

Quarterly Report of Appeals, Complaints and Advice

The BBFC is the regulator of commercial and internet content delivered via the mobile networks of EE, O2, Three and Vodafone.

In the interest of transparency, the BBFC publishes all of its adjudications in relation to cases reported to it of purported underblocking or overblocking, along with requests for advice on whether particular content should go behind parental controls or adult filters.

We keep this list updated as and when new cases are reported to us and publish updates every three months.

In all cases, the BBFC conveys its adjudication to (i) the complainant, appellant or person or body seeking advice; (ii) Mobile UK; and (iii) the relevant mobile network operator(s).

The adjudication that a website contains no material that we would classify 18 does not necessarily mean that we believe it is suitable for younger children.

In the following cases, the adjudications represent an assessment of the content according to the dates listed below. Any subsequent changes to content have therefore not been viewed by the BBFC, although we reserve the right to change our adjudication should altered content be brought to our attention subsequently.

October 2019

8 October 2019

Website

archive.org

Issue

A member of the public contacted the BBFC to complain that the website had been placed behind adult filters, despite containing no material that in the complainant's opinion would cause access to be restricted to adults only.

Adjudication

The BBFC previously adjudicated on this site on occasion, most recently in October 2018. On each occasion we found that it was not suitable for children.

When we viewed the site again on 8 October 2019, we noted that while the site contained material, including reference books and educational content, that would not require restriction to adults only, we also found stronger material on the site, including hardcore pornography, aggressive uses of very strong language and racist material. As such, the BBFC upheld the existing adjudication that the site should be placed behind adult filters.

15 October 2019

Website

Cyberghost.com

Issue

A mobile network operator contacted the BBFC for advice about the suitability of the website for people under 18.

Adjudication

We noted that the site contained references to circumventing certain providers' geolocation restrictions, such as television and video content providers. There was also a section on relating to unblocking pornography online. The BBFC found no material that was in breach of the Classification Framework. Although the BBFC is aware that VPNs can be used to enable illegal activity, the website did not contain any overt references to illegal activity, nor did it actively include instructions on how to use a VPN to commit an offence, or promote the use of the service in order to avoid detection when committing an offence. As such, we found no material that the BBFC would classify 18 or refuse to classify.

Website

Hide.me

Issue

A mobile network operator contacted the BBFC for advice about the suitability of the website for people under 18.

Adjudication

We noted that the site contained references to circumventing certain providers' geolocation restrictions, such as television and video content providers. There was also a blog on the site with various articles on VPNs. The BBFC found no material that was in breach of the Classification Framework. Although the BBFC is aware that VPNs can be used to enable illegal activity, we did not consider the website to contain any overt references to illegal activity, nor did it actively include instructions on how to use a VPN to commit an offence, or promote the use of the service in order to avoid detection when committing an offence. As such, we found no material that the BBFC would classify 18 or refuse to classify.

16 October 2019

Website

hotspotshield.com

Issue

A mobile network operator contacted the BBFC for advice about the suitability of the website for people under 18.

Adjudication

The BBFC viewed the website on 16 October 2019.

We noted that the website provided free and paid-for VPN services, and contained articles relating to using a VPN for various activities, including secure browsing and protected public wifi use. It also contained an article on the Tor network in comparison to a VPN. While the BBFC is aware that VPNs can be used to enable illegal activity, the website contained no overt references to illegal activity, nor did it actively include instructions on how to use a VPN to commit an offence, or promote the use of the service in order to avoid detection when

committing an offence. Therefore, we found no material that the BBFC would classify 18 or refuse to classify.

November 2019

4 November 2019

Website

mediweed.com

Issue

A mobile network operator contacted the BBFC for advice about the suitability of the website for people under 18, following a complaint from the site owner that it had been placed behind adult filters, despite containing no material that in the complainant's opinion would cause access to be restricted to adults only.

Adjudication

The BBFC looked at the website on 4 November 2019.

We noted that it was a website developing and selling hemp-based products within the UK. Various products for sale included hemp flowers, seeds, CBD oil and flower buds.

While it is not illegal to sell hemp seeds in the UK, it is illegal to grow plants from them without a licence, most particularly if they have high THC levels. The website contained information such as the type of crops that are growable from such seeds (and how long it will take to grow them before harvest), and how high some of the THC levels are. The site also contained text relating to the supposed narcotic and psychoactive effects of certain plants. Accordingly, the BBFC considered the site to contain material that we would classify at least 18, or refuse to classify.

6 November 2019

Website

broadcastcentre.com

Issue

A representative of the website contacted the BBFC directly to complain that the site was placed behind adult filters despite containing no material that in the complainant's opinion would cause access to be restricted to adults only.

Adjudication

The BBFC viewed the website from 4-6 November 2019.

We noted that the site related to broadcast events and conferences. The BBFC was only able to access a limited number of URLs. Based on those urls which were available, the BBFC found no material that requires restriction to adults only.

15 November 2019

Website

fdesouche.com

Issue

A mobile network operator contacted the BBFC for advice about the suitability of the website for people under 18.

Adjudication

The BBFC viewed the website on 14 and 15 November 2019.

We noted that it was a French website collecting numerous news stories from around the world with particular focus on current affairs in France. There were sections covering areas such as news, policy, global events and sport, and links to the site's Facebook and Twitter pages. While this news website paid particular attention to issues such as immigration, and did so in a manner that may cause disagreement or debate over the nature of its presentation, it did not present information in a manner that comprised direct hate speech. Accordingly, the BBFC did not consider it to require restriction to adults only.

18 November 2019

Website

cannacbd.com

Issue

A mobile network operator contacted the BBFC for advice about the suitability of the website for people under 18, following a complaint from a representative of the website that it had been placed behind adult filters, despite containing no material that in the complainant's opinion would cause access to be restricted to adults only.

Adjudication

The BBFC viewed the website on 18 November 2019.

We noted that it was a site selling various CBD products including oil, cream and vaping products. It also featured a blog of reports around the world highlighting topics such as CBD research and the technology of CBD extraction. The website did not claim any benefits to the consumption of CBD products beyond general references to wellbeing, and in fact included numerous text statements about not being able to make health claims regarding such CBD products. As such we found no material that we would consider suitable for adults only.

Website

oceanrope.com

Issue

The website owner contacted the BBFC directly to complain that the site was placed behind adult filters despite containing no material that in the complainant's opinion would cause access to be restricted to adults only.

Adjudication

The BBFC looked at the website on 18 November 2019.

We noted that it was an online rope and rigging shop, with the facility to buy different types of rope and reel fittings, and order custom rigging as required. We also noted that the site

contained a news section and a link to its instagram posts. We found no content that required restriction to adults only.

25 November 2019

Website

my-addr.com

Issue

A mobile network operator contacted the BBFC for advice about the suitability of the website for people under 18, following a complaint from a member of the public that it had been placed behind adult filters, despite containing no material that in the complainant's opinion would cause access to be restricted to adults only.

Adjudication

The BBFC viewed the website on 25 November 2019.

We noted that it was a site providing information on IP identification and WHOIS lookups, as well as a paid-for proxy service.

While the BBFC is aware that VPNs (or in this case a proxy server) can be used to enable illegal activity and to avoid detection when a criminal offence is being committed, they are not themselves illegal under UK law. This website contained no material listed in Part B of the Classification Framework, and contained no overt references to illegal activity - for example, including instructions on how to use a VPN to commit an offence, or promote that service in order to avoid detection when committing an offence. Therefore we would not classify it 18.

27 November 2019

Website

shop.oeyes.com

Issue

The website owner contacted the BBFC directly to complain that the site was placed behind adult filters despite containing no material that in the complainant's opinion would cause access to be restricted to adults only.

Adjudication

The BBFC viewed the website on 25 and 27 November 2019.

We noted that it was an online shop selling various items of clothing, shoes and accessories. The site contained some lingerie sections, but these did not contain imagery that we would consider suitable only for people over the age of 18.

28 November 2019

Website

aetherius.org

Issue

A member of the public contacted the BBFC to complain that the website had been placed behind adult filters, despite containing no material that in the complainant's opinion would cause access to be restricted to adults only.

Adjudication

The BBFC viewed the website on 28 November 2019.

We noted that it provided information on The Aetherius Society, an organisation concerned with promoting wellbeing and providing information according to its beliefs in regard to extraterrestrial life. The website provided a history of the society and its founder, George King, along with information about various aspects of spiritual healing. While it's possible that some people may disagree with some of the views expressed on the website, such as the claim that Jesus and Buddha (among others) were extraterrestrial beings, the information is provided in a non-confrontational manner and does not attack any group on the basis of race, religion, gender, disability or sexual orientation. As such, we found no material on the site which we would consider suitable for adults only.

December 2019

12 December 2019

Website

halowaypoint.com

Issue

A member of the public contacted the BBFC to complain that the website had been placed behind adult filters, despite containing no material that in the complainant's opinion would cause access to be restricted to adults only.

Adjudication

The BBFC viewed the website on 12 December 2019.

We noted that it was a site dedicated to the Halo series of video games. It included trailers for the re-release of Halo Reach and the upcoming Halo Infinite games, and a link to purchase the Master Chief Collection on the Xbox One console along with other memorabilia. There were also news and community sections including a forum.

The game trailers included occasional sight of blood during footage from the games, and some sections on the site contained strong language in text comments. While we would not consider such material suitable for young children, we found no content that we would classify 18.

16 December 2019

Website

expressvpn.com

Issue

A mobile network operator contacted the BBFC for advice about the suitability of the website for people under 18, following a complaint from a member of the public that it had been placed behind adult filters, despite containing no material that in the complainant's opinion would cause access to be restricted to adults only.

Adjudication

The BBFC viewed the website on 16 December 2019.

We noted that it was a paid-for VPN site. We found no material that breached the Classification Framework. The website contained no overt references to illegal activity, nor did it actively include instructions on how to use a VPN to commit an offence, or promote the use of the service in order to avoid detection when committing an offence. As such, we found no material that the BBFC would classify 18 or refuse to classify.

BBFC

2 January 2020