennet**

*Entertainment and Leisure Software Publishers  
Association (ELSPA)*

**Lavinia Carey**

*British Video Association (BVA)*

**Jeff Ford**

*Channel 4 Television*

**Laurie Hall**

*Video Standards Council (VSC)*

**Cllr Jim Hunter**

*Convention of Scottish Local Authorities (COSLA)*

**Steve Jenkins**

*BBC*

**Cllr Peter Kent**

*Local Government Association (LGA)*

**Cllr Maurice T Mills**

*Northern Ireland Local Government Association  
(NILGA)*

**Cllr Goronwy O Parry MBE**

*Welsh Local Government Association (WLGA)*

**David Simpson**

*Chair, Advisory Panel on Children's Viewing  
(ex officio)*

**John Woodward**

*UK Film Council*

**Independent members**

**Dr Anthony Beech**

**Professor David Buckingham**

**Professor Colin Munro**

**Colin Webb**

**Observers**

**Inspector Chris Bedwell**

*Metropolitan Police*

**Hugh Dignon**

*Scottish Executive*

**Rebecca Greenfield**

*Department for Culture, Media and Sport*

**Eleanor Hodge**

*Department for Culture, Media and Sport*

**Fiona Lennox**

*Ofcom*

*Little Miss Sunshine '15'*

*The Pirates of the Caribbean - The Curse of the Black Pearl '12A'*



## Advisory Panel on Children's Viewing

**T**he APCV provides the Board with access to a wide range of skills and expertise connected with children. As the bulk of the Board's work involves classifying material for everyone under the age of 18 the Panel is a very valuable resource. Like the Consultative Council, the APCV meets three times a year, but three of the members, Dr Sue Krasner, William Atkinson and Joe Godwin, also gave up their valuable time in December to come and talk to a meeting of the Board's examiners. David Simpson, in his capacity as Chairman of the APCV, also sits on the Consultative Council. Karen Johnson, who joined the Panel when it was set up in 1999, handed in her resignation in July because she had moved to Yorkshire and would be unable to attend meetings. The Board is very grateful for her valuable time and wise advice.

### Director's reports and discussions

The Board's work with 12 to 14 year olds looking at the Guidelines and the classification process, carried out in 2005, was reported on to the members of the Panel at their March meeting. They were also informed about the MP Keith Vaz's interest in video games and the Department for Culture, Media and Sport's review of research into video games which had been published at the end of February. Their obvious interest in games aimed at under 18s meant that they were kept fully informed about the video game which was originally called **Bully** and which finally came in for classification under the title **Canis Canem Edit**. At the November meeting the Director explained that after all of the controversy about its content it had been given a '15' rating, having apparently been toned down before submission.

The Director was able to report on the Board's involvement with National Schools Film Week to the November meeting. Examiners had visited 18 locations across the UK and spoken to over 3,500 students. Films shown included **Kidulthood**, **Love + Hate**, **Tsotsi** and **Elephant**.

### Film screenings and discussions

Like the Consultative Council the APCV watched films which have particular classification issues, usually relating to children and young people. One of the key debating points in these discussions is often the tone and intensity of a work and how that can impact on a young audience. The March meeting included a presentation by examiners on how these issues are considered when classifying films for a junior audience. After watching **Harry Potter and the Goblet of Fire** in full the panel also saw clips from **Finding Nemo** and **Harry Potter and the Chamber of Secrets**. It was explained that the key considerations included the following. Who was involved in the scene? What kind of danger was involved, was it a realistic setting or fantasy, was it animated or live action? How long does the danger last? Are there moments of release from the danger, such as a comic interlude and what is the outcome? Do the heroes win through? The discussion raised a number of points, including a caution about invariably assuming that a very young audience would understand comic moments of light relief. The **Harry Potter** clips were considered to include some realistic concerns for young children, with the experts being more concerned about children's reactions to the drowning sequence than the very large and therefore unrealistic spiders. The impact on young children of a threatening tone in a film was also discussed, with a predictable plot line being a

*Flushed Away 'U'*











mitigating factor. The death of a sympathetic character would have a significant impact on young children and should be taken into account when classifying a work as it was with ***Harry Potter and the Goblet of Fire***.

Following discussions at the March meeting about the Board's decision to rate the Swedish film, ***The Ketchup Effect***, '18' the Panel had the opportunity to see the film before the July meeting. The film was a subtitled comedy about a young teenage girl who gets drunk at a party and who ends up in a sexual situation which results in compromising photographs of her being circulated. It dealt with issues relevant to a young audience, but included a scene in which the girl is asked by an older boy to give him a 'hand job'. The Board's concern was that because the actors were under 18 at the time of filming the images constituted an indecent photograph of a child under the terms of the Protection of Children Act. The company had been offered the chance to reframe the scene so that the image of the boy's erect penis, albeit prosthetic, was removed, which would allow for a lower rating. The company had refused to do this and on the basis of legal advice that the image was unlikely to be considered indecent given the ages of the performers, the film had gone out uncut at '18'. One local authority in Scotland had overruled the Board's decision and awarded the film a '12A', but in fact it had had a very limited run.

Discussions covered the relevance of the film for a teenage audience and it was generally felt that young teenagers would enjoy the film and learn from discussing the issues of friendship, loyalty, sexual discovery and self-harm covered in the film. However, the Panel accepted the problem

that a precedent for sexual content of this kind at '15' would create. It was pointed out that schools could show films with higher ratings than the age of the children but should get parental permission. This would allow films like ***The Ketchup Effect*** to be used as an educational resource.

The long awaited debut of Daniel Craig as James Bond was the film seen before the November meeting. ***Casino Royale*** was rated '12A' and the Panel considered whether the levels of violence were appropriate at that category. The opening black and white fight sequence and the torture scene had pushed at the '12A' boundary and in fact the torture scene had been reduced in intensity after an advice viewing. The Panel felt that the film was a departure from what the public had come to expect from Bond films and as such the violence would come as a surprise. It was felt by some members that the use of black and white in the opening sequence intensified the impact of the violence. The torture scene was still considered very strong despite being reduced. It was agreed that the death of Vesper Lynd could be distressing for young children. The Panel also discussed the fact that the '12A' rating covered material suitable for children in the 12 to 14 age group and that the focus sometimes was on the reaction of very young children rather than this age group. The problem with any Bond film was that the public did see them as family entertainment and it was inevitable that a proportion of the audience would be well under the age of 12. The majority view was that the film was appropriate for 12 to 14 year olds, but that parents taking young children might be surprised by the gap between their expectations and the film's contents.

***The Last King of Scotland*** '15'



**APCV Members****David Simpson**

*Youth Court District Judge (Chair)*

**William Atkinson**

*Head Teacher*

**Dr Jim Barrett**

*Research Consultant*

**Professor Vince Egan**

*Chartered Clinical and Forensic Psychologist*

**Joe Godwin**

*Head of Children's Entertainment, BBC*

**Dr Sue Krasner**

*Chartered Clinical Psychologist*

**Frances Lennox**

*Senior Crown Prosecutor*

**Naomi Rich**

*Executive Producer, Illumina Digital*

**Dr Denise Riordan**

*Consultant Child and Adolescent Psychiatrist*

**Professor Jack Sanger**

*Visiting Professor, University of East Anglia and  
Innsbruck University*

**Dr Bill Young**

*Consultant Child and Adolescent Psychiatrist*

***El Laberinto del Fauno - Pan's Labyrinth '15'***

*Following page*  
***The Prestige 12A***













## The Principal Officers of the BBFC in 2006

**President**

Sir Quentin Thomas, CB

**Vice Presidents**

Janet Lewis-Jones

Lord Taylor of Warwick

**Council of Management****Chairman**

Graham Lee

**Vice Chairman**

Steve Jaggs

**Treasurer**

John Millard

**Members**

Michael Cox

John Holton

William McMahon MBE

Ewart Needham

Sylvia Sheridan OBE

Patrick Swaffer

John Wilson OBE

**Director**

David Cooke

**Deputy Director**

Penny Averill

**Head of Communications**

Sue Clark

**Head of Technology**

David Harding

**Head of Personnel**

Clive Hooper

**Financial Controller**

Imtiaz Osman

**Head of Process**

Dave Barrett

**Head of Policy**

Peter Johnson



## 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

Video submissions rose by 8% in the first half of the year and thereafter declined by 10% in the second half bringing an end to the period of rising submissions which have been seen over the past six years. It has not been possible to evaluate the extent of this decline yet, but information is being collated from the Industry for future submissions. An adjustment to the fee structure was necessary and approval was given by the Department for Culture, Media and Sport which was implemented on 8 January 2007. Some staff reduction was also necessary and a voluntary scheme was offered and accepted by seven members of staff. The Board will continue to monitor submission levels, assess resource requirements and seek efficiency improvements.

Changes in technology have necessitated the Board to consider the need to digitise the archive in order to comply with its statutory obligation to maintain and provide copies of all works classified under the Video Recordings Act 1984. A pilot study was commissioned and successfully completed. A final decision has yet to be made and if accepted, will require a significant investment.

The Board continues to engage professional advisers to assess and advise on the potential impact on its premises during the construction and operation of Crossrail.

## Directors

The Directors of the company are the Members of the Council of Management together with the President.

Mr PLJ Swaffer was appointed on 5 April 2006 for a five year term expiring in 2011. Mr DAL Cooke was appointed in 2005 for a term expiring in 2010 and the other Directors were previously appointed for terms which expire in 2009.

## Directors' responsibilities

Company law requires the Directors to prepare financial statements for each financial year which give a true and fair view of the state of affairs of the company and of the surplus or deficit of the company for that period. In preparing those financial statements, the Directors 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 financial statements; and
- Prepare the financial statements on the going concern basis unless it is inappropriate to presume that the company will continue in business.

The Directors 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 financial statements 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.

### **Corporate Governance**

The Directors continue to give careful consideration to, and have 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 Directors 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.

### **Financial instruments**

The company's financial instruments at the balance sheet date comprised bank loans, cash and liquid resources. The company has various other financial instruments such as trade debtors and trade creditors that arise directly from its operations.

It is, and has been throughout the period under review, the company's policy that no trading in financial instruments shall be undertaken.

### **Interest rate risk**

The company has no interest rate exposure as all the long term debt is at fixed rate.

### **Liquidity risk**

The company had significant net cash balances as at the balance sheet date.

### **Foreign currency risk**

The company's risk to foreign exchange transactions does not arise as all the company's financial instruments are denominated in Sterling.

### **Financial assets**

The company has no financial assets other than short-term debtors and cash at bank.

### **Borrowing facilities**

As at 31 December 2006, the company had undrawn committed borrowing facilities of £354,000

### **Environment, Health and Safety**

The company is firmly committed to managing its activities so as to provide the highest level of protection to the environment and to safeguard the health and safety of its employees, customers and the community.

The company's Environment, Health and Safety (EHS) policies provide the guiding principles that ensure high standards are achieved and afford a means of promoting continuous improvement based on careful risk assessment and comprehensive EHS management systems. These policies are reviewed at regular intervals. This work has given greater emphasis to formal management systems, which bring a systematic improvement in performance.

Over the past years the company has undertaken a number of initiatives to improve environmental and health and safety performance. This has included considerable investment in the improvement of the office premises to reduce safety risks, improvements to planning of site health and safety actions.

**Transfers to reserves**

The retained surplus for the year of £778,674 has been transferred to reserves.

**Fixed assets**

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

**Donations**

During the year the company made charitable donations totalling £100,000 (2005 - £149,750).

**Statement as to disclosure of information to auditors**

So far as the Directors are aware, there is no relevant audit information (as defined by Section 234ZA of the Companies Act 1985) of which the company's auditors are unaware, and each Director has taken all the steps that he or she ought to have taken as a Director in order to make himself or herself aware of any relevant audit information and to establish that the company's auditors are aware of that information.

**Auditors**

The auditors, Wilkins Kennedy, will be proposed for re-appointment in accordance with Section 385 of the Companies Act 1985.

**By order of the Board**

DAL Cooke  
Secretary  
3 Soho Square,  
London, W1D 3HD  
21st March 2007

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

We have audited the financial statements of British Board of Film Classification for the year ended 31st December 2006 which comprise the Income and Expenditure Account, the Balance Sheet, the Cash Flow Statement and the Related Notes numbered 1 to 18. These financial statements have been prepared under the accounting policies set out therein.

This report is made solely to the company's members as a body in accordance with Section 235 of the Companies Act 1985. Our audit work has been undertaken so that we might state to the company's members those matters we are required to state to them in an auditors' report and for no other purpose. To the fullest extent permitted by law, we do not accept or assume responsibility to anyone other than the company and the company's members as a body for our audit work for this report or for the opinions we have formed.

### **Respective responsibilities of the Directors and Auditors**

As described in the statement of Directors' responsibilities the company's Directors are responsible for the preparation of the financial statements in accordance with applicable law and United Kingdom Accounting Standards (United Kingdom Generally Accepted Accounting Practice). Our responsibility is to audit the financial statements in accordance with relevant legal and regulatory requirements and International Standards on Auditing (UK and Ireland).

We report to you our opinion as to whether the financial statements 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 Directors' Report is consistent with the financial statements.

In addition, we report to you if, in our opinion, 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 Directors' remuneration and other transactions with the company is not disclosed.

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

### **Basis of audit opinion**

We conducted our audit in accordance with International Standards on Auditing (UK and Ireland) issued by the Auditing Practices Board. An audit includes examination, on a test basis, of evidence relevant to the amounts and disclosures in the financial statements. It also includes an assessment of the significant estimates and judgements made by the Directors in the preparation of the financial statements, 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 financial statements 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 financial statements.



# **Independent Auditors' Report**

## **to the Members of British Board of Film Classification** (continued)

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### **Opinion**

In our opinion:

- the financial statements give a true and fair view, in accordance with United Kingdom Generally Accepted Accounting Practice, of the state of the company's affairs as at 31st December 2006 and of its surplus for the year then ended;
- the financial statements have been properly prepared in accordance with the Companies Act 1985; and
- the information given in the Directors report is consistent with the financial statements.

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

21st March 2007

## Income and Expenditure Account for the year end 31st December 2006

	Note	2006	2005
<b>Turnover</b>	<b>(2)</b>	<b>7,040,415</b>	6,862,935
Operating costs		<b>(6,048,493)</b>	(5,615,031)
<b>Operating surplus</b>	<b>(6)</b>	<b>991,922</b>	1,247,904
Interest receivable and similar income	<b>(3)</b>	<b>221,062</b>	182,245
Interest payable and similar charges	<b>(4)</b>	<b>(144,051)</b>	(153,753)
<b>Surplus / (deficit) on current asset investments:</b>			
- realised		<b>22,586</b>	41,717
- (increase) / decrease of provision for unrealised losses		<b>(2,561)</b>	30,881
<b>Surplus on ordinary activities before taxation</b>		<b>1,088,958</b>	1,348,994
Tax on surplus on ordinary activities	<b>(7)</b>	<b>(310,284)</b>	(373,501)
<b>Retained surplus for year</b>	<b>(14)</b>	<b>778,674</b>	975,493
Retained surplus at beginning of year		<b>6,571,585</b>	5,596,092
Transfer from capital reserve	<b>(13)</b>	<b>23,251</b>	-
<b>Retained surplus at end of year</b>		<b>£7,373,510</b>	£6,571,585

### Continuing operations

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

### Total recognised surpluses and deficits

The company has no recognised surpluses or deficits other than the surplus or deficit for the above two financial years.

The accompanying notes are an integral part of these financial statements.

# Balance sheet

## 31st December 2006

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	Note	2006	2005
<b>Fixed assets</b>			
Tangible assets	(8)	5,251,776	5,260,233
<b>Current assets</b>			
Deferred tax asset - due after more than one year	(7)	67,072	83,015
Debtors	(9)	725,591	599,528
Investments	(10)	1,649,904	1,683,255
Cash at bank and in hand		3,726,978	3,092,953
		6,169,545	5,458,751
<b>Creditors:</b> amounts falling due within one year	(11)	(1,689,079)	(1,600,936)
<b>Net current assets</b>		4,480,466	3,857,815
Total assets less current liabilities		9,732,242	9,118,048
<b>Creditors:</b> amounts falling due after more than one year	(12)	(2,358,732)	(2,523,212)
<b>Net assets</b>		<u>£7,373,510</u>	<u>£6,594,836</u>
<b>Capital and reserves</b>			
Capital reserve	(13)	-	23,251
Income and expenditure account		7,373,510	6,571,585
<b>Accumulated funds</b>	(14)	<u>£7,373,510</u>	<u>£6,594,836</u>

Approved by the Board of Directors on 21st March 2007

**KG Lee - Chairman**

**JR Millard - Treasurer**

The accompanying notes are an integral part of these financial statements.

## Cash flow statement

### for the year ended 31st December 2006

#### Reconciliation of operating surplus

to net cash flow from operating activities	Note	2006	2005
Operating surplus		991,922	1,247,904
Depreciation charges		170,578	182,710
Surplus on sale of tangible fixed assets		(979)	-
Increase in debtors		(24,074)	(38,083)
Increase / (decrease) in creditors		155,694	(1,919)
		<hr/>	<hr/>
<b>Net cash inflow from operating activities</b>		<b>£1,293,141</b>	<b>£1,390,612</b>
		<hr/>	<hr/>

#### Cash flow statement

		2006	2005
Net cash inflow from operating activities		1,293,141	1,390,612
Return on investments and servicing of finance	(15a)	79,154	2,366
Taxation		(370,812)	(405,861)
Capital expenditure	(15b)	(161,142)	(124,384)
		<hr/>	<hr/>
		840,341	862,733
Management of liquid resources	(15c)	53,376	(58,854)
		<hr/>	<hr/>
<b>Increase in cash</b>		<b>£893,717</b>	<b>£803,879</b>
		<hr/>	<hr/>

#### Reconciliation of net cash flow

to movement in liquid funds	(15d)	2006	2005
Increase in cash in the year		893,717	803,879
(Decrease) / increase in current asset investments		(33,351)	131,453
		<hr/>	<hr/>
Change in net liquid funds		860,366	935,332
Net liquid funds at beginning of year		2,196,666	1,261,334
		<hr/>	<hr/>
<b>Net liquid funds at end of year</b>		<b>£3,057,032</b>	<b>£2,196,666</b>
		<hr/>	<hr/>

The accompanying notes are an integral part of these financial statements.



# Notes to the financial statements

## for the year ended 31st December 2006

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### 1. Accounting policies

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

#### a Basis of accounting

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

#### b Tangible fixed assets

Tangible 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 annum

Computer equipment                      33.33% per annum

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 surplus 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 income and expenditure account as incurred.

#### g Pensions

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

## Notes to the financial statements

### for the year ended 31st December 2006 (continued)

#### 2. Turnover

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

The entire turnover in both periods is attributable to geographical areas within the United Kingdom.

3. Interest receivable and similar income	2006	2005
Bank deposit interest	160,896	137,797
Income from current asset investments	60,166	44,448
	<u>£221,062</u>	<u>£182,245</u>

4. Interest payable and similar charges	2006	2005
Loan interest	<u>144,051</u>	<u>£153,753</u>

5. Employees	2006	2005
Average monthly number of people employed by the company during the year:		
Non-executive Directors	10	9
Presidential Team	3	3
Management	6	6
Administration	13	13
Examination	37	33
Technical	23	20
	<u>92</u>	<u>84</u>

#### Costs in respect of these employees including Directors:

Salaries	3,692,705	3,377,316
Social security costs	408,296	371,322
Pensions	300,464	172,455
Life assurances	10,436	7,540
	<u>£4,411,901</u>	<u>£3,928,633</u>

#### Directors' remuneration

The remuneration of the Directors during the year was:

Emoluments	258,884	257,645
Pension contributions in respect of 2 (2005-2) Directors	29,929	20,515
	<u>£288,813</u>	<u>£278,160</u>

#### Highest paid Director

The above amount for remuneration includes the following in respect of the highest paid Director

<u>£166,007</u>	<u>£159,330</u>
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# Notes to the financial statements

## for the year ended 31st December 2006 (continued)

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### 6. Operating Surplus

2006

2005

The operating surplus is stated after charging:

	£	£
Directors' remuneration (including benefits)	288,813	278,160
Depreciation and amounts written off fixed assets	170,578	182,710
Auditors' remuneration	24,000	24,000
Rental of equipment	25,890	10,308

### 7. Tax on profit on ordinary activities

2006

2005

#### Reconciliation of tax charge to surplus:

Surplus on ordinary activities multiplied by standard rate of corporation tax in the UK of 30% (2005 - 30%)

(326,688) (404,698)

#### Effects of:

Expenses not deductible for tax purposes	(2,962)	(2,588)
Investment gains not taxable	6,776	21,779
Depreciation in excess of capital allowances	-	(923)
Capital allowances in excess of depreciation	3,215	-
Franked investment income not taxable	12,081	10,326
Other items not taxable	293	129
Marginal relief	11,355	5,564
Adjustment in respect of prior years	1,589	(550)

(294,341) (370,961)

Deferred tax arising from the interaction of depreciation and capital allowances

(15,943) (2,540)

#### Tax on surplus on ordinary activities

£(310,284)

£(373,501)

The deferred tax asset arising on capital deficits carried forward of £108,500 (2005 - £113,500) has not been recognised as the Directors are uncertain that sufficient suitable capital surpluses will exist in the future. Should such surpluses arise, the asset will be recovered.

# Notes to the financial statements

## for the year ended 31st December 2006 (continued)

### 8. Tangible fixed assets

	Long leasehold property	Long leasehold property expenditure	Furniture and equipment	Total
<b>Cost</b>				
At beginning of year	5,180,700	33,558	2,256,362	7,470,620
Additions	-	-	162,121	162,121
Disposals	-	-	(27,118)	(27,118)
	<u>5,180,700</u>	<u>33,558</u>	<u>2,391,365</u>	<u>7,605,623</u>
<b>Depreciation</b>				
At beginning of year	110,522	33,558	2,066,307	2,210,387
Charge for the year	41,446	-	129,132	170,578
Disposals	-	-	(27,118)	(27,118)
	<u>151,968</u>	<u>33,558</u>	<u>2,168,321</u>	<u>2,353,847</u>
<b>Net book value</b>				
At end of year	<u><b>£5,028,732</b></u>	<u><b>£-</b></u>	<u><b>£223,044</b></u>	<u><b>£5,251,776</b></u>
At beginning of year	<u>£5,070,178</u>	<u>£-</u>	<u>£190,055</u>	<u>£5,260,233</u>

### 9. Debtors

	2006	2005
Trade debtors	<b>330,496</b>	344,910
Others	<b>259,751</b>	123,030
Prepayments and accrued income	<b>135,344</b>	131,588
	<u><b>£725,591</b></u>	<u>£599,528</u>

### 10. Current asset investments – listed

	2006	2005
<b>Cost</b>		
At beginning of year	<b>1,734,208</b>	1,633,636
Additions	<b>100,353</b>	401,126
Disposals	<b>(131,143)</b>	(300,554)
	<u><b>1,703,418</b></u>	<u>1,734,208</u>



# Notes to the financial statements

## for the year ended 31st December 2006 (continued)

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### Provision for unrealised deficit

At beginning of year	(50,953)	(81,834)
(Increase) / decrease in provision	(2,561)	30,881

At end of year	(53,514)	(50,953)
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### Cost less provision at end of year

	<u>£1,649,904</u>	<u>£1,683,255</u>
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UK Government securities	-	49,051
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Other UK investments	<u>1,649,904</u>	<u>1,634,204</u>
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	<u>£1,649,904</u>	<u>£1,683,255</u>
--	-------------------	-------------------

### Market value of listed investments at end of year

	<u>£2,177,465</u>	<u>£2,070,350</u>
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### 11. Creditors: amounts falling due within one year

	2006	2005
Bank loan (secured - see note 12)	163,361	154,441
Trade creditors	248,063	282,512
Corporation tax	293,509	369,980
VAT	125,436	124,739
Other taxation and social security costs	293,904	266,010
Other creditors	375,647	252,910
Accruals and deferred income	189,159	150,344
	<u>£1,689,079</u>	<u>£1,600,936</u>

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

	2006	2005
Bank loan (secured)	<u>£2,358,732</u>	<u>£2,523,212</u>
Due within 1-2 years	172,452	163,163
Due within 2-5 years	580,489	548,048
Due after more than 5 years	<u>1,605,791</u>	<u>1,812,001</u>
	<u>£2,358,732</u>	<u>£2,523,212</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% and is repayable in quarterly instalments. The final instalment is due for payment on 6th May 2018.

**13. Capital reserve**

	<b>2006</b>	<b>2005</b>
At beginning of year	<b>£23,251</b>	£23,251
Transfer to income and expenditure account	<b>(23,251)</b>	-
	<hr/>	<hr/>
At end of year	<b>£-</b>	£23,251
	<hr/>	<hr/>

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

**14. Reconciliation of movements on accumulated funds**

	<b>2006</b>	<b>2005</b>
Surplus for the financial year after taxation	<b>778,674</b>	975,493
Accumulated funds at beginning of year	<b>6,594,836</b>	5,619,343
	<hr/>	<hr/>
<b>Accumulated funds at end of year</b>	<b>£7,373,510</b>	£6,594,836
	<hr/>	<hr/>

**15. Cash flow statement**

	<b>2006</b>	<b>2005</b>
<b>a Return on investments and servicing of finance</b>		
Interest received	<b>182,525</b>	112,134
Income from current asset investments	<b>40,680</b>	43,985
Interest paid	<b>(144,051)</b>	(153,753)
	<hr/>	<hr/>
	<b>£79,154</b>	£2,366
	<hr/>	<hr/>
<b>b Capital expenditure</b>		
Payments to acquire tangible fixed assets	<b>(162,121)</b>	(124,384)
Receipt from sale of tangible fixed assets	<b>979</b>	-
	<hr/>	<hr/>
	<b>£(161,142)</b>	£(124,384)
	<hr/>	<hr/>
	<b>2006</b>	<b>2005</b>
<b>c Management of liquid resources</b>		
Purchase of current asset investments	<b>(100,353)</b>	(401,126)
Sale proceeds of current asset investments	<b>153,729</b>	342,272
	<hr/>	<hr/>
	<b>£53,376</b>	£(58,854)
	<hr/>	<hr/>

<b>d Analysis of change in net funds</b>	<b>At beginning of year</b>	<b>Cash flows</b>	<b>Other non-cash changes</b>	<b>At end of year</b>
Cash at bank and in hand	3,191,064	738,157	-	3,929,221
Bank loan repayable within one year	(154,441)	(8,920)	-	(163,361)
Bank loan repayable after more than one year	(2,523,212)	164,480	-	(2,358,732)
Current asset investments	1,683,255	(53,376)	20,025	1,649,904
	<u>£2,196,666</u>	<u>£840,341</u>	<u>£20,025</u>	<u>£3,057,032</u>

## 16. Guarantees and other financial commitments

### 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 £300,464 (2005 - £172,455).

### Operating lease commitments

The following operating lease payments are committed to be paid within one year:

	<b>2006</b>	<b>2005</b>
	<b>Equipment</b>	<b>Equipment</b>
Expiring: Between one and five years	<u>£14,988</u>	<u>£-</u>

## 17. Company status

The company is limited by guarantee and is under the control of its members.

The liability of the members is limited to £1 each, in the event of the company being wound up.

## 18. Related Party Transactions

During the year Goodman Derrick LLP, a firm of solicitors in which PLJ Swaffer is a partner, charged £20,292 (2005 - £16,357) for professional services at normal commercial rates.

## The BBFC: A Trusted Guide to the Moving Image

### What is the BBFC?

A highly expert and experienced regulator of the moving image (especially film, video/DVD and video games), and also a service provider for new and developing media.

### Why do we do what we do?

The BBFC regulates not just as a statutory designated authority but also because we serve a socially useful function.

Through the efficient classification of the moving image into advisory and age-related categories, the provision of consumer advice and the maintenance of our archive:

- we give the public information that empowers them to make appropriate viewing decisions for themselves and those in their care. We help to protect vulnerable viewers and society from the effects of viewing potentially harmful or unsuitable content while respecting adult freedom of choice;
- we provide media industries with the security and confidence of cost-effective, publicly trusted regulation and help to protect providers of moving image content from inadvertent breaches of UK law;
- we are able to assist Trading Standards officers in their enforcement role.

### How do we operate?

We are open and accountable. As an independent, self-financing regulator, we are mindful of our unique position and proud of the trust that our expertise and integrity have built with the industry and public.

We are passionate about the moving image and balance our duty to protect with a respect for the

right to freedom of expression.

We acknowledge and reflect the cultural diversity of the UK, and anticipate and embrace change.

Throughout the BBFC, we value and respect the needs of stakeholders, promoting team work and long term commitment for all staff in an atmosphere of support and co-operation.

### What do we intend to do over the next 5 years?

Through investment in the BBFC's physical and human resources, especially the experience and expertise of staff, we will:

- continue to regulate film, video/DVD and video games in a manner which maintains the support and confidence of the industry and the public;
- embrace technological change and opportunities in new media;
- respond to changing social attitudes;
- enhance our standing as a centre of excellence in regulation;
- actively promote the BBFC as a valuable social resource;
- lead and innovate in media education and research;
- develop new partnerships.

This will ensure that the BBFC approaches its 2012 centenary as an independent and trusted resource; a high profile key brand that instils confidence across a range of media; a healthy cultural presence; and an enjoyable, inclusive and dynamic place to work.





