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R18 TEEN REFERENCES - EXPERT CONSULTATION

The BBFC receives over 13,000 video and DVD submission per year, about 10% of which are 'R18' sex works. Of these, just under 25% are cut. Cuts may be required under the terms of the Video Recordings Act (1984) or the Obscene Publications Act (1959). 'R18' material contains explicit real sexual activity and is only available from licensed sex shops which can only be entered by persons 18 years of age and over. Details of the 'R18' guidelines can be found at http://www.bbfc.co.uk/classification/c_R18.php. Other statistical data can also be found on the BBFC website.

This consultation of experts in the assessment, treatment and management of persons with a proclivity for sex with minors was carried out between January and March 2006. Below is a concise description of the process, methods and results.

AIMS

1. To explore Teen references in 'R18' works with a view to clarifying the harm issues and harmful signifiers.
2. To explore the 'grey area' of underage references in 'R18' works by over age performers with a view to clarifying the harm issues and harmful signifiers. This covers adult (over 18) performers role playing minors, child related props, dialogue and age references.
3. To see if anything the BBFC is doing in this area of classification needs to change or could change.
4. To complement a study on consensual abuse in 'R18' works.

METHODOLGY

The consultation was carried out among forensic mental health specialists, mental health professionals working with the abused and legal professionals, covering the entire range of people working with sex offenders with paedophile tendencies, or those who have been abused as children (not mutually exclusive groups) within the mainstream UK legal and mental health care system.

RESPONDENTS

Ten experts agreed to participate producing nine responses, one being a collaborative response.

The gender break down was five male and five female. Two respondents had given their opinion on sex works for BBFC before; four had been involved in other consultations for the BBFC; and four had no previous contact with the BBFC.

Backgrounds

A range of expertise was covered by the respondents, half of whom were forensic mental health specialists:

defending paedophiles/ dealing with seized material;
psychiatry/ psychology practice - mainly general including victims of sexual abuse in childhood;
forensic specialists - teen unit specialists and child protection specialists based in secure hospitals or special units working predominantly with perpetrators who may also have been victims;
academic forensic specialism.

MATERIAL

Respondents were asked to view a DVD of several short 'R18' clips in conjunction with the following information:

The BBFC deals with legal pornography at both '18' and 'R18' certificates. None of the performers in any work classified by us is actually under age and regular checks are carried out to confirm this.

At this adult level and in this area of work, we are concerned with the implementation of the Video Recordings Act 1984 which requires us to be mindful of "harm caused to viewers or by their actions to society". Harm here ranges from inciting offending behaviour to validating or "normalising" the pursuit of, engagement in or collecting images of sex with a minor.

Respondents were asked for their opinion as to the likely harm to a "potential sexual offender" (PSO) and to "an average person" as a result of viewing the clips. In addition telephone interviews were carried out with two psychologists and a senior forensic psychiatrist working at one the main secure hospitals in the UK.

The DVD was made up of six sections.

Section 1 contained two clips designed to demonstrate the extremes of teen references seen by the Board. Respondents were not asked to comment on these.

Section 2 - contained seven clips ranging from three to eight minutes, of which two were homosexual and five heterosexual. For these clips, the dramatic "set up" preceding the sex element was shown, but not the sex. Respondents were asked to comment on the potential for harm. The clips were scored (as harmful or non harmful) and also keywords and issues were extracted, noting if respondents produced convergent concerns or non concerns.

Sections 3 - 6 contained abstracted material (props: a doll, lollipops used as sex toys, and animal slippers used in play; references to age of first sex: interviews with actresses about their first sexual experience and/or breast development with replies ranging from six to 15; titles and dialogue lines) and respondents were asked to rate the harm on a 1- 5 scale (1 = no harm and 5 = very harmful) to an "average" person and to a "potential offender".

RESULTS

Section 2 – Free Response Clips

Two respondents were unconcerned by the majority of the clips, one had some concerns about all seven clips.

The majority opinion was that the average person, with no offending tendencies, if presented with any of the material would be unlikely to come away with the idea that sex with minors is a good thing, or to kindle a desire to seek out and have sex with minors or interact in any way sexually with minors. A commonly expressed opinion was that an average person would be likely to be "distressed", "disgusted", "find objectionable", "upsetting" or "obnoxious" many of the clips shown. Those which involved childhood props were considered likely to be distressing to parents in particular.

Potential sex offenders, however, were felt to be at risk of harm from certain clips and aspects of the material reviewed. "A number of child molesters will be actively searching for material that, to them, legitimises their pro-offending attitudes". The experts also felt that material which accurately reflected the age of the "desired participant" was more potently harmful and that the "context of the offender" was the harmful element.

Single Abstracted Elements

Props and Behaviour

While concern was expressed about the use of objects associated with childhood and innocence in this hard core adult sexual context, the tone and relationship between actors were felt to be of significance. Childhood signifiers by themselves were not held to be necessarily harmful, especially if participants appeared to be adults playing a consenting adult game.

Even in the absence of a model of abusing and with no incitement to or validation of abusing some concern was expressed about the blurring of the boundary between childhood and sex by the use of childhood signifiers or accurate childlike play. For example, one scene, with performances similar to those found on children's TV, known to be popular with many paedophiles, raised concerns, as did any coercive dialogue in the scene or exploitation of power imbalances and size or age differences.

Dialogue

Respondents frequently expressed concern about scripts which accurately depicted typical children's responses to abuse or which accurately depicted successful grooming or coercive abuser techniques and dialogue. Dialogue examples which were poorly and unconvincingly acted raised no concerns.

Age references

There was a great deal of concern about age references in interviews with performers. This peaked for age 13 and below, with references to pre pubertal sexual initiation of most concern. Concern focussed on the probability that at younger ages, sexual activity was most unlikely to have been initiated by the child, and therefore would only ever indicate abusive activity had taken place. References to breast development quoting an age below 13 were also felt to be of concern. Reasons offered included the 'normalising' effect of the age references, particularly within the "documentary" style in which they are presented.

It should be noted that the 2003 revision to the Sexual Offences Act in the UK uses 13 as the cut off point for defining a child, in relation to unlawful sexual activity.

Titles

The respondents were least troubled by titles. Consensus here was that the word teen or virgin in the title of a work is not in itself harmful for the average person or even those fond of underage sex unless:-

- it is accompanied by a suggestion that the sexual activity is initiated by the “teen” or that they exhibit active, voracious or aggressive sexual qualities
- it is accompanied by underage looking performers
- it is accompanied by props associated with childhood, like lollipops, clothes, toys coupled with hardcore sexual images.

CONCLUSIONS

The BBFC regularly intervenes at ‘R18’ to cut the types of scene or elements seen by this group of experts. This consultation largely supports the current policy.

Significant harm issues – ¹

1. Violence, degradation, abusive language and activity including coercion and isolation of the “target”
2. Child accurate scripts and actions
3. Abuser accurate scripts and actions
4. Accurate childhood props, play and clothes, promoting a connection between children and sexual activity.
5. Exploitation of power differentials (notably a much older man with a younger woman)
6. Age references for first sex below 13
7. Age references for secondary sexual development e.g. of breasts below 13

Of no significant concern -

1. Titles with the word teen which do not suggest sexual forwardness on the part of the teens
2. Play which even with props or child like clothes is consenting and adult in nature.
3. Age references close to the age of consent or with no other persons referenced

While our expert advice is that the hierarchy of harm dictates that **young looking performers** and underage performers are of **most concern** in their potency for abusive fantasies, **scenes with clearly mature performers in which dialogue accurately depicting grooming or abuse of the underage, or underage sexual initiation age references raised marked concerns in this group of experts.**

If the script is accurate for typical abuse scenarios, then it doesn’t matter that the performers are clearly over age or wearing bizarrely unrealistic costumes where scripts are accurate for child abuse and the viewer is asked to identify with the abuser.

The clips of most concern were felt to be harmful to all in this R18 context.

In addition, in assessing context, scenes in which the acting is effective are more potent than poorly acted scenes.

¹ Example-

During one of the stalking voyeuristic scenarios object of the stalking is referred to as “that little cunt”. The verbal aggression in that scenario which also featured a degree of planning and organisation was felt to be of great concern. Opinion was expressed that verbal threats and coercion played “into the thoughts and attitudes that sex offenders have i.e. that young boys and girls will, with some encouragement, engage in sexual activity and that this can be done with verbal threats and/ or a level of physical coercion. The aggressive behaviour of the man and the helplessness of the girl may be a turn-on for some offenders.”

As a result, the BBFC will continue to cut works which appear to be promoting or endorsing underage or abusive sex, using an informed contextual approach. The Board will also continue to cut underage references to sexual initiation or development in performer interviews in accordance with the current UK legal framework.

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