

## **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) Mobile UK; 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.**

### **April 2018**

*12 April 2018*

#### Website

flirtynotdirty.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 12 April 2018.

We noted that it was a site offering dance lessons in a range of styles, including burlesque, for participation in class environments and at social gatherings such as hen parties. The site contained images of performers in lingerie and/or revealing costumes, but there was no nudity. The text on the site included innuendo and references to the "sexy" nature of the dances being taught, but these were all used to create a playful tone. Consequently, we could find no material contained within the site that the BBFC would classify at 18 or refuse to classify.

*26 April 2018*

Website

hg-hydroponics.co.uk

Issue

The BBFC originally adjudicated on the website in September 2014. Subsequently, in April 2018, a mobile network operator contacted the BBFC for advice about the suitability of the website for people under 18, following a complaint from a member of the public that it had been placed behind adult filters despite containing no material that in the complainant's opinion would cause access to be restricted to adults only.

Adjudication

The BBFC provided a further adjudication when we viewed the website on 26 April 2018.

As in September 2014, we determined that the site sold various products 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 an implication that such items could be used to grow cannabis. On our most recent sampling of the site there appeared to be no material changes. As such we would continue to classify the site at 18.

Further information relating to the original adjudication is available in the December 2014 Quarterly Report on the BBFC website.

*27 April 2018*

Website

nowornever.org.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 a member of the public that it had been placed behind adult filters despite containing no material that in the complainant's opinion would cause access to be restricted to adults only.

Adjudication

The BBFC viewed the website on 27 April 2018.

We noted that it was a site containing articles and blogs which took an irreverent view of political, social and cultural issues. Our sampling of the site found numerous uses of strong language, as well as strong sex references. While the site's likely audience was adult, we could find no material which we would classify at 18 or refuse to classify.

*30 April 2018*

Website

honeybirdette.com

Issue

A mobile network operator contacted the BBFC for advice about the suitability of the website for people under 18, following a complaint from a member of the public that it had been placed behind adult filters despite containing no material that in the complainant's opinion would cause access to be restricted to adults only.

Adjudication

The BBFC viewed the website on 30 April 2018.

We noted that it was a retail site selling an array of lingerie, sex toys and accessories, including those for fetish play. Although we found no evidence that the site was pornographic, in our view, the site was still intended for a mature audience and contained material which was only suitable for adults. As such, the BBFC would classify the site at 18.

**May 2018**

*17 May 2018*

Website

hempen.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 a member of the public that it had been placed behind adult filters despite containing no material that in the complainant's opinion would cause access to be restricted to adults only.

Adjudication

We noted that the site promoted the work, products and values of the 'Hempen Co-Operative', an organisation whose aim is to promote and cultivate the use of hemp by creating and selling a range of sustainable hemp-based products. The online shop offered a range of products to purchase, some of which contained CBD oil. The site was not marketing any of its products as medicine, nor claiming any medical benefits for them. The site emphasised that none of their products caused any side-effects or contained psychoactive properties. The site reinforced that all of their products are legal and fall within the relevant Government regulations. Consequently, we found no material which we would classify at 18 or refuse to classify.

31 May 2018

Website

britishcondoms.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 a member of the public that it had been placed behind adult filters despite containing no material that in the complainant's opinion would cause access to be restricted to adults only.

Adjudication

We noted that this was predominantly a retail site focusing on the sale of sexual health products. However, the website also sold a range of products intended to enhance sexual pleasure, many of which featured strong sex references in text descriptions. On our sampling of a blog section of the site, we found featured articles and posts which provided adult sex education, offering advice and tips on a range of sexual practices which were described using strong sexual language. Furthermore, a section of the blog entitled 'Intimate Stories' comprised of a series of erotic posts which included language of a pornographic nature, references to BDSM and very strong language. As a result, we did not consider the website to be suitable for people under the age of 18.

**June 2018**

20 June 2018

Website

burlesquechairdance.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 a member of the public that it had been placed behind adult filters despite containing no material that in the complainant's opinion would cause access to be restricted to adults only.

Adjudication

We noted that the website focused on the provision of burlesque chair dance lessons. The website placed an emphasis on the health and fitness benefits of the burlesque classes, as well as promoted additional benefits relating to body confidence and self-esteem. The site contained images of instructors, as well as photographs of class participants, dressed in lingerie and revealing burlesque costumes, but there was no nudity. The occasional sex references, including descriptions of the dances and performers as being "sexy", created a generally playful tone which was unlikely to confound expectation. There was no material contained within the site that the BBFC would classify at 18 or refuse to classify.

27 June 2018

Website

renegadetribune.com

Issue

A mobile network operator contacted the BBFC for advice about the suitability of the website for people under 18, following a complaint from a member of the public that it had been placed behind adult filters despite containing no material that in the complainant's opinion would cause access to be restricted to adults only.

Adjudication

We noted that the site was a news and current affairs blog which featured articles on a range of subjects including 'Race and Nationalism' and 'Philosophy and Insight'. Some of the articles made negative generalisations about particular groups of people, which could be interpreted as having the potential to encourage discriminatory and harmful views. In blog comments left in response to articles, we found uses of very strong language as well as repeated uses of discriminatory and racist terms which were not condemned by the site. As a result, we would classify the site at least 18.

29 June 2018

Website

natrina.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 a member of the public that it had been placed behind adult filters despite containing no material that in the complainant's opinion would cause access to be restricted to adults only.

Adjudication

We noted that this was a retail site selling a range of CBD oils. The site contained general information about CBD oil and reinforced, in various sections of the site, that the oils should be used as food supplement. The website was clear in asserting that none of its products are medicinal, although it did list some of the possible health benefits that consumers of the product may experience. The site frequently stressed that all of their products are legal and comply with the relevant government regulations. Text on the website reinforced the fact that none of the site's products have psychoactive properties and would not enable consumers to get 'high'. Therefore, we found no content which we would classify 18 or refuse to classify

BBFC

30 June 2018