

## Quarterly Report of Appeals, Complaints and Advice

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

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

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

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

### **September 2013**

*6 September 2013*

#### Website

bsd-online.co.uk

#### Issue

The website owner contacted the BBFC to report that the website was being placed behind adult filters despite containing no content which, in the opinion of the complainant, would restrict it to adults only.

#### Adjudication

The BBFC viewed the website on 6 September 2013.

We found that the website sold office supplies. We found no content on the site which we would classify at 18 or R18.

### **October 2013**

*25 October 2013*

#### Websites

lifeneews.com, spuc.org.uk, rhrealitycheck.org, mariestopes.org.uk, plannedparenthood.org

#### Issue

A member of the public contacted the BBFC in relation to reported inconsistency in whether certain abortion related websites were placed behind filters.

#### Adjudication

The BBFC viewed the content of the websites on 4 November 2013.

We found that the information present on the various sites related to the issue of abortion. Although abortion is an emotive issue for some people and the content of

these sites might be controversial for some, we found no content which we would classify at 18 or R18.

## **November 2013**

*4 November 2013*

### Website

not606.com

### Issue

A member of the public was concerned about several chat forum threads on not606.com which were available on an operator's mobile service, ranging from jokes about the Bin Laden family, to images with a sexual element, and a thread encouraging members to post pictures of people they would rape, described as a 'Rape Gallery', alongside written comments about raping these individuals.

### Adjudication

The BBFC reviewed the content on 5 November 2013.

We partially upheld the complaint. Much of the humorous content was aimed at adolescents and was suitable, under BBFC Guidelines, for 15 year olds and above. This content therefore did not require restriction to adults only. However, we took the view that, while the 'Rape Gallery' might have been intended to be funny, many would not find it so, and, moreover, that it posed a non-trivial harm risk by presenting women as rape targets. We concluded that it would be classified at least 18 or R18, and might potentially be refused classification.

## **December 2013**

*16 December 2013*

### Website

dignityindying.org.uk

### Issue

A mobile network operator asked for advice on whether this website should continue to be placed behind adult filters. Filtering software had marked it as a 'suicide' site.

### Adjudication

The BBFC viewed the website on 16 December 2013.

We noted that the site was lobbying for a change in the law relating to assisted dying. It was not however advocating suicide. We therefore did not consider it to be a pro-suicide site. The site advises anyone considering suicide to talk to healthcare professionals, for example a GP, hospital doctor or community nurse. The website also provides contact details for the Samaritans. The site also makes it clear that it cannot provide information or assistance to people wishing to end their lives and stresses that it operates within the law at all times.

Although the issues discussed on the dignityindying website are highly emotive for some people, this is not in itself a reason for restricting the site to adults only. Indeed, ideas of this nature, and the ethics surrounding them, are routinely discussed in secondary school debates, as well as more widely in society.

Furthermore, we did not find anything on the website that offered potentially harmful information (for example in the form of novel or less well known suicide techniques). Legal advice received by the BBFC confirmed that the site did not contain any content which encouraged law breaking.

We therefore found no content on the site which we would classify 18 or R18.

*23 December 2013*

Website  
girlguiding.org.uk

Issue  
A member of the girl guiding organisation reported to the BBFC that the site was placed behind a network operator's adult filters despite containing no content which, in the opinion of the complainant, would restrict it to adults only.

Adjudication  
The BBFC viewed the website on 24 December.

We found that the site contained a range of material and information about the Girl Guides. It included some material related to sex education which, under BBFC Guidelines, was suitable for those under 18.

We therefore found no content on the site which we would classify 18 or R18.

*28 December 2013*

Website  
movingwithoutshaking.com

Issue  
The website owner contacted the BBFC to report that the website was being placed behind adult filters despite containing no content which, in the opinion of the complainant, would restrict it to adults only.

Adjudication  
The BBFC viewed the website on 2 January 2014.

We found the site to contain information relating to studying or working abroad. We found no content on the site which we would classify at 18 or R18.

**January 2014**

*16 January 2014*

Website  
getvau.lt/

Issue

The website owner contacted the BBFC to report that the website was being placed behind adult filters despite containing no content which, in the opinion of the complainant, would restrict it to adults only.

Adjudication

The BBFC viewed the website on 16 January 2014.

We found that the site featured a tool for generating passwords. We found no content on the site which we would classify 18 or R18.

*21 January 2014*

Website

jointlyapp.com

Issue

The website owner contacted the BBFC to report that the website was being placed behind adult filters despite containing no content which, in the opinion of the complainant, would restrict it to adults only.

Adjudication

The BBFC viewed the website on 21 January 2014.

We found the site to contain promotional material for an App tool to help carers. The site also contained a short animated video promoting the functions of the App and a Q&A. We found no content on the site which we would classify at 18 or R18.

*23 January 2014*

Website

9gag.com

Issue

A mobile network operator asked the BBFC for advice on this website in terms of its suitability for those under 18 following a complaint from a member of the public that the network operator was placing it behind adult filters.

Adjudication

The BBFC viewed the website on 24 January 2014.

We concluded that the website featured an accumulation of strong and very strong sex references related to sexual activity. The cumulative effect of this sexual content led to our concluding that we would classify the site at 18 or R18.

*24 January 2014*

Website

reports.havenclaims.co.uk

Issue

The website owner contacted the BBFC to report that the website was being placed behind adult filters despite containing no content which, in the opinion of the complainant, would restrict it to adults only.

Adjudication

The BBFC viewed the website on 24 January 2014.

We found the site to contain information related to motor insurance (and associated domains to IP address checkers and motor parts). We found no content on the site which we would classify 18 or R18.

**February 2014**

*11 February 2014*

Website

deviantart.com

Issue

A mobile network operator asked for advice on this website in terms of its suitability for those under 18 following a complaint from a member of the public that the site had been placed behind adult filters.

Adjudication

The BBFC viewed the website on 11 February 2014.

We found that the site featured art submitted by members of a large online art community. After enabling 'mature content' to become visible via membership of the site, we found material featuring erotic and nude photography. We concluded that a number of these images were pornographic. Some of the comments accompanying these images were also strongly sexualised and explicit. We concluded that on the basis of the erotic and pornographic content we would classify the site 18 or R18.

**BBFC**

**3 March 2014**