

**BRITISH BOARD OF FILM CLASSIFICATION**

**ANNUAL REPORT  
AND ACCOUNTS FOR 1988**

# BRITISH BOARD OF FILM CLASSIFICATION

3 Soho Square, London W1V 5DE

President: The Rt. Hon. The Earl of Harewood, KBE

Director: James Ferman

Fax: 01-2870141

Telephone: 01-439 7961

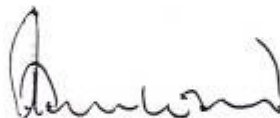
4th July 1989

## THE THIRD ANNUAL REPORT OF THE BRITISH BOARD OF FILM CLASSIFICATION

Dear Secretary of State,

We have pleasure in sending you, in accordance with section 6 of the Video Recordings Act 1984 and our letter of designation of 26th July 1985, the Annual Report of the British Board of Film Classification, together with the statement of accounts, for the year ended 31st December 1988.

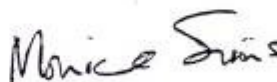
Yours sincerely,



Lord Harewood  
President



Lord Birkett  
Vice President



Monica Sims OBE  
Vice President

The Rt Hon Douglas Hurd CBE MP  
Secretary of State for the Home Department  
Home Office  
50 Queen Anne's Gate  
London SW1H 9AT

## PRINCIPAL OFFICERS OF THE BBFC

President

THE RT HON THE EARL OF HAREWOOD KBE

Vice Presidents

THE LORD BIRKETT

MONICA SIMS OBE

Director

JAMES FERMAN

Deputy Director

MARGARET FORD JP

Assistant Director (Administration)

PETER WILSON FIPM MBIM

---

## COUNCIL OF MANAGEMENT

Chairman: D W Samuelson

Hon Treasurer: G W Brooks

D C Calder

R G F Chase

M H Cox

J C Holton

D Kimbley

W T McMahon

P Rigby JP

S Sansom OBE

W P Vinten OBE

---

## BBFC Staff at 31st December 1987

### EXAMINERS

Principal Examiner, GUY PHELPS PhD

Assistant Principal Examiners, GEOFFREY WOOD PhD, JULIAN WOOD

David Blewitt PhD, Michael Bor, Carolyn Choa, Richard Falcon PhD, Behroze Gandhi, Margaret Glasspool, Paul Hoffman, Shah Hussain, Greg Lyons, Maggie Mills, Maria Moustaka, Jeremy O'Grady, Frank Panford, Sally Sampson JP, Rosemary Stark, Victoria Tawadros, Carol Topolski.

### ADMINISTRATIVE AND TECHNICAL

Accountant, J KEITH BRAY

Head of Registration & Systems, Jean McMeakin

Head of Programming, Jackie Simons, Senior Secretary, Xandra Barry

Chief Projectionist, Dennis Askew, Chief Video Technician, Vincent Hull

Post-Exam Co-ordinator, Karen Grant, Video Archivist, Stephen Myers

---

# CONTENTS

				Page No
PRESIDENT'S INTRODUCTION	..	..	..	1
THE END OF THE BEGINNING	..	..	..	3
Enforcement of the Video Recordings Act	..	..	..	4
Packaging	..	..	..	4
The Broadcasting Standards Council	..	..	..	5
Subscription Television	..	..	..	5
CLASSIFICATION	..	..	..	6
Films	..	..	..	6
Video	..	..	..	7
Video Lists	..	..	..	7
Table of Video Statistics for 1988	..	..	..	8
Cuts	..	..	..	9
Violence	..	..	..	9
Cumulative Video Statistics for 1985/88	..	..	..	10
Sexual Violence	..	..	..	11
Animals	..	..	..	12
Manners	..	..	..	12
Blasphemy	..	..	..	13
The Sex-Shop Category	..	..	..	13
Rejects	..	..	..	14
Foreign Language Videos	..	..	..	15
THE VIDEO APPEALS COMMITTEE	..	..	..	16
Membership	..	..	..	17
THE VIDEO CONSULTATIVE COUNCIL	..	..	..	18
Enforcement	..	..	..	18
Costs of Enforcement	..	..	..	19
Information and Training	..	..	..	19
The Video Appeals Committee, Mail Order and the Single European Market	..	..	..	20
The Broadcasting Standards Council	..	..	..	20
The Monitoring of Standards	..	..	..	21
Membership of the VCC in 1988	..	..	..	22
FINANCE AND FORWARD PLANNING	..	..	..	23
Finance	..	..	..	23
Report of the Auditors	..	..	..	25
Statement of Accounts for 1987	..	..	..	26
Profit and Loss Account	..	..	..	27
Balance Sheet	..	..	..	28
Statement of source and application of funds	..	..	..	29
Notes to the Accounts	..	..	..	30
Appendix I - Film statistics: 1970 to 1987	..	..	..	i
Appendix II - BBFC Letter to correspondents about the film THE LAST TEMPTATION OF CHRIST	..	..	..	iii



## PRESIDENT'S INTRODUCTION

In 1988, the BBFC cleared the first major hurdle set for us by the Home Secretary under the Video Recordings Act, the classification of every video in the shops, including the backlog titles available to the public long before the Act was brought into force. Three years had been allotted for examining some 12,000 videos, and by September when the final deadline had arrived, that figure had been exceeded. Some titles of course, had never been submitted, and these became illegal in September 1988, together with works officially rejected by the Board and others which had required cuts as a condition of certification but remained on dealers' shelves in their uncut form.

An appreciable decline in workload was anticipated once the backlog had been cleared, since the volume of new video releases had always been a mere proportion of the total. Contrary to expectations, however, there has been no fall in submissions but a steady rise from month to month as a booming industry continues to invest in what they see as a profitable future. We take some pride in the contribution made by the Board to the new, improved image of the video industry, since by diligent attention to the contents of tapes, and since 1987 to their packaging and advertising as well, we have helped this fledgling industry to put its past reputation behind it. If video can now take its rightful place as an important and prosperous sector of the entertainment industry, it is because of the quality and variety of so much of its recent family product, and the increasing professionalism with which it is presented to the public. All of us at the BBFC are pleased to have played a part in this development.

A major factor in the industry's increasing respectability has been the extension of enforcement powers from the police to trading standards officers, a legislative reform recommended to Ministers in 1987 by the Video Consultative Council. The enthusiasm and commitment of trading standards officers has led to a significant increase in prosecutions, with the result that the supply of unclassified and unlabelled videos is gradually being staunched. In the last few months of 1988, the Board received more requests for certificates of evidence than in the whole of the previous three years, and reports of convictions in the local press began to make sufficient impact for the less responsible traders to realise that the Act could no longer be flouted with impunity. Greater responsibility on the part of shopkeepers has reduced the extent to which children are given access to unsuitable videos, but there is still much to do if we are to bring home to parents the meaning and importance of the categories and the need to treat them with respect.

For the Board, the upturn in submissions has required a major expansion of resources. Instead of shedding staff, as anticipated, through planned natural wastage, it became necessary to recruit both examiners and support staff, and to expand accommodation as quickly as possible. There had been a moratorium on refurbishments during 1988 while the Board's reserves were rebuilt, since heavy losses in 1987 had left these seriously depleted. But plans were brought forward to resume the building programme in the spring of 1989 and to continue until the entire staff is adequately housed, a major undertaking for an organisation which had grown in six years from a staff of 12 to nearly 60.



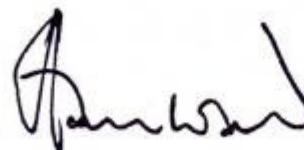
On the film side, the Board found itself subject to intense scrutiny over its handling of Martin Scorsese's THE LAST TEMPTATION OF CHRIST, which had aroused such a storm of controversy prior to its American premiere that the row preceded it across the Atlantic. Charges of blasphemy were brought even before the film was seen in Britain, and the Board took pains to secure the best legal advice available. It also canvassed the views of church people from all the major Christian denominations, 28 of whom viewed the film in our theatre, and none of whom believed the film to be blasphemous under British law. Our lawyers agreed, and so did the DPP, who saw the film himself after we had given it an '18' certificate. Nearly 2,000 letters and petitions were received by the Board before the film opened in Britain, but when it did so, the reviews were good, most of them praising it as a serious piece of religious film-making. Not a single letter of complaint was received from anyone who had seen the film.

The film RAMBO III was cut for '18' in line with the strict policy on violence and glamorisation of weaponry enunciated by the Board in the wake of Hungerford in 1987. We also maintained a very strict line on sexual violence and violence against women, which are often, it seems, two sides of the same coin. These are among the perennial problems on which vigilance is required, as it is, too, on drugs, one of the major social issues on both sides of the Atlantic. The Video Recordings Act laid on the Board a wide range of new responsibilities: to solve the 'video nasty' problem, to bring in a system of consumer protection through classification symbols, and to set publicly acceptable standards for an industry which is growing and will require the Board to grow with it. That growth is still continuing.

In 1988, the BBFC lost the services of its Deputy Director, Wing Commander K R Penry, who retired after nineteen years with the Board. Ken joined the BBFC as an examiner in 1969 after twenty-seven years in the R.A.F., which included commanding three different stations and winning the King's Commendation for Valuable Service in the Air. He became Assistant Secretary in 1975 and Deputy Director in 1985, and his readiness to stay on past retirement age to help see through the completion of the backlog was of inestimable value. His judgment and good humour will be much missed.

Ken is succeeded in the post of Deputy Director by Margaret Ford, while Guy Phelps has been appointed Principal Examiner.

At the end of 1988, the BBFC was approached by satellite television with a request that we develop standards appropriate for subscription TV and that we take on the classification of their first movie channel. 1989 will prove an even busier year.



Harewood



## THE END OF THE BEGINNING

1. The end of 1988 was a milestone for the BBFC, in that the Video Recordings Act was at last fully operational, with every non-exempt video in the shops now subject to classification and with all backlog works submitted to the Board having met the various statutory deadlines in good time. The Video Packaging Review Committee, initiated late in 1987, was working smoothly by 1988, most companies having accepted the Committee's interventions with a good grace. The new system of enforcement was also working surprisingly well, with trading standards officers meeting their responsibilities with enthusiasm and a sound grasp of the ground rules. The Board itself had also adjusted to its rapid growth and had met the challenge of self-financing well enough to handle an unprecedented and evidently long-term expansion in staff, plant, and accommodation. After three and a half years under the Act, BBFC finances were at last back in the black, and the moratorium on building works during 1988 had enabled the losses of 1985 and 1987 to be replenished sufficiently to resume the necessary rebuilding in 1989.
2. It was films rather than video which subjected the Board to the greatest public scrutiny, particularly in respect of two films which lent themselves to headlines and controversy long before they had even opened in Britain. RAMBO III, a military adventure in Afghanistan, attracted criticism because of its alleged potential for encouraging anti-social violence on the streets of Britain, although no scene in the film, or its predecessor RAMBO II, had taken place in a peacetime urban setting. The hero of this popular Hollywood series had begun as a disturbed Vietnam veteran, rejected by the society he had served and confused and bitter as a result, but he evolved in the sequels into a military superhero and a superpatriot as well, putting right the evils of the world and restoring America's image of itself as the protector of the weak and defender of the just. It is ironic that it was precisely this old-fashioned militarism which provoked public disquiet, since this was a hero who killed, on the battlefield though never at home, with a deadly efficiency which seemed increasingly out of place in a world struggling towards new, more reasonable means of settling international disputes. It was the moments of military death-dealing in RAMBO III which seemed likely to inspire dreams of emulation, and many brief cuts were required by the Board in bloodshed and the glamorisation of military weaponry, particularly the 'Rambo knife', which was already being sold by many weapons shops in Britain to teenagers whose lifestyle owed little to military discipline. Shorn of all these details, the film began to seem acceptable even for a '15' category, a view shared by most members of the Video Consultative Council who saw the film in the Board's theatre, including many local councillors who had attended in a spirit of concern that the film might pose a danger to public order. In the event, the Board decided to play safe with an '18' certificate, restoring some of the marginal cuts, though not as many as the distributors had hoped. There were no letters of complaint about the film when it was released either in the cinema or later on video.
3. The other controversial film of the year was, of course, THE LAST TEMPTATION OF CHRIST, which survived allegations of blasphemy and offensiveness to impress most of the critics and many ordinary churchgoers who - some would say surprisingly - found the film an affirmation of faith rather than an attack on it. Letters of protest



began arriving at the BBFC long before the film itself, indeed before it had even arrived in Britain. The blasphemy charge was a serious one, and the views of distinguished lawyers were sought. In British law, a "publication is blasphemous which contains any contemptuous, reviling, scurrilous or ludicrous matter relating to God, Jesus Christ, the Bible or the formularies of the Church of England as by law established." Criminality lies not in the opinions expressed, but in the manner of their expression, and the Board was required therefore to examine the tone, style and spirit which informed this fictional dramatisation of the adult life of Jesus. Although church people who viewed the film with us at the Board's invitation took different views of its merits as film-making on a religious theme, no one felt it to have been made in a spirit of malice. Nor could it be said to hold its subject up to ridicule or contempt. Plainly sincere and indeed reverent, it told its story in the modern American vernacular, circumventing the traditional teachings of the church and attempting to speak directly to the emotions of its audience. The degree of a film's success is not for the Board to judge, but we were satisfied that no British jury would find it blasphemous. The BBFC received 1870 letters and petitions about the film before its release, each of which was answered, and our reply is included as Appendix II, together with a further exchange of letters arising from our reply. Not a single letter of complaint about the film was received after it opened.

#### Enforcement of the Video Recordings Act

4. The extension of enforcement powers to trading standards officers had a significant impact in 1988 on the extent to which small traders who had ignored the Video Recordings Act a year earlier began at last to discard unclassified cassettes and to label classified ones. Perhaps more importantly, they were also being warned that it was a criminal offence to supply videos to children below the age specified in the category label. The industry trade associations published their support for vigorous enforcement for deterrent purposes, and while ministers also commended the new regime, they made it clear that further legislation would be considered if respectability was not soon achieved. By the end of 1988, a new atmosphere had been established. There were, of course, some distributors who continued to take risks, leaving it to retailers to suffer the penalties, but such practices were increasingly seen as damaging to the image of the industry.

#### Packaging

5. The Video Packaging Review Committee, established at the end of 1987, made a significant impact during 1988 in reducing the amount of gross offence caused to members of the public by distasteful or irresponsible packaging. Appeals against the decisions of the Committee are permitted, but results have in general been accepted without dissent. A circular logo indicating the approval of the VPRC is now carried on most video packs, and trading standards officers have ruled that this mark constitutes a trade description in the meaning of the Trade Descriptions Act 1968, since it is an indication of testing and approval by an authorised body. As the VPRC is a voluntary scheme, companies have the right to opt out, but so far few distributors, mainly in mail order, have done so. For those choosing to stay in the



scheme, the logo is compulsory and classification certificates are withheld pending packaging approval. There have been some cases of companies releasing their tapes prematurely on receipt of an interim clearance form, perhaps in some cases to avoid submission of packaging. Where this is inadvertent, it can be put right fairly quickly. On the other hand, any distributor who deliberately risks trading without a classification certificate or VPRC approval but with a VPRC logo on the pack will find that two offences have been committed, one under the Video Recordings Act and the other under the Trade Descriptions Act.

### Broadcasting Standards Council

6. During December 1988, the Board had a formal visit from the Broadcasting Standards Council, whose Chairman, Lord Rees-Mogg, had asked the Board to present an overview of its standards in all areas, choosing illustrations from the sort of material shown to the Video Consultative Council over the past three years. The presentation was followed by a discussion of the way the material shown might be covered by the Code of Practice being drawn up by the Council for all the televisual media. The Board put forward the view that the standards for broadcast TV, cable and satellite, pay-as-you-view, and home video could never be precisely the same since the degree of accessibility to children, and to the vulnerable of all ages, was different for each of the media in question. Broadcasting is an ever-open channel in which the age and composition of the audience is governed mainly by the time of transmission, although with video time-shifting, this is no longer a guarantee against the presence of young viewers. On the other hand, only one household in three contains a child under the age of 16, and the new televisual media have introduced a wider range of choice for screen entertainment in the home which is comparable to publishing and which society is unlikely to reject so long as the new freedoms are balanced with a appropriate degree of social responsibility.

### Subscription Television

7. Interestingly, the Board's concern about differential standards was to be put to the test quite soon, since it was approached at the end of 1988 by Sky Television with a view to classifying all the films they would be showing on their satellite movie channel. Distinctions between film and video standards have emerged over the years since the Video Recordings Act in 1984, deriving from Parliament's decision to require that classified videos should be suitable for viewing in the home. Film classification continues to set the standard because it is normally the first medium of publication and the one attracting the greatest attention from the press. But film itself occupies a smaller and smaller proportion of the Board's time. That may change, of course, since cinema in Britain entered a new expansionist phase in 1988, with more admissions than for many years and more new cinemas being built than at any time since World war II. Nevertheless, far more people in Britain, and in other parts of the world, now see films principally on video or through the ever-widening gamut of televisual media. As the Board's professional attention turns to these other modes of distribution, a range of standards will begin to develop based on the accessibility of the particular medium to children and the degree of private and deliberate choice for adults.



## CLASSIFICATION

### Films

8. During 1988, 337 feature films were classified as well as 23 short features, 298 trailers, and 105 advertisements. No feature film was refused a certificate during 1988, although more films required cuts than in the previous year. For the second year running, the Board found the new American 'PG 13' category causing problems, since films made with that category in mind must either be cut for the British 'PG', as eight films were in 1988, or classified '15', which can often appear more restrictive than can be justified by the contents.
9. Of the 337 films certificated, 49 (14.5% of the total) were cut as a condition of certification. Of these, more than twenty needed cuts in violence or glamorisation of weaponry or criminal techniques, nine of these involving violence to women in a sexual context. Six films were cut because of real violence to animals, which is illegal under British law. And once again, the scarcity of licensed clubs has meant the heavy cutting of a number of 'R18' sex films, ten in all, to a level acceptable for the public cinema, which accounts for the bulk of the running time deleted from films in the '18' category. The Board continues to believe that society would be better served if such films, in their 'R18' form, were restricted to licensed clubs where they would not be drawn to the attention of the general public.
10. Category trends since 1970 can be gauged from the figures given in Appendix I, in which the statistics of films classified and cut each year are set out in tabular form. The current category system was introduced in 1982, when the mid-teens category was raised from 14 to 15 and the old 'A', which once required parental accompaniment but became advisory in 1970, had its symbol changed to 'PG' (Parental Guidance), indicating that some scenes might be unsuitable for young children. For the fourth year running, there are no films in the 'R18' category because of the paucity of licensed clubs, the 'R18' now being mainly a video category restricted to licensed sex shops.
11. In 1988, the 337 features to which classification certificates were issued can be broken down statistically as follows:

<u>Classification Categories</u>	<u>Total number and percentage of works in each category</u>	<u>Number and percentage of works classified only after cuts</u>
'U'	12 (3.6%)	-
'PG'	76 (22.6%)	11 (14.5%)
'15'	142 (42.1%)	5 (3.5%)
'18'	107 (31.8%)	33 (30.8%)
'R18'	-	-
Rejected	-	-
<u>Total</u>	<u>337 (100%)</u>	<u>49 (14.5%)</u>



## Video

12. During calendar year 1988, the Board handled more than 4,000 video submissions, some of which were shelved by distributors, but most of which were examined and processed to interim clearance stage. Classification statistics understate the totals for 1988 because at year end nearly a thousand features had been approved but not yet certificated, pending submission of packaging under the voluntary review scheme launched in 1987. By agreement with the industry, the Board withholds certification until packaging is cleared, with the result that, while most titles are eventually classified, there is a statistical shortfall while packaging is prepared and submitted with appropriate category labels. This statistical anomaly will have a decreasing impact on the annual figures in future years.
13. Video statistics for 1988 are summarised overleaf, with cumulative totals for 1985/88 on page 10. As well as the 2,561 video features on which classification certificates were issued during 1988, five video features were refused a certificate altogether, whilst another 234 (9.1%) required cuts as a condition of certification. Statistics for 1988 show that 55.6% of features were found suitable for general viewing, with 595 of these conditional on the 'Parental Guidance' warning that some scenes 'might be unsuitable for young children.' Of the features classified as suitable only for persons above a certain age, the '15' category once again outstripped the '18' by 570 to 516, reinforcing earlier trends which suggested that '15' would become the largest category in percentage terms. Only 51 video features, 2% of the total, were classified 'R18', which restricts supply to licensed sex shops. One video game was classified in 1987.

## Video Lists

14. The Board's consolidated list of all video works classified in 1988 is available under separate cover. Monthly supplements will continue to be available to subscribers, consolidated into four-monthly updates on a regular basis. Since these lists provide the only authoritative guide for video dealers and law-enforcement agencies, a comprehensive list of all video works classified from 1985 to early 1989 is being published as a definitive guide to videos which may be legally supplied in Britain. This comprehensive list will be periodically updated for the convenience of subscribers for as long as a one-volume publication is practicable, after which a second consolidated edition will be built up in the same way. We hope this new form of publication will provide the definitive service which so many of our customers have requested.
15. These consolidated lists include the authorised running time of the classified work to the nearest second as well as the duration of any cuts required by the BBFC as a condition of certification. Timings are video timings which in Europe are 4% quicker than film (25 frames per second instead of 24). The remarks column gives the predominant language of the work where this is other than English, and also such information as whether the work has been abridged by the distributor or re-titled before submission to the Board. Where the latter is the case and the work is classified and available to the public under more than one title, both will now be carried in the alphabetical lists.

Video Recordings Act 1984

**VIDEO STATISTICS FOR 1988**

<u>Classification Categories</u>	<u>Total Number and percentage of works in each category</u>	<u>Number and percentage of works classified only after cuts</u>
<b>FEATURES</b>		
'U'	756 (29.5%)	6 (0.8%)
'U/c'	73 (2.8%)	-
'PG'	595 (23.2%)	29 (4.9%)
'15'	570 (22.2%)	41 (7.2%)
'18'	516 (20.1%)	138 (26.7%)
'R18'	51 (2.0%)	20 (39.2%)
Rejected	5 (0.2%)	-
<u>Total</u>	<u>2,566 (100%)</u>	<u>234 (9.1%)</u>
<b>TRAILERS</b>		
'U'	139 (26.3%)	15 (10.8%)
'U/c'	-	-
'PG'	128 (24.0%)	15 (11.7%)
'15'	161 (24.5%)	22 (13.7%)
'18'	96 (18.2%)	30 (31.3%)
'R18'	-	-
Rejected	4 (0.8%)	-
<u>Total</u>	<u>528 (100%)</u>	<u>82 (15.6%)</u>
<b>ADVERTISEMENTS</b>		
'U'	21 (95.5%)	-
'PG'	-	-
'15'	1 (4.5%)	-
'18'	-	-
'R18'	1 (1.6%)	-
<u>Total</u>	<u>22</u>	<u>-</u>
<b>VIDEO GAMES</b>		
'18'	1 (100%)	-



## Cuts

16. There was a decrease of 2.7% during the year in the proportion of videos cut as a condition of certification, from 11.8% in 1987 to 9.1% in 1988, which suggests a return to the norms established in 1985-86, before the 1987 deadline for backlog films from the '70s distorted the figures because such a high proportion had required cuts by the Board. In 1988, the final September deadline was for backlog videos of films from before 1970, few of which needed cuts by the standards of today. Where the Board has become even stricter on video is in the line taken on violence, particularly sexual violence, and on the normalising of drug abuse and the glamorous display of offensive weapons or imitable criminal techniques. Control of sex videos, on the other hand, has been made easier through the introduction of a segregated sex-shop category, although a shortage of such shops has meant that requests to cut 'R18' videos down to '18' continue to impose disproportionate demands on the Board's time.

## Violence

17. Violence inevitably remains at the forefront of the Board's work, with massive growth in the American video market providing a spur for the production of more low-budget 'shockers' of the kind shown in late-night cinemas or on cable TV in the United States. The Vietnam War is being repeatedly re-fought (and sometimes won) in the jungles of Taiwan and the Philippines, with righteous heroes inflicting ever more crushing revenges on wrongdoers, while unseen psychopaths wreak equally bloody havoc on student campuses, as they have done for more than a decade. The temptation to enliven mediocre scripts with lashings of violence and gore is ever-present, and the Board's task is to evaluate the results and to try to analyse the relationship that each aggressive incident proposes between violence on screen and levels of aggression in the likely viewer. Few psychologists now suggest that screen violence has a direct cause-and-effect relationship with the sort of real violence which may endanger society. Instead, the media are seen as one of many influences or facilitating factors in the complex equation that leads to violence in the streets or in the home. The problem for media regulators is to weigh up the real and important rights of film-makers to convey their messages with all the freedom society can offer against the risk that freedom to promote anti-social values may result in a significant loss of liberty for the victims of violence. Should free speech encompass a probable loss of freedom for others, or even a loss of life? And whose freedom takes priority in a free society, that of the communicator of violence or of the victim of those too easily influenced by violent messages? Some researchers have argued that the real danger is long-term and incremental. If this is so, and what we must monitor is the drip-drip effect of violent solutions rousing but detached from human consequences, then the Board is left with the awkward role of making individual rulings on individual films, none of which is likely to do much harm on its own.
18. Few letters of complaint to the Board centre on violence, and there is little press criticism of violence in classified films or videos, however much controversy may be stirred up in advance. This suggests that classification and the trimming of excessively brutal incidents accords by and large with public expectations. The occasional writer complains of too many cuts in violence, though rarely with any inkling of what has been removed and why. Board policy on violence is based

Video Recordings Act 1984

CUMULATIVE VIDEO STATISTICS

September 1985 to December 1988

<u>Classification Categories</u>	<u>Total Number and percentage of works in each category</u>	<u>Number and percentage of works classified only after cuts</u>
<b>FEATURES</b>		
'U'	2,765 (24.8%)	30 (1.1%)
'U/c'	324 (2.9%)	-
'PG'	2,547 (22.8%)	130 (5.1%)
'15'	2,803 (25.1%)	188 (6.7%)
'18'	2,505 (22.5%)	725 (28.9%)
'R18'	184 (1.7%)	56 (30.4%)
Rejected	25 (0.2%)	-
<u>Total</u>	<u>11,153 (100%)</u>	<u>1,129 (10.1%)</u>
<b>TRAILERS</b>		
'U'	1,328 (48.1%)	126 (9.5%)
'U/c'	1 (0.0%)	-
'PG'	406 (14.7%)	30 (7.4%)
'15'	609 (22.1%)	46 (7.6%)
'18'	405 (13.7%)	78 (19.3%)
'R18'	4 (0.1%)	1 (25.0%)
Rejected	8 (0.3%)	-
<u>Total</u>	<u>2,761 (100%)</u>	<u>197 (8.6%)</u>
<b>ADVERTISEMENTS</b>		
'U'	296 (96.1%)	2 (0.7%)
'PG'	5 (1.6%)	-
'15'	6 (1.9%)	-
'R18'	1 (0.3%)	-
<u>Total</u>	<u>308 (99.9%)</u>	<u>2 (0.6%)</u>
<b>VIDEO GAMES</b>		
'15'	2 (50%)	-
'18'	2 (50%)	-
<u>Total</u>	<u>4 (100%)</u>	<u>-</u>



not on public demand, but on the concerns expressed by those whose job it is to deal with violence in the real world, and who feel that to allow works of entertainment to sell or reinforce the pleasures of violence is quite probably a misuse of freedom.

19. During 1988, the Board cut violent material from 54 video features and 7 films, with 63 minutes of screen time in all being deleted on these grounds. In most cases, this was to remove or reduce the detailed process of violence, often the deliberate or sadistic infliction of pain, injury, or death, mainly on innocent victims, but also as an act of retribution which can exceed the provocation. A further 39½ minutes was excised from 61 videos and 7 films to remove or reduce glamorous display of weaponry or imitable criminal techniques. Ninja death stars, kung fu chainsticks, spiked knuckledusters, metal claws, butterfly knives, lighted aerosols, and telescopic catapults have all been cut in 1988, as have, with tedious regularity, crossbows, restricted by law like most of the other weapons listed above, but too photogenic for film-makers to resist. Also included under this heading was footage demonstrating the techniques of drug abuse, in which the ritualistic use of heated spoons, tourniquets and syringes can acquire a forbidden-fruit glamour which adds to the attraction of these illegal substances. In some cases context or genre provided sufficient justification for retaining the image, particularly in period settings or fantastical narratives, but in stories with a modern urban setting, the Board prefers to err on the side of not whetting the appetites of those for whom the carrying of offensive weapons or banned drugs can provide a sense of power or autonomy in a life of relative powerlessness.

### Sexual Violence

20. The problem of sexual violence and of violence against women (which is often the expression of sexual frustration and resentment at the inaccessibility of women, either particular women or women in general) has been with us since the seventies and is particularly worrying on video which lends itself to the selective replay of scenes which can feed these resentments with aggressive masturbatory fantasies. Rape, forcible stripping, whipping, caning, drugged sex, and the torture of nude women have all been cut in 1988, as have scenes exploiting the panic of naked women, which can apparently provide compensation for the inadequacies of panicky or impotent men.
21. The good news is that there has been a significant drop in the incidence of sexual violence in 1988, after the marked increase in such scenes in 1987. In that year, 2 hours 46½ minutes had to be cut from 121 video films, as against 2 hours 19 minutes from only 76 videos in 1986. In 1988, both figures fell, with only 1½ hours of such material having to be cut from the smaller total of 51 videos and 5 films. The mere existence of such figures will of course remain a concern, but it seems encouraging that video distributors, aware of the very firm line the Board has drawn on such material, have begun to handle so much less of it for the UK market, so that this last vestige of the 'video nasty' era may at last be beginning to draw to a close.



## Animals

22. In Britain, the Protection of Animals Acts 1911 and 1934 set very high standards for the prevention of cruelty to captive or domestic animals, and the Cinematograph Films (Animals) Act 1937 extended that principle to films by banning the screening in British cinemas of any scene in the making of which captive or domestic animals were treated cruelly, wherever in the world the scene was shot. This rule has now been extended to video, with the Video Recordings Act laying down that no work is exempt which depicts the 'mutilation or torture of, or other acts of gross violence towards, humans or animals.'
23. In accordance with this policy, cuts were required in 1988 in 4 films and 23 videos, the cuts totalling 12½ minutes in all. Most of these cuts were brief, removing, for example, intercut shots of cockfights, snake fights, wolves fighting, and rams baited into charging each other to the point of drawing blood, all these scenes clearly staged for the camera and spectators. Also cut were visuals in which trip wires were used to throw galloping horses into a head-first somersault, scenes in which birds or beasts of prey are let loose on small tethered animals, and scenes in which a dog is thrown and a cow is felled with a karate chop. British law here is based on the principle that real animals will be treated more humanely if public taste is not corrupted by entertainment which exploits the suffering of defenceless animals, and this policy is rigorously enforced.

## Manners

24. The problem of bad language in American films continues to bedevil the category system in Britain, since an increasing use of four-letter words in Hollywood family movies is found less and less acceptable by parents when such films make the transition from the cinema into the home. The 'U' category ('UNIVERSAL. Suitable for all') is appropriate to fewer and fewer new films every year, although its 'whiter-than-white' character has from time to time accommodated the milder British swearwords, 'damn', 'hell', and occasionally 'bloody', without any sense of outrage from the public. Only twice since the Video Recordings Act came into force has the Board allowed one or two of the typically American scatological swearwords to be heard in this category, the films being the enormously popular children's films E.T. and Disney's FLIGHT OF THE NAVIGATOR, both of which had proved their acceptability in the cinema to such an extent that the Board had no wish to modify them for home video. Nor did it seem appropriate to reclassify them 'PG', which might have the effect of putting off some children or parents who would otherwise find them memorably enjoyable. In both cases, some parents complained to shopkeepers at the tendency of Hollywood to inject into films the sort of language which children ought not to hear in their own homes, and on reviewing the situation at the Video Consultative Council, the Board agreed not to permit such language in 'U' videos in future.
25. The 'PG' category advises 'Parental Guidance' on the clearly stated grounds that 'some scenes might be unsuitable for young children,' and this advice has in the past covered the mild lavatorial swearwords mentioned above. Some dealers have urged us to remove this sort of language not just from the 'U' but from the 'PG' as well, but cutting is not always the answer. Many companies asked by the Board to cut



such words from family videos find it technically difficult without damaging the film and opt instead for the higher category, '15' at the moment, since this removes the need to modify the work for the U.K. video release. The Board has always taken a strict line in not permitting any sexual expletives in films classified for pre-teenagers, but here again, most video dealers take the path of least resistance by raising the category to '15' uncut, perhaps anticipating that parents may disregard the category once the tape gets into the home. If too many family films, like CROCODILE DUNDEE for example, begin to find their way into the '15' category, then that rating will cease to have any force in protecting pre-teenagers against material classified as unsuitable for them on grounds of sex, violence or drugs. At the same time, the 'PG' category may fall into disuse like the 'U', with the result that the category system as a whole fails to provide precise or adequate guidance on the wide range of films submitted for video classification. One possibility would be the introduction of a new category between 'PG' and '15', a solution likely to be explored throughout most of 1989.

### Blasphemy

26. The question of blasphemy was raised in 1988 primarily in connection with the film THE LAST TEMPTATION OF CHRIST (see Appendix II), where lawyers assured us the charge could not be substantiated. On video, on the other hand, there was one work which seemed to us to treat the figure of Christ on the cross with crudeness verging on contempt by enlisting the figure in the action of a horror movie. The scene was one in which an ineffectual chocolate-guzzling priest is punished for the sin of gluttony by the statue of Christ, who removes the nail from his own ankles to stab the priest to death. The shockingness of the treatment was cut by the Board with no perceptible damage to the film.

### The Sex-Shop Category

27. The final September deadline for backlog videos covered not just all English-language films from 1940 to 1970, but all works not primarily in English which remained unclassified. Many sex video distributors had availed themselves of the three-year period of grace by removing the English-language soundtrack and substituting music and sub-titles, with the result that many such tapes were not submitted until the last few months before the deadline. During 1988, 51 of these were classified 'R18' for supply in licensed sex-shops only, thus removing them from the attention of customers who had no wish to encounter them. Cuts in this category are to remove material which in the Board's view is depraving and corrupting in the meaning of the Obscene Publications Act, in particular scenes of forcible or sadistic sex (cross-referenced under sexual violence). Other cuts in this category are to scenes in which the degree of visual explicitness is such that a significant number of courts would be likely to find the work obscene, as witnessed by the results of obscenity cases in England and Wales supplied to the Board by the Crown Prosecution Service. Standards in these matters vary in different parts of the country, although there is a tendency for juries to acquit in obscenity cases where the sex scenes are wholly consenting. The Board remains unconvinced that such erotic visuals are truly depraving and consulting, but it has always erred on the side of caution, and in 1988, it was the explicitness of sexual depictions in many of the tapes submitted just before the deadline which resulted in 20 of these 'R18' videos requiring cuts, to a total of nearly 51



28. In 1985 it seemed reasonable to assume that the market in sex videos would be adequately controlled through the channelling of explicit material into a range of licensed sex-shops in most major centres of population. The fact that few such licences are granted by local authorities means that unless a distributor has access to a number of these licensed premises, he is unlikely to find the 'R18' a viable proposition. Unsurprisingly, in previous years, most video companies had preferred to cut such products heavily to reach the wider market, but in 1988, there was a decline in the statistics of works cut for this reason, from 59 in 1987 to 35 in 1988. Nevertheless, a number of those required quite extensive cutting for the '18', a time-consuming procedure for BBFC examiners. Mail-order is still illegal for 'R18' videos, which are classified for supply only in licensed sex-shops, since the Post Office Act proscribes the sending of indecent matter through the post. This situation may change in 1992, when the European Court will no doubt have to take a view on the application of a stricter test to postal deliveries than applies in retail shops.

### Rejects

29. Five video features were refused certificates in 1988, four of them because of excessive violence, much of it sexually connected. The fifth was rejected because of its encouragement - verging on advocacy - of drug abuse, in this case LSD, a decision which confirms the previous rejection of this same film for the cinema on three separate occasions.
30. The prevalence of rape and sexual assault in low-budget American videos has been a perennial problem since the days of the 'video nasties', and two of these rejected works exemplify the difficulty, with rape and sexual assault presented in a context of unremittingly brutal and sadistic violence, in one case directed exclusively at women. In both videos, the rape scenes were clearly contrived as a turn-on for a male audience, either by eroticising details of the rape for sexual titillation, or by exploiting the brutal exercise of power by the rapist over a series of women terrorised and degraded into subjection, an attitude consistent with the psychopathy of a great many multiple rapists of recent years. When one of these videos was rejected, the distributor expressed surprise as this was apparently the 'soft' version of the work from which the most explicit violence had been removed. In the Board's view, scenes of mutilation and forced dancing on broken glass as well as sexual assaults extending to oral rape seemed explicit enough to justify rejection in a video which had no other message than that killing and maiming are pleasurable and that sexual humiliation may be the most pleasurable of all.
31. Another factor in one of the above was the choice as villain of an AIDS victim twisted by his suffering into a sadistic monster wreaking vengeance on women by raping, degrading and infecting them, an image which runs counter to the great efforts made in Britain to encourage attitudes of compassion and understanding for the victims of disease. In the context of a vicious exploitation film, this confirmed the view that cuts were unlikely to make the work acceptable. Another rejected video was concerned almost exclusively with the eroticisation of rape, bondage and sexual slavery, presented as legitimate and glamorous sources of sexual pleasure. The Board always considers whether cuts could enable a work to be classified, but in this case the whole of the sex-slavery plot and the many non-consenting sex scenes would have required deletion, leaving so little narrative as to render the remains quite meaningless. Once again, the demeaning view of women and of sexual relations was the determining factor.



32. Of the four violent rejects, only one contained no sexual violence, but scenes of terrorising, blood-letting and gleeful infliction of pain underlined an unacceptable tone of sadism in a work purporting to be a satirical horror fantasy but developing a pervasive undercurrent of mutilation as fun. The test of suitability for viewing in the home is one which informs BBFC policy in various areas, in particular that of imitable criminal techniques, where video's capacity for freeze-frame and selective replay makes it an ideal teaching medium that could lead to copycat crime. Sexual violence, too, lends itself to selective replay for those with a private but obsessive interest in such material, and the Board has tried to limit the extent to which video can feed such unhealthy and possibly anti-social appetites. But with horror imagery, the imposition of a stricter test for viewing in the home is based not just on its appeal to those with a morbid interest in pain and injury, but on the risk of inadvertent viewing by the young and impressionable of images of killing and maiming which may seem real and not fantastical.

### Foreign Language Videos

33. By 1987, the BBFC had become a multi-lingual operation, with videos in the languages of the various ethnic minorities taking an increasing proportion of the Board's time. Examiners fluent in Hindi, Gujarati, Urdu, Punjabi, Arabic, Greek, Turkish and Cantonese had been recruited for an expanding market anticipated on the basis of submissions to the Board during the first two years under the Act. But in 1987, a sudden falling off in submissions in Arabic, Greek and Cantonese coincided with a similar decline from some of the English-language distributors who were waiting to see whether or not the Act would be properly enforced. The extension of powers to trading standards officers in 1988 had a significant impact, and submissions in all these untranslated languages picked up markedly in late 1988, with Cantonese and Turkish joining Hindi among the languages most regularly encountered by the Board's examiners. Statistics for foreign language video works classified during 1988 are as follows:

<u>Language</u>	<u>Total</u>	<u>'U'</u>	<u>'PG'</u>	<u>'15'</u>	<u>'18'</u>	<u>Cuts</u>
Arabic	7	-	3	4	-	-
Bengali	8	-	2	5	1	1
Cantonese	135	28	48	45	14	4
Greek	10	4	5	1	-	-
Gujarati	4	-	4	-	-	-
Hindi	296	43	105	100	48	12
Punjabi	47	4	13	16	14	7
Turkish	114	15	36	51	12	5
Urdu	19	1	6	7	5	1
	640	95	222	229	94	30

Submissions in Arabic and Greek do not yet reflect the size of the video market in either of those languages, but the Board retains the capacity to examine in all the languages listed above in readiness for the day when greater calls on its services are made.



#### THE VIDEO APPEALS COMMITTEE

34. The Video Appeals Committee is constituted under section 4(3) of the Video Recordings Act to enable a video distributor aggrieved by a BBFC decision to appeal against that decision and have it set aside. Only one appeal was heard during 1988, the fifth since the Act came into force. Like its predecessors, it was against the award of an 'R18' certificate which restricts supply to licensed sex shops. In all five cases, the panel was chaired by the President of the Video Appeals Committee, Peter Barnes CB, former Deputy Director of Public Prosecutions. In so far as case law can be established by so few decisions, the record is as follows.
35. The first appeal, in 1986, was upheld by a majority vote and the category altered to '18' for a video consisting largely of women's nude mud-wrestling taking place before a mixed audience in a pub in Devon. The audience was felt by the majority of the panel to have "accepted the light-hearted nature of the bouts ... which are not quite so appealing to the prurient interest nor quite so offensive to reasonable people as to warrant an 'R18' classification." In 1987, there were three more appeals, all concerning sex videos of varying degrees of explicitness. In the first, the appeal was granted because "all the sexual acts were manifestly simulated and free from any hint of violence or unnatural conduct," to such an extent, the panel concluded, that "a reasonable person would not find it offensive for this video to be generally available to those aged 18 or over." The next appeal concerned a video which, in the Board's view, conveyed the "impression of a 'live' sex entertainment [without] any mediating aesthetic distance between the performers and the viewer to diminish the reality of the sexual activity on display." The panel supported the Board's view, dismissing the appeal and citing "an element of sleazy voyeurism which pervades it." The last appeal of 1987 was against the awarding of an 'R18' to a sex cartoon of three fairy tales, JACK AND THE BEANSTALK, CINDERELLA, and LITTLE RED RIDING HOOD. In its decision, the panel noted the Board's view "that the explicit drawings combined with the coarse dialogue took the work out of the genre of adult comic fantasy into that of a sex video ... the style of animation [being] so close to that adopted for children's cartoons as to increase the risk that it would be seen by young children." This judgment was supported at the hearing by the former Director of the Cambridge Institute of Criminology, who cited the case of a child who had unfortunately been shown this video, long before it was submitted to the Board, resulting in difficulties which in his view justified placing the work in the category least likely to be drawn to the attention of children. Again the panel agreed, citing "the explicit anatomical detail in many of the sexual incidents, coupled with the coarseness of some of the dialogue" as justification for the 'R18'.
36. The only appeal in 1988 was against the award of an 'R18' to another work intended for supply by mail-order. The written decision of the Committee refers to the video as
- "filmed in what appears to be a bed-sitting room [where] at all times the camera is focused on a young woman who slowly puts on scanty underwear, then slowly undresses before putting on another set of underwear. This sequence is ... repeated some fourteen times, although on three or four occasions she also dons a schoolgirl-ish shirt and miniskirt or a sweat-shirt and shorts. At frequent intervals - sometimes when in the nude between changes of clothing



and sometimes whilst dressing or undressing - the woman fondles her breasts, buttocks and private parts ... sometimes in close-up and quite often at considerable length.

"The Board took the view that the frequent quasi-masturbatory activity went well beyond the normal standards acceptable for an '18' certificate for 'sexy' or 'glamour' videos and issued a cuts form asking for the removal of all crotch masturbation shots and for a reduction in the self-stimulation of breasts.

"In the panel's view, a video work which concentrates exclusively on a woman dressing and undressing is inevitably voyeuristic in its nature and in such circumstances the sexual elements must, for '18' certificate purposes, be somewhat more restrained than might be permissible in other settings or situations in which the appeal to the prurient interest is less apparent or forms a lesser part of the whole.

"In the Panel's view the frequent and sometimes lengthy scenes of the quasi-masturbation of the private parts in the 'Juliette' video are not appropriate for the granting of an '18' certificate in a work of this particular genre and it follows that this Appeal must be dismissed."

37. The case was a test case by a mail-order company which had had none of its works classified before 1988 and wanted to test the Board's sex standards for '18' before submitting the other works in its catalogue. In the Committee's words, the appellant had "decided to appeal primarily with a view to discovering for his future guidance where the line is drawn.... He has now received such guidance in conversation with the Board and, in this respect, is content." Indeed, the appellant accepted the decision of the Committee with a good grace and has been submitting videos on a regular basis ever since.
38. In the interests of consistency between panels, it was agreed during 1988 to circulate to all members of the Video Appeals Committee not only copies of the written decisions on appeals on which they had not been involved, but copies of the tapes as well.
39. During 1988, the membership of the Video Appeals Committee was as follows:
- President:  
Peter Barnes CB, former Deputy Director of Public Prosecutions
- Members:  
Nina Bawden FRSL JP, novelist,  
President, Society of Women Writers and Journalists  
Richard Hoggart FRSL, former Professor of English and Warden of Goldsmiths College, University of London  
Dr Neville March Hunnings, lawyer and author, editor Common Market Law Reports  
The Hon Mrs Sara Morrison, member of the Annan Committee, and former director, Channel Four Television Company Ltd  
Dr Faith Spicer OBE JP, psychotherapist and founder Director, London Youth Advisory Centre  
Laurie Taylor, Professor of Sociology, York University  
Fay Weldon, novelist and playwright  
Sir Brian Young, former Director-General, Independent Broadcasting Authority

## THE VIDEO CONSULTATIVE COUNCIL

40. The Video Consultative Council is an advisory body which meets four times a year to provide a forum for monitoring the progress of the Video Recordings Act. In 1988, the Council continued its review of classification standards through a series of formal screenings of scenes illustrating the criteria applicable in the various categories. Decisions of the Video Appeals Committee continued to be monitored through the consideration of material which had been subject to appeal.
41. Amongst the principal issues discussed during 1988 were:
- (a) the rate of enforcement of the Video Recordings Act by the police and trading standards officers;
  - (b) costs to the local authorities of the above and recovery of costs by the BBFC for examining seized videos and comparing them with those in the archive;
  - (c) provision of information and training for trading standards officers, and for retailers and their customers,
  - (d) the Video Appeals Committee, its views on mail order, and the possible implications of the Single European Market in 1992;
  - (e) language in the junior categories and the adequacy of the current category system; and
  - (f) BBFC policy on violence and the glamorisation of weapons.

Ministers were approached where necessary, and the Council's views were brought to the attention of the Home Office, Members of Parliament, and Local Authorities. Other issues discussed by the Council included blasphemy, the progress of the Video Packaging Review Committee, the advent of the Broadcasting Standards Council and consequent possibility of an overlap of responsibilities with the Video Consultative Council, and the state of BBFC finances and its continuing need to complete its building programme. Fuller treatment of the Council's handling of these matters follows.

### Enforcement

42. Lack of enforcement had been a major concern of the Council at three successive meetings in 1987, with alarm expressed at the extent to which some traders were bringing both the industry and the Act into disrepute. The Board had agreed to waive its charges to the police in return for a rise in classification fees, but pressure on police resources remained a stumbling block. Since 'video nasties' were a thing of the past, the priority was now a reliable system of consumer protection, for which trading standards officers seemed the most appropriate branch of enforcement. On behalf of the Council, the Board persuaded Ministers to extend powers of entry, search and seizure under the Act to trading standards officers, and in 1988 this measure secured the approval of Parliament. The Council took a continuing interest in the progress of enforcement by the police and trading standards officers, and gratification was expressed during 1988 at the increasing number of prosecutions under the Act.



### Costs of Enforcement

43. Local authority representatives on the Council expressed concern at what they considered inadequate funding by central government of their new enforcement responsibilities under the Act. Different opinions were expressed about the number of cases to be brought, with industry representatives urging a significant number of exemplary proceedings and the Home Office countering that, in a largely law-abiding industry, there was no need for a very expensive allocation of resources. The Council took the general view that prosecutions must at least reach a level at which the ordinary trader began to take the Act seriously.
44. The Board outlined its unease at the increasing strains which would be placed on its resources if a great many local authorities were to launch proceedings. The possibility of recovering costs from defendants in successful prosecutions was raised, although there was evidently a difficulty in that the Board's costs were not strictly prosecution costs but costs of ascertaining whether an offence had been committed, which were not recoverable in English law. In Scotland, it was pointed out, no prosecution costs of any kind were recoverable. The Home Office said it would consider alternative sources of funding during the year, but eventually concluded that there was no case for making a separate provision out of public funds to subsidise the evidentiary work of the Board, which would continue to be funded out of fee income. Further research by Council Members led to the discovery that, where there were successful prosecutions by trading standards officers in England and Wales, there was a very good chance of recovering all the costs of collecting evidence. Among the constraints placed on the Board by this question of costs had been the need to restrict the number of tapes examined in each case to a set of specimen charges, and here the Council agreed the importance of arriving at procedures whereby all the illegal tapes in a shop could be seized and forfeited if offences had been committed.

### Information and training

45. The industry trade associations described to the Council during the year the various initiatives taken to bring information about the Act to the attention of local traders. At one meeting, the British Videogram Association showed the range of display material it had prepared for distribution to retailers so that customers could be familiarised with the various categories and their meaning in terms of audience age. The Video Trade Association briefed the Council about the Seminar it had organised for trading standards officers at the Barbican in April 1988 to inform them about the Act and procedures for enforcement. The BBFC were invited to make a major presentation at that Seminar. The BVA reported having taken a stand at the 94th Annual Conference of ITSA (Institute of Trading Standards Administration) in Scarborough, thus making contact with a great many trading standards officers over the three days of the Conference. The Council expressed satisfaction at these very useful initiatives and urged the industry and the Board to continue this programme of information and education.



## The Video Appeals Committee, Mail Order, and the Single European Market

46. Decisions of the Video Appeals Committee are reported to the Video Consultative Council as a regular part of its monitoring function, and in 1988, the Council heard the results of the last appeal of 1987, against the awarding of an 'R18' to a sex cartoon version of three nursery stories. The appeals panel had dismissed the appeal and supported the Board's view that supply of the work was appropriately restricted to licensed sex shops. A member of the Video Consultative Council, Professor D J West, had appeared as a witness for the Board in his capacity as a forensic scientist, in which role he had first encountered the work when it had fallen into the hands of a young child who had taken it to be children's entertainment. The panel had accepted the point that certain sexually oriented material might be properly classified 'R18' in the interests of removing it to the furthest extent the category system permitted from the probable attentions of young children.
47. The Council noted that, after granting the first two appeals against the sex-shop category, the Video Appeals Committee had dismissed the next two. The fact that the Council had watched the videos concerned in the first two cases and had disagreed with the appeals panel had been passed to the President of the Video Appeals Committee, who had decided that in the interests of consistency between one panel and another, not only the decisions in each case, but the tapes as well would be circulated to all members of the Video Appeals Committee who had not served on the panel in question.
48. The only appeal of 1988 was notified to the Council in advance at its autumn meeting, although the decision was not available for review until the first meeting of 1989. That the appeal was against the award of an 'R18' to yet another work intended for mail-order raised once more the issue of the dearth of licensed sex shops. The Council again considered the Appeals Committee's view that the issue of an 'R18' which restricted supply to such a small group of shops while preventing distribution by post could be construed as restraint of trade. When the possibility of legalising the use of mail-order for 'R18' videos had been put to the Home Office, the Minister suggested that 'R18' videos would almost certainly fall foul of the Post Office Act, which bars the sending of indecent as well as obscene matter through the post. Since indecent matter is legal in other senses, the BBFC had taken this to mean, in conjunction with the various appeals judgments, that only works which were indecent in the meaning of the Post Office Act could legitimately be classified 'R18'. The possibility that the advent of the Single European Market in 1992 might call this aspect of the Post Office Act into question was discussed, together with the likelihood that European cable standards which accommodate pornography might also have an effect on standards in Britain. The BBFC reported that it was watching the situation and discussing it with its European colleagues.

## The Broadcasting Standards Council

49. Some concern was expressed at the overlap of responsibilities if the new Broadcasting Standards Council were to establish guidelines for the televisual media which failed to take account of the existence of a carefully considered set of standards for film and video. By the end of 1988, it had become clear that the Code of Practice which the new



Council would be drawing up would be based on the best of current practice as ascertained through a series of detailed consultations with the organisations concerned. A degree of commonality was being sought between the standards for broadcasting, cable, satellite and video, but the differences between the media were also being studied, and the work of the Video Consultative Council in assessing appropriate standards for home video in particular cases would still have primacy.

### The Monitoring of Standards

50. Since 1986, the Council had been monitoring BBFC standards through the viewing of a wide range of video material raising issues of a kind with which the Board had to deal on a regular basis. Screenings had been held for the viewing of (a) violent material, both excerpts and an entire video, together with the cuts made in it; (b) sexual violence, across a wide continuum of material; (c) the borderline between '18' and 'R18' sex videos as exemplified by works which had been subject to appeal; and (d) standards in the junior categories, with particular reference to nudity, language and drugs.
51. In 1988, these sessions continued, with reference first to standards in the junior categories in respect of violence and the glamorisation of weaponry. The Council noted the role of context in determining the levels of violence for children, in particular fantasy and the value of sufficient depersonalisation, whereas in some of the more problematic adult violence, there could be a personalised, calculated cruelty of a quite disturbing kind. The extent to which the strongest moments should be deleted for a young audience was weighed against the dangers of sanitising the violence and thus making it more acceptable. An excess of fantasy or magic might have the same sanitising effect, as might depersonalisation if it meant that children were detached from the human consequences of violence. The question of test audiences was discussed, and the Board reported on the success of test screenings for children and young people, at which borderline films were shown and questionnaires filled in. This had also been used to determine the adequacy of cuts in films for the young, where the questionnaire can identify those areas in a film with the greatest power to disturb.
52. Another session considered the extent to which the Board permitted films in the 'PG' or '15' categories to acknowledge the universal interest in sex. 'PG' material might be sexy, for example, but the sex tended to happen offscreen, while in the '15' category the Board was classifying for a post-pubertal age group with a great deal of interest in sex but limited experience. Thus the Board felt it was important that sex should be shown in a loving context and should not encourage a promiscuous attitude to sexual relations or provide more knowledge than a mid-teens viewer could cope with. There was general agreement that sex should not be trivialised, that titillation was inappropriate in films for the young and impressionable, and that wish-fulfilment had its place at a certain age, but false glamorisation and fantasy could make reality more difficult to handle.
53. The film RAMBO III was shown in its cut form to ascertain whether members of Council, and particularly local councillors, felt the film represented a danger to public order. One scene was further cut as a result, but no one took the view of certain newspapers that the film might encourage violence on the streets of Britain. Instead, it was seen as fantasy heroics of an old-fashioned kind. Having commended the controls the Criminal Justice Bill would be putting on dangerous offensive weapons, the Council continued to support the Board's efforts to limit their ostentatious display in films like RAMBO III.



54. At two of its four meetings, the Council discussed the increasing use of bad language in American family films released on video. The industry trade associations confirmed reports that this was the complaint most frequently heard by retailers, even with films which had been enormously popular on video. Although members of the Council had argued that offensive language was relatively insignificant when compared to problems of sex, violence or drugs, retailers were urging the Board to impose far stricter standards on even the mildest sort of bad language which had become common in the 'PG' category. The Board explained the technical difficulty of removing such language, and the problem of classifying it too restrictively so that many would fail to understand the reason for the severe category. The 'PG' was intended as a warning of unsuitability, but because the 'U' was less and less appropriate, the 'PG' was now the mildest certificate likely to be used for Hollywood films, and parents expected it to be innocuous.
55. The Board agreed with the industry to retain the traditional purity of the 'U' category and to impose tighter limits on language at 'PG', even though this would occasionally mean persuading distributors to cut language rather than reclassify it in a more restrictive category, thus devaluing the category system. The industry agreed to write to the Motion Picture Association of America urging it to use its good offices to prevail on the major studios to produce alternative versions of family films with even the milder expletives toned down for the U.K.
56. The Council expressed a vote of thanks to the Deputy Director of the Board, Wing Commander K R Penry, who was retiring after nineteen years of service with the BBFC. Lord Harewood said he had been an astute judge of public taste, and the Council wished him every kind of good luck and good fortune in his retirement.
57. In 1988, membership of the Video Consultative Council was as follows:
- Norman Abbott (British Videogram Association)
  - Cllr R F Ashmole (London Boroughs Association)
  - The Hon Mrs S Baring OBE JP (Central Council of Probation Committees)
  - Dr Alan Gilmour CBE (Director, NSPCC)
  - Alderman George Green (Assn of Local Authorities of Northern Ireland)
  - Cllr B E R Hamilton (Association of Metropolitan Authorities)
  - Cllr W Harley (Convention of Scottish Local Authorities)
  - Cllr Chris Heinitz (Association of Metropolitan Authorities)
  - Cllr John H Higgins (Association of District Councils)
  - Sandra Horne (The Industrial Society)
  - Philip Jones (Independent Television Companies Association)
  - Haydon Luke (Association of County Councils)
  - Graeme McDonald (British Broadcasting Corporation)
  - Derek Mann (Video Trade Association)
  - Rajesh Mehra (India Videogram Association)
  - Cllr Derek Mitchell (Association of District Councils)
  - Robert Perkins (Association of Metropolitan Authorities)
  - Otto Plaschkes (British Film & Television Producers' Association)
  - Patricia Rawlings (appeals organiser and fundraiser)
  - Claire Rayner (author, journalist and broadcaster)
  - Cllr L A Robertson (Association of District Councils)
  - Cllr T D Sheard (Association of Metropolitan Authorities)
  - Norman Smith (Association of Video Industry Established Wholesalers)
  - Cllr Lloyd Trott (Association of Metropolitan Authorities)
  - Richard Warren (Video Retailers Association)
  - Professor D J West (Cambridge Institute of Criminology)
  - The Rt Reverend W J Westwood, Bishop of Peterborough
  - Barry Wood (Independent Television Association)



## FINANCE AND FORWARD PLANNING

58. As foreseen in the last Report, 1988 was a year of retrenchment for the Board in which no major capital expenditure could be undertaken. A loss after tax of £70,826 in 1987 had made it necessary to give priority to paying off the overdraft, reducing the business loan, and rebuilding the seriously depleted reserves. As the Board has never had access to public funds, it needs to generate all its capital requirements from its own fee income. Yet as 1987 gave way to 1988, fee-paying work was at its lowest point since designation under the Video Recordings Act 1984.
59. The slow expansion in throughput during 1988 gradually brought all these targets within reach, but for most of the year, forward planning was based on the confident expectation of a significant drop in video submissions once the three-year backlog was cleared in September. When no such downturn materialised, but instead a sudden increase in submissions, the need to complete the Board's programme of capital expenditure arose again with renewed urgency. New examiners were recruited, as were administrative and technical staff, in particular to service the growing demands for certificates of evidence to support prosecutions by trading standards officers under section 19 of the Video Recordings Act. The enthusiasm with which local authorities took up these new enforcement powers placed increased pressure on the Board's staff and resources, since this unpaid work was, by arrangement with the Home Office and the video industry, to be funded by fee income which had lagged behind these increased calls on the Board's services. Space was becoming a major problem, and it was necessary to complete the planned refurbishment and expansion of the Board's offices as early as possible in 1989. Much of this development was already scheduled under the terms of the Board's lease, which requires a specific programme of refurbishments by 1991.
60. It cannot be too strongly emphasised that, although effectively a non-profit-making body, the Board relies on a taxed surplus of fee income to augment its reserves, which have declined as a proportion of the Board's annual expenditure during the first four years under the Act. Capital needs, too, must be funded out of fee income, which is subject to corporation tax at the standard rate. As a company, the Board has for too long been essentially event-driven, responding as best it can to what has proved a stubbornly unpredictable market. With the backlog cleared, a new basis for planning is required, with reserves rebuilt to a prudent level so that adequate provision can be made against future wide fluctuations. Procedures have already been implemented to measure the likely demand for the Board's services year by year, and long-term projections are also needed to ensure a secure financial future in this uncertain business environment.

### Finance

61. The Statement of Accounts and the Auditors' Report for the year ended 31st December 1988 are set out in the pages which follow. These show that the Board made a surplus after tax of £80,510 as against the loss of £70,826 in 1987. Taking into account the cumulative loss over the first three years under the Act, the Board turned this to a cumulative surplus of £37,447 over the four years.

62. The Balance Sheet shows a welcome increase in revenue reserves to £85,015 from the very low £4,505 at the end of 1987. This latter was a most unsatisfactory position for the Board's financial health, making the rebuilding of its reserves a prime target in 1988.
63. Video continued to provide the major share of the Board's activities in 1988, with some 85% of fee income. However, it is possible that this dominance will tend to decline in the long term with the advent of cable and satellite business in 1989. Even so, the Board's customer surveys indicate no decline, and possibly a significant rise, in the numbers of videos submitted for classification in 1989. Continued expansion in both fields simultaneously will require an increased programme of investment.
64. While revenue in the accounts which follow has been apportioned between film and video, it is difficult to apportion operating costs in the same manner, since both functions are shared by the same staff in the same premises. The accounts reflect the unified structure of the BBFC, and they have been prepared in accordance with the provisions of the Companies Act 1985.



**REPORT OF THE AUDITORS TO THE MEMBERS OF  
THE BRITISH BOARD OF FILM CLASSIFICATION**

We have audited the financial statements of the Board, which are reproduced on pages 26 to 33, in accordance with approved Auditing Standards.

In our opinion, the financial statements, which have been prepared under the historical cost convention, give a true and fair view of the state of the company's affairs at 31st December 1988, and of its profit and source and application of funds for the year then ended and comply with the Companies Act 1985.

W H Payne & Co  
Chartered Accountants  
Sandringham House  
199 Southwark Bridge Road  
London SE1 OHA

27th April 1989

---

The annual accounts which follow were approved by the Council of Management and were signed on its behalf by the Chairman and Hon Treasurer.

They comprise:                      Profit and Loss Account  
   Balance Sheet as at 31st December 1988  
   Statement of source and application of funds  
   Notes to the Accounts

27th April 1989

---

**COUNCIL OF MANAGEMENT**

Chairman: D W Samuelson  
Hon Treasurer: G W Brooks

D C Calder	R G F Chase	M H Cox
J C Holton	D Kimbley	W T McMahon
P P Rigby, JP	J S Sansom, OBE	W P Vinten, OBE

Secretary and Director: James Ferman

THE BRITISH BOARD OF FILM CLASSIFICATION

PROFIT AND LOSS ACCOUNT

FOR THE YEAR ENDED 31ST DECEMBER 1988

	<u>Note</u>	<u>1988</u>	<u>1987</u>
Turnover	(2)	1,352,951	1,189,043
Operating costs	(3)	(1,233,904)	(1,263,171)
		<hr/>	<hr/>
Operating profit/(loss)		119,047	(74,128)
Interest and investment income	(4)	3,844	2,074
Interest payable		(12,205)	(12,707)
		<hr/>	<hr/>
Profit/(loss) on ordinary activities before taxation	(5)	110,686	(84,761)
Tax on profit/(loss) on ordinary activities	(7)	(30,176)	13,935
		<hr/>	<hr/>
Profit/(loss) on ordinary activities after taxation for the year		80,510	(70,826)
Retained profits at 1st January		4,505	75,331
		<hr/>	<hr/>
Retained profits at 31st December		£85,015	£4,505
		<hr/>	<hr/>



THE BRITISH BOARD OF FILM CLASSIFICATION

BALANCE SHEET

31ST DECEMBER 1981

	<u>Note</u>	<u>1988</u>	<u>1987</u>
<u>Fixed assets</u>			
Tangible assets	(8)	211,721	322,586
Listed investments	(9)	10,000	25,000
		<hr/>	<hr/>
		221,721	347,586
		<hr/>	<hr/>
<u>Current assets</u>			
Debtors	(10)	175,808	168,804
Cash at bank and in hand		83,808	1,113
		<hr/>	<hr/>
		259,616	169,917
Creditors: amounts falling due within one year	(11)	(326,199)	(385,397)
		<hr/>	<hr/>
Net current liabilities		(66,583)	(215,480)
		<hr/>	<hr/>
Total assets less current liabilities		155,138	132,106
Creditors: amounts falling due after more than one year	(12)	(46,872)	(104,350)
		<hr/>	<hr/>
		£108,266	£27,756
		<hr/>	<hr/>
<u>Reserves</u>			
Capital reserve	(13)	23,251	23,251
Profit and loss account		85,015	4,505
		<hr/>	<hr/>
Total reserves		£108,266	£27,756
		<hr/>	<hr/>

Approved by the Council of Management

..... D.W. Samuelson - Chairman

..... G.W. Brooks - Hon. Treasurer

27th April 1989

THE BRITISH BOARD OF FILM CLASSIFICATION  
STATEMENT OF SOURCE AND APPLICATION OF FUNDS  
FOR THE YEAR ENDED 31ST DECEMBER 1988

	<u>1988</u>	<u>1987</u>
<u>Funds generated from operations</u>		
Profit/(loss) from ordinary activities before taxation	110,686	(84,761)
Adjustments for items not involving the movement of funds:-		
Depreciation	146,453	182,142
Profit on disposal of equipment	-	(750)
Profit on realisation of investments	(5,298)	-
	<hr/> 251,841	<hr/> 96,631
Proceeds from disposal of equipment	250	750
Proceeds from realisation of investments	20,298	-
Increase in creditors falling due after more than one year	-	101,911
	<hr/> 272,389	<hr/> 199,292
<u>Application of funds</u>		
Purchase of tangible fixed assets	35,838	233,222
Taxation paid	59,536	565
Decrease in creditors falling due after more than one year	57,478	-
	<hr/> 152,852	<hr/> 233,787
Decrease in working capital	£119,537	£(34,495)
<u>Comprising:</u>		
Increase in debtors	7,004	21,044
Increase/(decrease) in cash and bank balances	139,817	(18,240)
Increase in creditors due within one year (excluding bank overdraft and loan)	(27,284)	(37,299)
	<hr/> £119,537	<hr/> £(34,495)



THE BRITISH BOARD OF FILM CLASSIFICATION

NOTES TO THE ACCOUNTS

FOR THE YEAR ENDED 31ST DECEMBER 1988

1. Accounting policies

a) Convention

The accounts have been prepared in accordance with the historical cost convention. The principal accounting policies which the Council of Management have adopted within that convention are set out below.

b) Depreciation

Furniture and equipment and motor car are depreciated over their estimated useful lives at the rate of 25% on a straight line basis.

c) Taxation

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

d) Pensions

The company operates a contributory pension scheme to provide retirement benefits for its staff. Contributions are charged to the profit and loss account as they are made. Any deficits arising on periodic re-appraisal by the actuaries are charged to the profit and loss account when they arise.

2. Turnover

1988

1987

Fees receivable:

Video works	1,061,104		974,114	
Cinema films	193,024		182,470	
	<hr/>	1,254,128	<hr/>	1,156,584
Video labels and lists		15,160		21,363
Rent receivable		26,625		8,000
Other income		57,038		3,096
		<hr/>		<hr/>
		£1,352,951		£1,189,043
		<hr/>		<hr/>

3. Operating costs

1988

1987

Staff costs	754,767	685,001
Accommodation	190,676	256,212
Depreciation	146,453	181,392
Auditors remuneration	12,645	10,000
Other operating expenses	128,407	128,638
	<hr/>	<hr/>
	£1,232,948	£1,261,243
	<hr/>	<hr/>

Accommodation costs in 1987 include an exceptional item (see note 5)

THE BRITISH BOARD OF FILM CLASSIFICATION

NOTES TO THE ACCOUNTS - continued                      FOR THE YEAR ENDED 31ST DECEMBER 1988

4. <u>Interest and investment income</u>	<u>1988</u>	<u>1987</u>
Bank and other interest received	2,224	54
Income from listed investments	1,620	2,020
	<hr/>	<hr/>
	£3,844	£2,074
	<hr/>	<hr/>
5. <u>Profit/(loss) on ordinary activities before taxation</u>	<u>1988</u>	<u>1987</u>
Profit/(loss) on ordinary activities before taxation is after charging:		
Exceptional item - leasehold premises refurbishment costs	-	122,510
Depreciation and amounts written off	146,453	182,142
Staff costs (see below)	754,767	685,001
Auditors remuneration	12,645	10,000
Rental of equipment	7,359	7,452
Bank overdraft interest	11,601	9,111
Hire purchase interest	604	3,596
	<hr/>	<hr/>
6. <u>Staff costs</u>		
Average number of people employed by the company during the year:	<u>1988</u>	<u>1987</u>
Examining	21	27
Administrative and technical	37	28
	<hr/>	<hr/>
	58	55
	<hr/>	<hr/>
Costs in respect of these employees:	<u>1988</u>	<u>1987</u>
Wages and salaries	657,998	591,661
Social security costs	62,498	59,718
Pension costs	34,271	33,622
	<hr/>	<hr/>
	£754,767	£685,001
	<hr/>	<hr/>

In 1988 and 1987 there was one employee whose remuneration was in the band £45,001 - £50,000



7. Tax on profit/(loss) on ordinary activities 1988 1987

The credit/(charge) for the year is made up as follows:-

Provision for corporation tax (see below)	(45,000)	(4,565)
Overprovision in respect of previous years	14,824	-
Transfer from deferred taxation	-	18,500
	<hr/>	<hr/>
	£(30,176)	£13,935
	<hr/>	<hr/>

The taxable profit for the year has been subject to corporation tax at an effective rate of 29.7%.

8. Tangible fixed assets

	<u>Leasehold premises</u>	<u>Furniture equipment</u>	<u>Motor car</u>	<u>Total</u>
<u>Movements</u>				
Cost at 1st January 1988	45,744	705,331	10,343	761,418
Disposals	-	(500)	-	(500)
Additions	-	35,838	-	35,838
	<hr/>	<hr/>	<hr/>	<hr/>
Cost at 31st December 1988	£45,744	£740,669	£10,343	£796,756
	<hr/>	<hr/>	<hr/>	<hr/>
Accumulated depreciation at 1st January 1988	45,744	387,917	5,171	438,832
Depreciation on disposals	-	(250)	-	(250)
Charge for the year	-	143,867	2,586	146,453
	<hr/>	<hr/>	<hr/>	<hr/>
Accumulated depreciation at 31st December 1988	£45,744	£531,534	£7,757	£585,035
	<hr/>	<hr/>	<hr/>	<hr/>
Net book value at 31st December 1988	Nil	£209,135	£2,586	£211,721
	<hr/>	<hr/>	<hr/>	<hr/>
Net book value at 31st December 1987	Nil	£317,414	£5,172	£322,586
	<hr/>	<hr/>	<hr/>	<hr/>

9. Listed investments 1988 1987

Cost (market value £10,397 - 1987 £31,155)	£10,000	£25,000
	<hr/>	<hr/>

10. Debtors	1988	1987
Trade debtors	133,631	150,154
Other debtors	42,177	18,650
	<hr/>	<hr/>
	£175,808	£168,804
	<hr/>	<hr/>

11. Creditors: amounts falling due within one year	1988	1987
Amount due on hire purchase	2,270	4,708
Bank overdraft and loan	5,208	62,330
Trade creditors	69,349	9,908
Current corporation tax	48,575	77,935
Other taxation and Social Security costs	51,307	31,668
Other creditors	137,990	180,977
Accruals and deferred income	11,500	17,871
	<hr/>	<hr/>
	£326,199	£385,397
	<hr/>	<hr/>

12. Creditors: amounts falling due after one year	1988	1987
Amounts due on hire purchase	2,080	4,350
Bank loan (see below)	44,792	100,000
	<hr/>	<hr/>
	£46,872	£104,350
	<hr/>	<hr/>

Bank loan

In order to finance the capital commitments of the Board, a term loan of £100,000 was arranged during 1987 with Barclays Bank Plc on the security of the leasehold deeds of 3 Soho Square. Of this sum £50,000 was repaid in 1988 and the balance is repayable within five years from 31st December 1988.

13. Capital reserve	1988	1987
As at 1st January 1988 and 31st December 1988	£23,251	£23,251
	<hr/>	<hr/>

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



14. Guarantees and other financial commitmentsa) Capital commitments

There were no capital commitments at 31st December 1987 or 31st December 1988.

b) Lease commitments

During 1987, the company entered into a 25 year lease of its offices at 3 Soho Square with effect from 24th June 1986. The company bears all insurance, maintenance and repairs of the premises and in addition is committed by the terms of the lease to carry out certain specified refurbishment work before 24th June 1991. Some of this specified refurbishment work was carried out in 1986 and 1987 and the work that remains to be carried out is estimated to cost £275,000 at present day values. The commencing rent payable under the lease was £70,000 and rose to £91,500 from 24th June 1987. It is subject thereafter to re-negotiation at intervals specified in the lease. A reduction of £50,000 in the annual rental is to be made from the date by which the refurbishment works mentioned above are due for completion.

## APPENDICES



In last year's Annual Report, the film statistics for 1987 shown in the table opposite included short features. Since these were not included in other years, they have been removed from the 1987 figures in this year's table for the sake of comparability.

# STATISTICS

Trends may be deduced from these annual figures, starting with 1970 when separate age-bars were introduced at 14 ('AA') and 18 ('X'). In 1982, the age for the 'AA' was raised from 14 to 15 and the age-bar categories were referred to simply as '15' and '18'. At the same time, a new category was introduced, the 'R18', for films restricted to licensed clubs. Figures in brackets indicate films cut, or in the final column, those passed with cuts in later years.

<u>Year</u>	<u>Total</u>	<u>'U'</u>	<u>'PG'</u> ( 'A' )	<u>'15'</u> ( 'AA' )	<u>'18'</u> ( 'X' )	<u>'R18'</u>	<u>Refused</u>
1970	502 (166)	104 (9)	84 (31)	77 (29)	212 (97)		25 (11)
1971	502 (165)	98 (7)	77 (22)	77 (25)	228 (111)		22 (8)
1972	488 (179)	78 (5)	81 (25)	77 (23)	222 (126)		30 (8)
1973	504 (201)	62 (4)	78 (24)	85 (25)	249 (148)		30 (10)
1974	540 (218)	72 (5)	80 (23)	93 (21)	268 (169)		27 (6)
1975	424 (147)	74 (5)	96 (32)	73 (12)	164 (98)		17 (6)
1976	402 (135)	53 (3)	73 (17)	74 (10)	187 (105)		15 (1)
1977	375 (105)	39 (1)	86 (18)	78 (8)	164 (78)		8 (1)
1978	324 (74)	35 (2)	81 (16)	66 (8)	138 (48)		4
1979	331 (81)	33 (2)	88 (19)	87 (14)	120 (46)		3 (1)
1980	319 (67)	25 (-)	82 (9)	84 (4)	124 (54)		4
1981	278 (59)	15 (-)	57 (7)	87 (4)	115 (48)		4
1982	326 (79)	17 (-)	54 (4)	115 (11)	139 (64)		1
1983	390 (100)	23 (1)	95 (14)	100 (8)	137 (52)	33 (25)	2
1984	376 (73)	12 (-)	92 (15)	126 (7)	130 (46)	13 (9)	3
1985	351 (70)	16 (1)	85 (12)	146 (11)	103 (46)	-	1
1986	348 (44)	25 (-)	78 (14)	137 (12)	107 (18)	-	1
1987	330 (38)	16 (-)	89 (15)	129 (3)	96 (20)	-	-
1988	337 (49)	12 (-)	76 (11)	142 (5)	107 (33)	-	-





## BRITISH BOARD OF FILM CLASSIFICATION

3 Soho Square, London W1V 5DE

President: The Rt. Hon. The Earl of Harewood, KBE

Director: James Ferman

JF/XB

Fax: 01-287 0141

21st November 1988

Telephone: 01-439 7961

Dear Sir,

THE LAST TEMPTATION OF CHRIST

Thank you for your letter expressing concern about the release of the above film, and we apologise for the great delay in answering most of these letters. Tremendous interest was shown about the film before it had been seen by anyone in Britain, and the Board received nearly two thousand letters and petitions, some for, but a great many against, its certification. Unfortunately, we could not reply to each of these letters individually, but we would like to clarify our legal position with regard to films and the question of blasphemy.

THE LAST TEMPTATION OF CHRIST was viewed at the Board's premises by a total of more than 80 people, including 28 senior representatives of the major Christian churches, before a decision was taken. Many of the Board's staff are regular churchgoers, and all of them were invited to see the film as well and to discuss it with us before a decision was reached. The Board also took its own legal advice on the question of blasphemy, the legal opinion being written for us by a serving judge. Without exception, all those who saw the film on the Board's premises agreed that it was not blasphemous under British law. There were disagreements on points of interpretation, some finding aspects of the film misguided or even tasteless. But such differences of view raised questions of heresy - an ecclesiastical but not a criminal offence - rather than blasphemy, since all agreed that the film was in no sense an attack on Christianity or an insult to the person of Jesus Christ.

The film is based not on the Gospels, but on a novel by the Greek writer Nikos Kazantzakis, who attempted not only to imagine the adult life of Jesus, about which so little is known, but to deal seriously with the paradox that Jesus was both fully human and fully God. The adaptation is a faithful one, and the translated novel has been available in British book shops since 1961 without protest being raised or blasphemy charges considered. Dissent in matters of religion is protected, not condemned, by British law, and so is honest error. Rumour had it that the film's treatment would outrage the feelings of believing Christians, and newspapers supported this view by suggesting that it contained a scene in which Jesus fantasises on the cross about making love to Mary Magdalene. There is no such scene in the film.

The views of the Board's legal advisers were summed up in the Press Release issued by the BBFC when an '18' certificate was granted without cuts, and our view of the blasphemy question, summarised below, was supported a week later by the Director of Public Prosecutions when he viewed the film with his advisers. In the event, little or no controversy was provoked when the film opened, and it was generally reviewed in the national press as a serious, reverent and even thought-provoking film. Indeed, the Canon of St Paul's said publicly that he regretted having criticised the film before seeing it, since he had found it a deeply moving experience which he could recommend to his parishioners.

Continued .....



In British law, a "publication is said to be blasphemous which contains any contemptuous, reviling, scurrilous or ludicrous matter relating to God, Jesus Christ, the Bible, or the formularies of the Church of England as by law established." Criminality lies not in the opinions expressed, but in the manner of their expression, and for that reason, the Board had to examine very closely the tone, style and spirit which informed this fictional dramatisation of the life of Jesus.

Not only did the Board take pains to secure the best legal advice, it also canvassed the views of church people, many of whom brought their own legal advisers when viewing the film at the Board's premises. While different views were taken as to the film itself, it was clear to all that it was not made in a spirit of malice; nor did it vilify Christ in His life or His crucifixion. The treatment could in no sense be described as scurrilous or abusive; nor did it hold its subject up to ridicule or contempt. Indeed, the intention was plainly sincere, the atmosphere reverent, and the ultimate effect, far from insulting sacred subjects, was to affirm their supreme importance. There were quarrels with points of interpretation or emphasis, but the Board was satisfied that no British jury would find it blasphemous.

So far, 25 Local Authorities have viewed the film since its opening in September, and of that number 22 have so far given permission for it to be screened in their own licensed cinemas.

Thank you for taking the trouble to write, and we apologise for the great delay in replying, but the massive postbag on this film has required an unusual effort from the Board's staff at a time when they were already very busy meeting the final deadline of the Video Recordings Act, which required every video in the shops to be classified by the Board by the autumn of this year. The Board has learned a great deal about questions of blasphemy and public taste from the experience of classifying this film, and I can assure you that the views expressed by all our correspondents will be taken into account in any similar decisions we are asked to take in future.

Yours faithfully,

James Ferman

Director

Published by:  
**BRITISH BOARD OF FILM CLASSIFICATION**  
3 Soho Square  
London W1V 5DE

Printed by:  
**OXFORD PRINTING CO LTD**  
8 Broadwick Street  
London W1V 1FH



# BRITISH BOARD OF FILM CLASSIFICATION

## CERTIFICATION SYMBOLS FOR VIDEO PACKAGING AND PUBLICITY

### Symbols only, for use on:

- 1) Cassettes: front and spine of case  
and top and spine of spool
- 2) Discs: front of disc sleeve  
and centre of disc itself



### Symbol plus explanatory statement for use on:

- 1) Cassettes: reverse side of case
- 2) Discs: reverse side of sleeve

