



Age Ratings You Trust

204th BBFC Board of Classification Meeting

Friday 14 September 2018

Present:

Patrick Swaffer	President
Alison Hastings	Vice President
Kamlesh Patel	Vice President
Murphy Cobbing	Vice President designate
David Austin	Chief Executive
Dave Miles	Director of Outreach and Business Development
Craig Lapper (minutes)	Head of Compliance

Minutes of the previous meeting

1. The minutes were agreed.

Matters arising

2. There were no matters arising.

Digital Economy Act

3. Mr Austin updated the meeting about developments on the Digital Economy Act.

Classification issues

4. *A Northern Soul* is a UK documentary classified 15 for cinema release for around twenty uses of strong language. Prior to its submission to the BBFC Sheffield City Council classified the film 12A, for its premiere, as did Hull City Council. The film's director complained in the media about the BBFC's decision. A letter co-signed by three Hull MPs was sent to the BBFC requesting that the 15 classification be reviewed, to which David Austin responded. The film is now classified 12A by seven local authorities (Sheffield, Hull, Leeds, Liverpool, Halifax, Southampton and Lambeth).
5. *Reinventing Marvin* is a French drama submitted for cinema classification which features a scene in which the central character is subjected to a sexual assault by an older boy at school. The Head of Compliance requested proofs of age for the actors involved, which confirmed the central character is played by an actor who was 15 at the time of filming while the older boy is played by an actor who was 18. The scene was viewed again by the President and Chief Executive who concluded that the scene includes a potentially indecent image of a child within the meaning of the Protection of Children Act 1978. Accordingly, a cut was required. The company appealed against the proposed cut, submitting documentary proof that included parental consent and information about the child protection steps taken on

set. The scene was viewed again by the President, Chief Executive, Head of Compliance and Compliance Manager in the light of those further assurances. However, it was concluded that the fact the film makers did not intend to create an indecent image does not alter the fact of the indecency of the image in question. The cut was upheld and has now been made.

6. *Valkyrie Drive: Mermaid [Season 1, Episodes 1 -12]* is a Japanese anime series submitted for DVD classification with an 18 request. Two of the main characters are described as being 15-years-old and 16-years-old respectively. They are shown engaging in sexual activity, both with each other and with other characters. They are also sexualised. Sections of the submission were viewed by the Chief Executive, the Head of DEA, the Head of Compliance and the Compliance Manager. It was concluded that the submission is not in violation of the Coroners and Justice Act 2009 but that the scenes showing the children engaged in sexual activity, or otherwise being sexualised, are in violation of the 'harm' provisions of the Video Recordings Act 1984 and the BBFC's Guidelines which prohibit portrayals of children in sexualised or abusive contexts. Accordingly, a general cuts list has been issued instructing the distributor to remove all such material throughout.

Classification Guidelines Research

7. Mr Lapper presented the outcomes of the recent public consultation into the Classification Guidelines, to which over 10,000 people around the UK contributed. The meeting discussed the changes that will be required to the Classification Guidelines in the light of these findings.

ACTION: Mr Lapper to produce a revised draft of the Classification Guidelines.

CPS Consultation on Obscene Publications Prosecution Guidance

8. The meeting discussed a draft of the BBFC response to the CPS's consultation on their Obscene Publications Prosecution Guidance. It was agreed that the BBFC should broadly support the general approach suggested by the CPS.

ACTION: Mr Lapper to send the BBFC's response to the CPS.

AOB

9. There was no other business.

Date of next meeting: Wednesday 10 October