

Quarterly Report of Appeals, Complaints and Advice

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

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

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

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

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

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

September 2014

15 September 2014

Website

hg-hydroponics.co.uk

Issue

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

Adjudication

The BBFC viewed the website on 15 and 19 September.

We noted that the site sold various items related to hydroponics, including lighting equipment, feed, grow cabinets, tents and so on. Although the website advertised such products for growing fruit and vegetables, there was a clear implication that such items could be used to grow cannabis. The packaging of some products on the site featured images which looked like cannabis plants, and there was a section that reassured customers that items they deliver will arrive in plain unmarked packaging that is unidentifiable. The ability to pay by cash only was also unusually prominent on the site. Such aspects led us to believe that many products on the site were being supplied for the purpose of illegal cannabis cultivation.

Therefore we would not classify the site below the adult (18) level.

26 September 2014

Website

shootinguk.co.uk

Issue

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

Adjudication

The BBFC viewed the website on 26 and 29 September 2014.

We noted that the website focused on shooting and hunting, with information provided about weapons, shooting (clay, game, rabbiting for example), training gun dogs, and hunting seasons among other things. There were also advertisements for hunting apparel and a section on buying and selling guns, along with links to external weapons sites.

The BBFC's Classification Framework does not cover websites which supply age restricted goods or services, unless those sites feature content which would itself be classified 18 or R18. The sections of the Shooting UK site relating to the sale and / or purchase of guns were not found to be within the scope of the Classification Framework, and the reviews of the weapons, and accompanying videos, did not contain material which would cause the site to be placed behind adult filters. As such, we would not classify the site at 18.

November 2014

19 November 2014

Website

moseleybog.org.uk

Issue

A member of the public contacted the BBFC stating that the site was placed behind the network operators' adult filters despite containing no content which, in their opinion, would require it to be restricted to adults only.

Adjudication

The BBFC viewed the website on 19 and 20 November. We noted that the website provided information about the Moseley Bog and Joy's Wood Nature Reserve in Birmingham. This included information for schools and children as to how they might become involved in the work of the nature reserve. We found no content that would lead us to classify the website 18.

Website

christianconcern.com

Issue

Several members of the public contacted the BBFC stating that the site was placed behind the network operators' adult filters despite containing no content which, in their opinion, would require it to be restricted to adults only.

Adjudication

The BBFC viewed the website on 19 and 20 November.

We noted that Christian Concern contained a large number of articles and links to other sources which provided news stories and comment related to its areas of interest, such as abortion, sexual orientation, religious freedom and same sex marriage. There were also information resources provided in the form of booklets and downloads. We decided that Christian Concern presents its views clearly, but with respect to opposing points of view and without any evident promotion of hatred or discrimination towards other group or the holders of different views.

We found no content that would lead us to classify the website 18.

Website

sigmaspy.com

Issue

The website owner contacted the BBFC because the site was placed behind the network operator's adult filters despite containing no content which, in the opinion of the complainant, would require it to be restricted to adults only.

Adjudication

The BBFC viewed the website on 19 and 20 November.

We noted that the website offered apps for sale which allowed the monitoring of devices and their functions such as SMS, phone calls and other apps. Although there was a disclaimer which asked users of the software to make sure they were not contravening any laws, the 'About Us' section of the site noted that the site's commitment was to provide the best Spy Tools for the requirements of its users. We considered that the website's primary purpose was to promote the sale of such apps, the likely use of which has the clear potential to contravene the Regulation of Investigatory Powers Act 2000 and other relevant legislation such as the Computer Misuse Act 1990 and the Data Protection Act. As such the BBFC would refuse to classify the site and upheld the network operator's decision to restrict access to it.

Website

Maximumfun.org

Issue

The website owner contacted the BBFC because the site was placed behind a network operator's adult filters despite containing no content which, in the opinion of the complainant, would require it to be restricted to adults only.

Adjudication

The BBFC viewed the website on 19 and 20 November.

We noted that the website provided a network resource for podcasts covering a wide range of topics including the media, medical conditions and comedy shows. Access to podcasts was provided through embedded links and external links to iTunes.

The BBFC did not listen to the external podcasts but we found no content on the site itself which we would classify at 18 or R18.

Website

christianvoice.org.uk

Issue

The website owner contacted the BBFC because the site was placed behind a network operator's adult filters despite containing no content which, in the opinion of the complainant, would require it to be restricted to adults only.

Adjudication

The BBFC viewed the website on 19 and 20 November.

We noted that the website contained various articles and comment pieces related to its area of interest. Much of this material was presented without evident promotion of hatred towards other groups or individuals. However, the BBFC found Christian Voice to contain comment which could encourage harmful and discriminatory views, such as implying that homosexual men and women are predatory paedophiles and that educating children about different sexualities is comparable to grooming. While such comment may only make up a small part of the site, these views have the potential to encourage harmful attitudes and to promote hatred and discrimination.

Consequently the BBFC would not classify the Christian Voice website below the adult (18) level.

20 November 2014

Website

oswaldmosley.com

Issue

An associate of the website owner contacted the BBFC because the site was placed behind a network operator's adult filters despite containing no content which, in the opinion of the complainant, would require it to be restricted to adults only.

Adjudication

The BBFC viewed the website on 20 November.

We noted that the website advocated the political views of Oswald Mosley and the British Union of Fascists.

Among its claims, the site argued that the Jews were responsible for the outbreak of war between Britain and Germany in 1939. Turning to the present day, the site highlighted Islam as a huge threat to Britain. The site also offered free desktop banners featuring fascist iconography.

We concluded that the site contains pro-fascist and pro-Nazi content which could be potentially harmful to individuals and through them to society, and therefore we would not classify it below the adult (18) level.

December 2014

1 December 2014

Website

plantphotonics.co.uk

Issue

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

Adjudication

The BBFC viewed the website on 1 and 3 December.

We noted that the website sold lighting systems for growing plants. Although the website advertised its lighting systems for growing plants without specifying varieties, there was clear indication that the lights are supplied for the growing of cannabis. There were a number of references in the feedback section which referred to varieties of cannabis, including discussion of cannabis related growing and harvesting. In the frequently asked questions there was language which also suggested the seller was aware that the lights are used to grow cannabis. The source code for the site included search engine optimisation terms 'white widow', 'super skunk', 'big bud', 'indica' and 'sativa', among other cannabis related language. Such content led us to believe that the products on the sight were knowingly sold to buyers for the purpose of growing cannabis.

As such we concluded that we would not classify the site below 18.

9 December 2014

Website

battlelog.battlefield.com

Issue

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

Adjudication

The BBFC viewed the website on 9 and 10 December.

We noted that the site offered players of the Battlefield video games series the ability to track their stats for various games, compare achievements, monitor game servers and so on. It featured a video promoting the companion App for smartphones and tablets, and a trailer for the Battlefield 4 game itself. It also included forum pages which featured discussion of the Battlefield series along with other non-gaming topics.

The trailer featured some strong violence and language from the game, and the sampled forum pages contained strong sex references and language in some discussions. However, we found no content which would lead us to classify the website 18.

BBFC
19 December 2014