

HAVANT BOROUGH COUNCIL
PUBLIC SERVICE PLAZA
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HAVANT
HAMPSHIRE P09 2AX

Telephone: 023 9247 4174
Fax: 023 9248 0263
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BOROUGH COUNCIL

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LICENSING COMMITTEE AGENDA

Membership: Councillor Smith D (Chairman)

Councillors Bains, Cresswell, Francis, Gibb-Gray, Hughes, Kerrin, Pierce Jones, Pike, Ponsonby, Sceal, Shimbart, Howard (Vice-Chairman) and Wade

Meeting: Licensing Committee

Date: Wednesday 23 March 2016

Time: 5.00 pm

Venue: Hollybank Room, Public Service Plaza, Civic Centre Road,
Havant, Hants PO9 2AX

The business to be transacted is set out below:

Nick Leach
Monitoring Officer

15 March 2016

Contact Officer: Mark Gregory (023) 9244 6232
Email: mark.gregory@havant.gov.uk

PART 1 (Items open for public attendance)

Page

1 Apologies

Receive apologies for absence.

2 Minutes

1 - 4

To approve the minutes of the Licensing Committee held on 13 January 2016.

3 Matters Arising

4 Declarations of Interests

To receive and record any declarations of interests from members present in respect of any of the various matters on the agenda for this meeting.

5 Chairman's Report

6 Request for Vehicle Advertising and Licence Plate Display Exemption - Driving Miss Daisy **5 - 22**

7 Film Classification - "Fear Itself" **23 - 66**

PART 2 (Confidential Items)

8 Exclusion of the Press and Public

The Committee is asked to consider whether to pass a resolution excluding the public from the meeting during consideration of any of the items on the agenda. If members wish to do so then this could be achieved by passing the following resolution. Members are not required to pass the resolution but the Solicitor to the Council recommends this as to the item set out below.

That the public be excluded from the meeting during consideration of the item headed and numbered as below because:

it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present during that item there would be disclosure to them of exempt information of the descriptions specified in paragraphs of Part 1 of Schedule 12A (as amended) of the Local Government Act 1972 shown against the heading in question; and

in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

Item 9 Review of a Drivers Licence
(Paragraphs 1 to 3)

Paragraph 1 Information relating to any individual

Paragraph 2 Information which is likely to reveal the identity of an individual

Paragraph 3 Information relating to the financial or business affairs of any particular person (including the authority holding that information)

9 Review of Driver's Licence **67 - 78**

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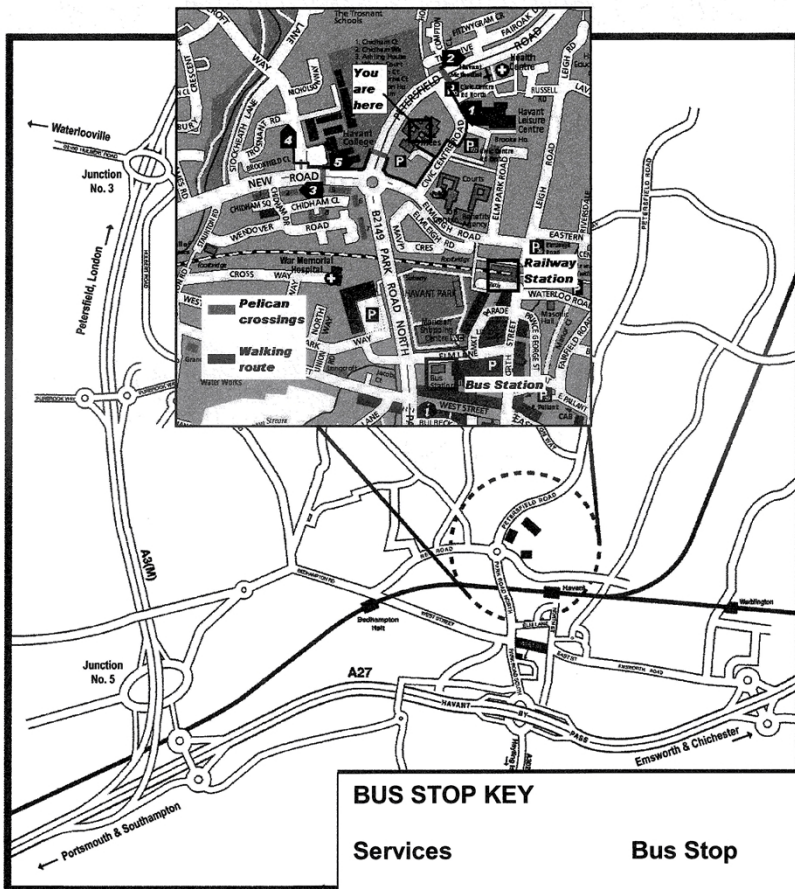
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20, 21, 36**, 39	2
23, 36**	3
23, 27**, 37	4
23, 27**, 36**, 37	5

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HAVANT BOROUGH COUNCIL

At a meeting of the Licensing Committee held on 13 January 2016

Present

Councillor Smith D (Chairman)

Councillors Cresswell, Francis, Hughes, Kerrin, Pike, Ponsonby, Sceal, Shimbart, Howard (Vice-Chairman) and Wade

22 Apologies

Apologies for absence were received from Councillors Bains, Gibb-Gray, Heard, and Pierce Jones..

23 Minutes

The Minutes of the meeting of the Licensing Committee held on 16 September 2015 were agreed as a correct record and signed by the Chairman.

24 Exclusion of the Press and Public

RESOLVED that the public be excluded from the meeting during consideration of the minute headed and numbered as below because:

it was likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present during those minutes there would be disclosure to them of exempt information of the descriptions specified in paragraphs of Part 1 of Schedule 12A (as amended) of the Local Government Act 1972 shown against the heading in question; and

in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

Minute 31 Application for a Private Hire Operators Licence
(Paragraphs 1 to 3)

25 Matters Arising

There were no matters arising.

26 Declarations of Interests

There were no declarations of interests.

27 Chairman's Report

The Chairman referred to the sad news of the sudden death of Councillor Frida Edwards and expressed his appreciation of the work and commitment

Councillor Edwards had made to the Licensing Committee. He extended the Committee's sympathy to Councillor Edwards' family.

28 Proposed Changes to the Current Licensing Act 2003 Policy

The Committee considered a report by the Licensing Officer setting out the draft statement of Licensing Policy 2015.

In response to concerns raised by members of the Committee, the officers undertook to ensure that future reports clearly showed changes between the proposed and existing policy.

RESOLVED that

- (i) that the proposed Statement of Licensing Policy 2015 be approved for the purpose of consultation; and
- (ii) that at the end of the consultation period the draft Statement of Licensing Policy 2015 be reviewed by the Committee with the intention of recommending its adoption by Full Council.

29 Proposed Changes to the Current Policy and Vehicle specification for Hackney Carriages and Private Hire Vehicles

The Committee considered the written report of the Licensing Officer recommending changes to the Council's vehicle specification for hackney carriages and private hire vehicles.

During the debate members expressed concern that a provision requiring split seating to form a continuous seat when not folded had not be included in the proposed new specification.

RESOLVED that the revised specification as submitted be approved and adopted subject to the following amendment:

Paragraph 4 – Seating - add the following condition

“Split rear seating must form a continuous seat when not folded”

30 Proposed Changes to the Current Policy to Include a Restriction on the Licensing for Hackney Carriages and Private Operators based outside of the Havant Borough Council Boundary

The Committee considered a written report by the Licensing Officer proposing changes to the pre-requisite conditions relating to private hire operator licences.

RESOLVED that

- (A) the Council's re-requisite conditions relating to private hire operators be amended to require that all future applications for private hire operators have operating centres situated within the Borough of Havant;

Licensing Committee (13.1.16)

- (B) private hire operators currently licensed by the Council, who have operating centres situated outside the Borough, be given written notice that their operators' licences might be renewed for a maximum period of 36 months from the date of this meeting

31 Application for a Private Hire Operators Licence

(this minute was taken in camera)

The Committee considered an application for a private hire operator's licence from UBER Britannia Ltd.

The Chairman outlined the Committee's procedure for dealing with the applications for private hire operator's licences.

The Licensing Officer presented his confidential report to the Committee and answered members' questions..

The applicant was given an opportunity to address the Committee in support of his case and answered members' questions.

The applicant and the licensing officers left the meeting during consideration of the application and were invited back into the meeting to receive the Committee's decision.

RESOLVED that a private hire operator's licence be granted to UBER Britannia Ltd subject to the standard conditions.

The meeting commenced at 5.00 pm and concluded at 6.45 pm

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EXEMPT/NON EXEMPT

HAVANT BOROUGH COUNCIL

Licensing Committee

Meeting Date 23rd March
2016

Driving Miss Daisy. Request for Vehicle Advertising and Licence Plate display exemption.

Report by the Licensing Officer

FOR DECISION

1.0 Purpose of Report

- 1.1 To consider an application by the company Driving Miss Daisy, to permit them to licence a private hire vehicle with advertising graphics and with a Licence Plate display exemption on a Non executive Vehicle.

2.0 Recommendation

- 2.1 That the committee considers the application and decides whether to grant the requests either in full or partially.

3.0 Summary

- 3.1 Havant Borough Council Licensing Policy restricts vehicle advertising to the company name and telephone number/web address being displayed. All requests for additional advertising require the consent of the Licensing Committee.
- 3.2 The exemption from displaying a Vehicle Licence Plate is normally restricted to Executive style vehicle used exclusively for the carriage of contract customers. Exemptions granted outside of these rules should be approved by the Licensing Committee

4.0 Subject of Report

- 4.1 Driving Miss Daisy is an International Companionship Company that provides transport and support services for the elderly. Unlike normal private hire services, they provide a full care package paid for by the hour / day. (eg to take someone shopping or for lunch including all transport and staying with them throughout the time booked). Because the services are paid for by the customer, the service amounts to a private hire contract as defined in law, and as a result they have applied for a Private Hire Operators licence from Havant Borough Council. As part of their corporate image, all their vehicles are

EXEMPT/NON EXEMPT

distinctively decorated with the companies Daisy logo (see images attached), website and telephone numbers. Driving Miss Daisy believe that the car graphics, apart from branding purposes, are an important visual aid for the customers who use the service, the majority of whom are elderly with a proportion of them having early stage dementia and/or sight issues.

Havant Borough Council only permits limited details to be displayed on a licensed Private Hire Vehicle. These details are company name and telephone number on the vehicle doors, and front 'sunstrip' and any deviation from this requires the consent of the Licensing Committee.

Due to the different business model used, the company is keen not to be seen as a general private hire company and they do not intend to take general private hire bookings.

In order to avoid confusing the general public, they have also requested that their vehicles are exempt from displaying a Havant Borough Council Licensed Vehicle Plate. Havant council permits a plate exemption for vehicles that are of an executive quality (eg leather seats, climate control and a premier branded vehicle) and that are used exclusively for contract customers. Driving Miss Daisy vehicles will be supplied with leather upholstery but are not executive vehicles, and whilst they aim to provide contract services to care homes and housing associations, they will also wish to accept bookings from individual customers. As such their request falls outside of the normal rules for exemption and should therefore be considered by the Licensing Committee for approval.

The company have not yet submitted a vehicle for Licensing as they are awaiting the outcome of this request before committing to the costs involved in the purchase and vinyl wrapping of the vehicle. (they are proposing the use of a Citroen Berlingo which is on the HBC pre Approved Vehicle List for 4 passengers)

5.0 Implications

5.1 **Resources:** Officer time

5.2 **Legal:** Local Government (miscellaneous Provisions) act 1976 sets out that vehicles used for Private Hire should normally display a Licence Plate unless exempted by the Local Authority. The granting of these requests is lawful and carries no legal risk to the council.

5.3 **Strategy:** Licensing Policy

5.4 **Risks:** None

5.5 **Communications:** None

5.6 **For the Community:** The new scheme proposed by Driving Miss Daisy has been implemented in other Local Authority areas in the UK and around the world, and has been shown to be a

EXEMPT/NON EXEMPT

valuable service for the elderly , especially those living alone or with disabilities.

5.7 The Integrated Impact Assessment (IIA) has been completed and concluded the following: Not required, not a new policy

6.0 Consultation Gosport Borough Council has confirmed that they have licensed Driving Miss Daisy and approved advertising and a plate exemption.

Appendices:

- (A) Formal request letter from Driving Miss daisy requesting advertising and plate exemption
- (B) Driving Miss Daisy Company overview.
- (C) Driving Miss Daisy white paper on dementia and the benefits of logo scheme
- (D) Copy of Havant Borough Council Vehicle specification
- (E) Images showing proposed graphics scheme.

Background Papers: N/A

Contact Officer: Gerry Thorne
Job Title: Licensing Officer
Telephone: 02392 446657
E-Mail: gerry.thorne@havant.gov.uk

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Mr G. Thorne
Licensing Department
Havant Borough Council
Public Service Plaza
Civic Centre Road
Havant
PO9 2AX



24/02/2016

Dear Gerry

I am starting a Driving Miss Daisy franchise in the Havant Borough (Hayling Island) and the Company uses liveried cars as an integral part of their branding and as a visual perception aid for older persons who make up the majority of the customer who use the Driving Miss Daisy service. The franchise I am starting will use a Citroen Berlingo vehicle.

Driving Miss Daisy provides a trusted, safe and reliable community companion driving service for those people who find it difficult to get out and about. Our point of difference from other transportation providers is the companionship we give with each and every journey and the social engagement we enable and make possible with the service. I have attached an overview of the service to explain it further.

Driving Miss Daisy is purely a pre-booked only service, with bookings made through the Driving Miss Daisy operating system. As a non-executive vehicle, I would like to request for vehicle plate exemption.

I have attached two images to show the signage on the car; one is a car currently used by another franchise and the other shows the graphics on the whole vehicle as used by the signage company. As previously mentioned, the car graphics, apart from branding purposes, are an important visual aid for the customers who use the service, the majority of whom are elderly with a proportion of them having early stage dementia and/or sight issues. I have attached a Dementia White Paper supporting the use of the car signage. I am applying for approval to have the Citroen Berlingo wrapped (the whole vehicle is wrapped) as shown in the attachments.

If I can supply any further information in support of this application, please do contact me.

Kind Regards



Tina Webb
Managing Director

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Driving Miss Daisy®

© Driving Miss Daisy

- A unique and caring Companion Driving Service
- Improving lives for people who may require additional support
- Adding an extra dimension to the service you currently offer



"I think that everything they do is marvellous. They take me to hospital appointments and shopping in the town, and every Friday my Daisy takes me to the hairdresser. They collect me from my door and help me in and out of the car; it's the little extras that count and they are so pleasant and friendly."

Page 11
Barbara



Value added service

Driving Miss Daisy provides a trusted, safe and reliable community companion service for those people who find it difficult to get out and about. Our point of difference from other transportation providers is the companionship we give with each and every journey.

We offer so much more than travelling from A to B, we provide companionship and care for the elderly, children and people with disabilities, among many others for the duration of the service.

We collect clients, drive them to and from their destination and provide personal assistance as required, helping with anything from medical appointments to a trip to the hairdressers or make social outings possible and, most of all, enjoyable.

We can attend appointments with clients and deliver important information back to family members or carers if required. We're family when family can't be there.

Safety

Safety is of utmost importance to Driving Miss Daisy which is why we will only provide franchises to people who have met our strict qualification requirements.

It is our company policy to ensure that all Driving Miss Daisy Franchisees and companion drivers have met the same rigorous criteria. They are fully qualified to drive passengers, hold a private hire licence and have been police checked, as well as all vehicles being fully licensed with the relevant local authority.

Our training includes health and safety, Driving Miss Daisy values and high standards, understanding the clients' needs, vehicle familiarisation, driving capabilities, emergency responses and first aid.



“We really care about making every journey a pleasure, and all our companion drivers are safety checked, licensed and first aid accredited for peace of mind.”



“My Daisy took me to London to meet my Grandson. The car was easy to get in and out of and was extremely comfortable.”

Jocelyn

Reasons to use Driving Miss Daisy

1. A unique and caring Companion Driving Service enabling your clients to get out and about in their communities with improved ease.
2. Adding an extra dimension to the service you currently offer (i.e. wrap around support) and a synergy which complements our mutual organisations.
3. Keeping people independent is at the core of the Driving Miss Daisy philosophy and vision. Combatting people feeling house-bound, isolated and lonely whether in residential, care home, sheltered provision or at home.
4. Shared marketing possibilities creating greater joint brand awareness and a variety of media opportunities. In turn, this will enhance your organisation and its service offering.
5. Improving lives for people who may require additional support, which may in turn improve formal regulatory outcomes by those such as Care Quality Commission, highlighting good practice and innovation.

The Driving Miss Daisy Story

A number of years ago Melanie Harper started driving her Aunt Trish to appointments in New Zealand. Trish no longer drove herself and enjoyed the companionship of Melanie driving her to appointments. After a while Melanie and her husband Jack started thinking about providing the service on a wider scale.

Whilst researching the business idea, Melanie and Jack discovered a Canadian business, also called Driving Miss Daisy® and they travelled to Canada to see for themselves how it worked. This convinced them to launch Driving Miss Daisy NZ Ltd in 2009 and it now operates across the country.

Paul and Ada Nuth had been on holiday in New Zealand from the UK when they spotted a 'Daisy' car parked on a driveway. Paul was intrigued and immediately grasped the business concept; this motivated him to talk to Jack and Melanie in order to push the business forwards in the UK and offer the opportunity on a much wider scale.

Following its UK launch in early 2015, Driving Miss Daisy was established in six counties in just six months and has continued to grow rapidly.



"We're family when family can't be there."



"Driving Miss Daisy keeps me independent. I like to go shopping and to the hairdressers, and they took me and my friend to meet my sister and brother-in-law."

Betty

Vision

To be a household name, positively impacting across the nation, by offering our clients independence, security and brightening up their day.

Mission

We provide a professional, safe friendly and reliable service, ensuring independence and peace of mind for our clients and their families.

Values

Integrity - To be open, honest and trustworthy, acting with the upmost integrity at all times.

Empathy - To provide a caring, considerate and respectful environment, compassionate to all.

Professionalism - To be reliable, smart, accurate and appealing in every way.

Safety - The care and safety of everyone will be paramount around everything we do.

Fun - To brighten up the day, by always incorporating laughter, cheerfulness, enthusiasm and positivity.

0333 014 6211

info@drivingmissdaisyuk.co.uk

www.drivingmissdaisyuk.co.uk



Driving Miss Daisy[®]



Visuoperceptual difficulties in people with dementia

Introduction to the problem

Driving Miss Daisy has been providing Community Companion Services to the elderly, vulnerable and those living with dementia in Canada, New Zealand and UK since 2002. Research has shown that clients living with various forms of dementia have difficulty recognizing familiar people and objects, this can lead to highly stressful situations which can be reduced through the use of high contrast colours.

Background to the problem

As people get older, there are a number of changes in normal vision which are simply due to ageing. These include:

- the need for additional light
- increased sensitivity to glare
- reduced peripheral vision
- reduced sensitivity to contrasts
- reduced speed of adapting to change in light level
- reduced visual acuity
- reduced depth perception

- altered perception of colour i.e. being less able to discriminate between unsaturated (less intense) colours such as pastels

With older age, there is a greater likelihood of additional eyesight conditions, being on medication for other conditions, having a form of dementia, and perhaps some or all of these things. What the eye sees, the brain must interpret, and this can vary given different circumstances, type and progression of dementia, and abilities.

Understanding that an older person with or without dementia will probably perceive their surroundings differently is a good starting point for the design of living environments. Good design can help enormously in making it easier to interpret and navigate in safety, and the use of colour and contrast can be used in different ways to assist in recognizing items in general use.

The specific difficulties a person with Dementia experiences will depend on the type of dementia they have. This is because each type of dementia can damage the visual system in a different way.

Difficulties may include:

- decreased sensitivity to differences in contrast (including colour contrast such as black and white, and contrast between objects and background)
- reduced ability to detect movement

- changes to the visual field (how much you can see around the edge of your vision, while looking straight ahead)
- reduced ability to detect different colours (for example, a person may have problems telling the difference between blue and purple)
- changes to the reaction of the pupil to light
- problems directing or changing gaze
- problems with the recognition of objects, faces and colours
- loss of ability to name what has been seen
- double vision
- problems with depth perception.

Dementia can also result in difficulties with orientation. This in turn can lead to:

- bumping into things
- swerving to avoid door frames
- difficulties reaching for things within the visual environment (such as a cup of tea or door handle)
- getting lost or disorientated, even in familiar environments.

The Solution

How Driving Miss Daisy use colour and contrast to help people with dementia

There are over 840,000 people in the UK and Republic of Ireland living with dementia today.

Many people with dementia experience difficulties with their sight and perception which may cause them to misinterpret the world around them. Colour, and contrasting colour in particular, can help people with dementia to live better in their homes and local communities.

There are a number of ways Driving Miss Daisy uses colour and contrast to help support elderly clients or those living with dementia and who have difficulties with sight and perception:

- The use of brightly coloured uniforms, worn by all Driving Miss Daisy Companions ensures that even if the person isn't recognized the uniform and brand is.



- Large logos on all vehicles with bright, high contrast colours maximizes the ability for people with Dementia to recognize and remember the vehicle and significantly reduces the stress levels of the client when using transportation.



- Specially designed seating to enable people with reduced mobility to get into and out of the vehicles with the minimum of effort and stress.
- Training of all companions to be “Dementia Friends” and “Dementia Champions” ensures that all Companions are able to deal with and reassure clients living with Dementia in order to reduce the stress associated with travel.
- The use of specially designed aids to enable anyone with difficulty in moving to enter and exit the vehicle with the minimum of trouble.
- The use of specially designed Wheelchair Accessible Vehicles to maximize the comfort for clients travelling in wheelchairs.

Visuoperceptual difficulties can also lead to problems moving around. These problems can make a person fearful of falling and lead to them slowing down their movements while they try to walk safely. Driving Miss Daisy Companions understand this, meaning they can try to anticipate these situations, help explain what is being encountered, offer their arm for support, offer encouragement and slow down their own movements

References

- Alzheimer’s Society
- NHS

Greg Blezard

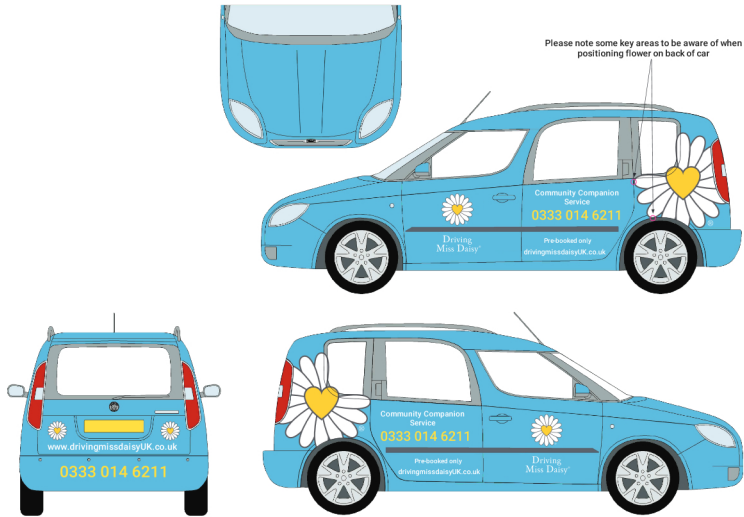
Chief Operating Officer Driving Miss Daisy UK

Dr Tim Johnson M.B., Ch.B, M.R.C.G.P,
Driving Miss Daisy Medical Advisor

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HAVANT BOROUGH COUNCIL

LICENSING COMMITTEE
FILM CLASSIFICATION

23rd March 2016

Report of the Licensing Officer

1.0 Purpose of Report)

- 1.1 To ask the committee to award an age classification rating to the film 'Fear Itself' for exhibition at appropriately licensed venues within the Havant Borough.

2.0 Recommendation

- 2.1 To rate the film 'Fear Itself', to ensure that children under 18 are not permitted to view the film.

3.0 Summary

- 3.1 The Licensing Act 2003 regulates entertainment including 'the exhibition of film'. The licensing objectives include 'the protection of children from harm'. The filmmaker, Mr Lyne, is considering showing his film at The Spring Arts Centre, which is licensed for exhibition of films, however he hasn't approached any venues until Council classification has been determined.

- 3.2 The following mandatory conditions apply to premises licensed for the exhibitions of films:

Mandatory Condition: Exhibition of films

(1) Where a premises licence authorises the exhibition of films, the licence must include a condition requiring the admission of children to the exhibition of any film to be restricted in accordance with this section.

(2) Where the film classification body is specified in the licence, unless subsection (3)(b) applies, admission of children must be restricted in accordance with any recommendation made by that body.

(3) Where-

(a) the film classification body is not specified in the licence, or

(b) the relevant licensing authority has notified the holder of the licence that this subsection applies to the film in question, admission of children must be restricted in accordance with any recommendation made by that licensing authority.

(4) In this section-

"children" means persons aged under 18; and

"film classification body" means the person or persons designated as the authority under section 4 of the Video Recordings Act 1984 (c.39) (authority to determine suitability of video works for classification).

- 3.3 The film 'Fear Itself' has been made by a London based professional filmmaker who is would like to exhibit the film within the Havant Borough.

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The producer of the film has not had it classified by the British Board of Film Classification so it is for the Licensing Committee to give it a classification for exhibiting within the Borough of Havant.

4.0 Subject of Report

4.1 The film is 1 hour 28 minutes long and is described by the filmmaker as follows: *The film is a documentary about horror cinema, featuring many clips from existing horror films.*

4.2 In the UK, film ratings are managed by the British Board of Film Classification (BBFC) which is the independent regulator of the film and video industry. The exception to this is where permission is granted from the local council to screen an unclassified film in its borough as allowed by the exhibition of films mandatory condition (3)(a) and (b) detailed at report paragraph 3.2.

4.3 The classifications offered by the BBFC are R18+, 18, 15, 12, 12A, PG and U.

Appendix A gives the BBFC classification guidelines and Mr Lyne, who wrote, directed and produced the film 'Fear Itself', is recommending an 18 or possibly 15 classification i.e. to prevent either any children from viewing the film or to prevent any children under 15 from viewing the film. This is because the film features many clips from existing horror films and as a result contains some violence. The clips are a range of BBFC 12, 15 and 18 rated films.

4.4 The Licensing Officer has viewed the film which is made entirely of 83 back-to-back excerpts from existing films over which is a continuous dialogue and includes 3 scenes which contain nudity and several scenes of violence.

4.5 The Committee has been given the opportunity to view the film and is asked to consider if:

- a) It is not suitable for viewing at appropriately licensed venues (ie the equivalent of a R18 rating by the BBFC);
- b) Whether viewing should be allowed but restricted to those over 18 years (i.e. equivalent to an 18 rating by the BBFC) or;
- c) Whether persons under 18 should be able to view it without harm (i.e. a lower rating to be specified).

5.0 Implications

5.1 **Resources:** None

5.2 **Legal:** A criminal offence would be committed if an unclassified film were shown without the consent of the Council. Mr Lyne confirms that permission to use the clips of films was cleared using Fair Dealing, in conjunction with a lawyer at the BBC where the film was made.

5.3 **Strategy:** None

5.4 **Risks:** The purpose of the legislation includes the protection of children from harm which is the risk being addressed.

EXEMPT/NON EXEMPT

5.5 **Communications:** None

5.6 **For the Community:** To protect children from potentially harmful or otherwise unsuitable content.

5.7 **The Integrated Impact Assessment (IIA) has been completed and concluded the following:** N/A

6.0 **Consultation** N/A

Appendix A – BBFC classification guidelines

Contact Officer: Miss Hilary Smith
Job Title: Licensing Officer
Telephone: 023 9244 6653
E-Mail: Hilary.smith@havant.gov.uk

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bbfc

Age Ratings You Trust

Guidelines





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Introduction

The British Board of Film Classification (BBFC) is an independent, non-governmental, not-for-profit, co-regulatory body. We are funded through fees charged to those who submit films and video works for classification.

We classify:

- films, trailers and advertisements on behalf of local authorities who license cinemas
- video works under the Video Recordings Act 1984
- video works which are distributed over the internet under a voluntary, self-regulatory service
- commercial and internet content distributed via mobile networks under a voluntary, self-regulatory service

Our Classification Guidelines follow extensive public consultation, as well as other research, expert advice and our accumulated experience over many years. The Guidelines, and our practice in applying them, pay particular attention to changes in public taste, attitudes and concerns, and changes in the law. They also take account of new evidence from research or expert sources. The Guidelines are reviewed periodically, and how we apply them is reviewed when necessary.

We take responsibility for the Guidelines and for their interpretation. This responsibility is subject to normal considerations of fairness and reasonableness.

Here, and throughout the Guidelines, video works are taken to include films and programmes released on DVD or Blu-ray, or distributed by means of download or streaming on the internet.

The Guidelines cannot be a comprehensive account of everything that may at any time be of concern. If issues arise which are not specifically covered here, they will be dealt with by us on their merits and in line with the standards expressed and implied in these Guidelines. The Guidelines are not a legal document and should be interpreted in the spirit of what is intended as well as in the letter.

We will provide guidance on the interpretation of these Guidelines on request.

Guiding Principles

Our guiding principles are:

- to protect children and vulnerable adults from potentially harmful or otherwise unsuitable media content
- to empower consumers, particularly parents and those with responsibility for children, to make informed viewing decisions

We fulfil these roles by providing age classifications and publishing advice (known as BBFCinsight) for individual films and videos. We do this without infringing the right of adults to choose what they view provided that it remains within the law and is not potentially harmful. We seek to ensure that films and videos reach the widest audience that is appropriate for their theme and treatment.

Media effects research and expert opinion on issues of suitability and harm can be inconclusive or contradictory. In such cases we must rely on our own experience and expertise to make a judgement as to the suitability of a work for classification at a particular age category, taking into consideration whether the availability of the material, to the age group concerned, is clearly unacceptable to broad public opinion. Our extensive research into public opinion guides us as we seek to ensure that classification decisions generally reflect public sensibilities and expectations as these change over time.

In relation to harm, we will consider whether the material, either on its own, or in combination with other content of a similar nature, may cause any harm at the category concerned. This includes not just any harm that may result from the behaviour of potential viewers, but also any moral harm that may be caused by, for example, desensitising a potential viewer to the effects of violence, degrading a potential viewer's sense of empathy, encouraging a dehumanised view of others, suppressing pro-social attitudes, encouraging anti-social attitudes, reinforcing unhealthy fantasies, or eroding a sense of moral responsibility. Especially with regard to children, harm may also include retarding social and moral development, distorting a viewer's sense of right and wrong, and limiting their capacity for compassion.

We will not classify material which is in conflict with the criminal law, or has been created through the commission of a criminal offence.

We act as a regulator across the United Kingdom. However, the United Kingdom does not have a single legal system, and so we take account of the different legal systems that coexist in the UK. Further details about the applicable legislation can be found in the Annex.

General Classification Considerations

There are general factors that may influence a classification decision at any level and in connection with any issue. These factors are of particular importance when a work lies on the borderline between two age categories.

Context

Context is central to the question of acceptability of film and video content. When considering context therefore, we take into account issues such as public expectation in general and the expectations of a work's audience in particular.

We consider the context in which an issue (such as sex, language or violence) is presented within a film or video. In doing this we take account of factors such as the setting of a work (historical, fantasy, realistic, contemporary); the manner of presentation (for example, an aggressive and directed use of bad language may result in a higher classification than a light-hearted and self-referential use of the same term); the apparent intention of the film; the original production date of the work (for example, outdated attitudes might be considered less offensive, and consequently classified at a lower category, in an old, obviously dated, work); and any special merits of the work.

Theme

Classification decisions will take into account the theme of a work, but will depend significantly on the treatment of that theme, and especially the sensitivity of its presentation. The most challenging themes (for example, drug misuse, sexual violence, paedophilia, racial hatred or violence) are unlikely to be appropriate at the most junior levels of classification. However, there is no reason in principle why most themes, however difficult, could not be presented in a manner which allows classification at 18 or even, where suitable, at lower levels.

Tone and impact

The overall tone of a work may also affect the classification decision. While the presentation of specific issues, such as sex and violence, may not be problematic at a particular category, a work with a dark or unsettling tone may receive a higher classification. Other tonal considerations which might have an influence on classification include the extent to which the work presents a despairing view of the world or the extent to which transgressive or harmful behaviour is condoned or made to appear normal.

We take into account the impact of a work (i.e. how it makes the audience feel), for example in relation to horror films where threat may be more significant than the level of violence.

Specific Classification Considerations

This section of the Guidelines identifies concerns which apply, to a greater or a lesser degree, at all classification levels, and sets out the general approach that we take. The concerns are listed in alphabetical order.

Pages 12 to 24 of the Guidelines provide specific guidance for U through to R18 with regard to such concerns. This should be read together with the General Classification Considerations.

Discrimination

Potentially offensive content relating to matters such as race, gender, religion, disability or sexuality may arise in a wide range of works, and the classification decision will take account of the strength or impact of their inclusion. The context in which such content may appear also has a bearing. Works with such content may receive a lower category where discriminatory language and behaviour is implicitly or explicitly criticised; or the work as a whole seeks to challenge such attitudes; or the work is obviously dated, with little or no appeal to children.

Drugs

No work taken as a whole may promote the misuse of drugs and any detailed portrayal of drug misuse likely to promote the activity may be cut. Works which normalise or glamorise drug misuse are likely to receive a higher classification than works which show drug misuse while emphasising the dangers.

Where smoking, alcohol abuse or substance misuse feature to a significant extent in works which appeal to children, this will normally be indicated in BBFCinsight. Classification decisions will also take into account any promotion or glamorisation of such activities.

Imitable behaviour

Classification decisions will take into account any detailed portrayal of criminal and violent techniques, and glamorisation of easily accessible weapons, such as knives. Works which portray anti-social behaviour (for example, bullying) uncritically are likely to receive a higher classification. Works which, taken as a whole, actively promote illegal behaviour may be cut or refused a classification.

Portrayals of potentially dangerous behaviour (especially relating to hanging, suicide and self-harm) which children and young people may potentially copy, will be cut if a higher classification is not appropriate.

Language

Language which people may find offensive includes the use of expletives with a sexual, religious or racial association, derogatory language about minority groups and commonly understood rude gestures. The extent of offence may vary according to age, gender, race, background, beliefs and expectations brought by viewers to the work as well as the context in which the word, expression or gesture is used.

For these reasons, it is impossible to set out comprehensive lists of words, expressions or gestures which are acceptable at each category. The advice at different classification levels, therefore, provides general guidance taking account of the views expressed in public consultation exercises.

Nudity

Nudity with no sexual context is in principle acceptable at all classification levels, but will not generally occur more than occasionally at U.

Nudity with a sexual context will receive a higher classification. Strong detail in such a context will usually only be passed at the adult categories (18 or R18).

Sex

The portrayal of sexual activity can range from kissing to detail of unsimulated sex. The normalisation of overtly sexualised behaviour is a concern at the junior categories. The classification system allows progressively stronger portrayals of sexual behaviour as the categories rise.

Sex works (works whose primary purpose is sexual arousal or stimulation) will normally only be passed at the adult categories. Sex works which only contain sex which may be simulated will usually be passed at 18. The R18 category is suitable for sex works containing clear images of real sex, strong fetish material, sexually explicit animated images, or other very strong sexual images. R18 video works may be supplied only in licensed sex shops which no one under 18 may enter. R18 films may be shown only in specially licensed cinemas.

We will apply these Guidelines in relation to sex to the same standard regardless of sexual orientation of the activity portrayed.

Threat

Where films are targeted at a younger audience, classification decisions will take into account factors such as the frequency, length and detail of scary or otherwise unsettling scenes as well as factors such as the impact of music and sound, and whether there is a swift and reassuring outcome.

The classification of threat and horror will take account of the general tone, impact, realism and supernatural elements of a work as well as the level of detail in individual scenes. Fantasy settings may be a mitigating factor.

Violence

Classification decisions will take account of the degree and nature of violence in a work.

Works which feature the following are likely to receive higher classifications:

- portrayal of violence as a normal solution to problems
- heroes who inflict pain and injury
- callousness towards victims
- the encouragement of aggressive attitudes
- characters taking pleasure in pain or humiliation
- the glorification or glamorisation of violence

Sadistic or sexual violence is likely to receive a higher classification. Any depiction of sadistic or sexual violence which is likely to pose a harm risk will be subject to intervention through classification, cuts or even, as a last resort, a refusal to classify.

We may refuse to classify content which makes sexual or sadistic violence look appealing or acceptable, reinforces the suggestion that victims enjoy sexual violence, or invites viewer complicity in sexual violence or other harmful violent activities.

We are also unlikely to classify content which is so demeaning or degrading to human dignity (for example, it consists of strong abuse, torture or death without any significant mitigating factors) that it may pose a harm risk.

Other Matters

Education videos

When classifying an education video, including a sex education video, for use in schools, we will take account of the educational purpose of the video and the context in which it is to be viewed (for example in the classroom mediated by a teacher).

Music videos

The classification of a music video will take account of any elements which are of concern to parents, including glamorisation of behaviour which they consider inappropriate. Where music videos are short and self-contained, material may be less likely to be justified by context.

Photo or pattern sensitivity, motion sickness and reactions to low frequency sound

A small number of viewers are sensitive to flashing and flickering light, or some shapes and patterns, and may experience seizures or other serious physical effects. Some viewers experience feelings of motion sickness or other symptoms when viewing works which feature hand held or otherwise moving camerawork, or which feature very low frequency sounds.

It is the responsibility of film makers and distributors to identify works in which such issues arise and to ensure that, when required, appropriate warnings are given to viewers. However, if it is obvious during viewing that the work contains strong examples of such imagery or sounds, we will advise the distributor of the need to ensure that appropriate warnings are in place. Where necessary, we may require assurances regarding the display of appropriate warnings as a condition of classification.

Release format

Classification decisions may be stricter on video works than on film. This is because of the increased possibility of under-age viewing as recognised in the Video Recordings Act (see Annexe), as well as the increased possibility of works being replayed or sections viewed out of context. Accordingly, a video work (either packaged or online) may occasionally receive a higher classification than on film, or require new or different cuts. (Video works may also receive a higher classification because they contain additional content.)

The screen format or visual presentation of a submission may also alter a classification, for example, if the image has been processed in the 3D format or is shown with an altered aspect ratio such as on an IMAX screen.

Titles

We will require changes as a condition of classification if the title of a work incites racial or religious hatred, or other criminal behaviour, or encourages an interest in abusive or illegal sexual activity.

If the title of a work is likely to cause significant offence to a significant number of people if displayed in a public place, we will advise the distributor to consider carefully the places in which it is likely to be seen and to take appropriate action, for example, by obscuring certain words on packaging or marketing materials. (This advice is not given in relation to video works classified R18 as such works may only be supplied or offered for supply in a licensed sex shop.) Where necessary, assurances on public display of the full title, or changes to the title, may be required as a condition of classification.

Trailers and advertisements

Audiences may choose to see a full-length feature based on expectations of the particular genre at the given classification and on the published BBFCinsight. In contrast, audiences have no choice, and often no expectation, about the accompanying trailers or advertisements which may be very different in tone and content to the film the audience has chosen to view. In addition, because trailers and advertisements are short and self-contained, material is less likely to be justified by context and more likely to cause offence.

For these reasons, classification decisions for trailers and advertisements may be more restrictive than for equivalent material in a main feature. Strong language will not be allowed in trailers at the U, PG and 12A/12 categories.

The more restrictive approach set out above may be relaxed where an advertisement is part of a public information campaign or has a charitable purpose.

Cinemas are responsible for the exhibition of cinema trailers and advertisements, and we have no involvement in deciding which films they precede. Questions or complaints about the exhibition of trailers or advertisements should be directed to the cinema management in the first instance.

Video games

With a few limited exceptions we do not classify video games. We consider for classification those video games contained on discs which feature primarily linear video content and pornographic video games which include for example:

- images of unsimulated human sexual activity involving genitals or anus
- sexual fetish material, including bondage or sadomasochistic activity, urination and other bodily functions
- material likely to encourage an interest in sexually abusive activity
- the portrayal of sexual activity which involves lack of consent whether real or simulated
- sexual threats, humiliation or abuse
- penetration by any object associated with violence or likely to cause physical harm
- images of sexual activity with animals

whether such images or material are of real events or activity or are animated.

We also advise the Games Rating Authority on the classification of linear video footage contained in games which is not integral to the game. This includes, for example, rewards and video content in games which is designed to be viewed in its own right, without taking forward the narrative drive of the game.

The Classification Categories

We endeavour to classify submitted works in one of the following categories:





The following pages set out guidance on how the specific classification considerations (for example, sex and violence) are specifically applied from U through to R18. The criteria should be read in combination with the general approach set out earlier under ‘Guiding Principles’, ‘General Classification Considerations’ and ‘Specific Classification Considerations’.

Because works from time to time present issues in ways which cannot be anticipated, these criteria will not be applied in an over-literal way if such an interpretation would lead to an outcome which would confound audience expectations.





U Universal – Suitable for all

A U film should be suitable for audiences aged four years and over, although it is impossible to predict what might upset any particular child. U films should be set within a positive framework and should offer reassuring counterbalances to any violence, threat or horror.

If a work is particularly suitable for pre-school children, this will be indicated in the BBFCinsight.

Discrimination

Discriminatory language or behaviour is unlikely to be acceptable unless clearly disapproved of.

Drugs

References to illegal drugs or drug misuse must be infrequent and innocuous, or have a clear educational purpose or anti-drug message suitable for young children.

Imitable behaviour

Potentially dangerous or anti-social behaviour which young children may copy must be clearly disapproved of. No emphasis on realistic or easily accessible weapons.

Language

Infrequent use only of very mild bad language.

Nudity

Occasional nudity, with no sexual context.

Sex

Only very mild sexual behaviour (for example, kissing) and references to such behaviour.

Threat

Scary or potentially unsettling sequences should be mild, brief and unlikely to cause undue anxiety to young children. The outcome should be reassuring.

Violence

Violence will generally be very mild. Mild violence may be acceptable if it is justified by context (for example, comedic, animated, wholly unrealistic).



PG Parental Guidance – General viewing, but some scenes may be unsuitable for young children

A PG film should not unsettle a child aged around eight or older. Unaccompanied children of any age may watch, but parents are advised to consider whether the content may upset younger, or more sensitive, children.

Discrimination

Discriminatory language or behaviour is unlikely to be acceptable unless clearly disapproved of, or in an educational or historical context, or in a particularly dated work with no likely appeal to children. Discrimination by a character with whom children can readily identify is unlikely to be acceptable.

Drugs

References to illegal drugs or drug misuse must be innocuous or carry a suitable anti-drug message.

Imitable behaviour

No detail of potentially dangerous behaviour which young children are likely to copy, if that behaviour is presented as safe or fun. No glamorisation of realistic or easily accessible weapons such as knives. No focus on anti-social behaviour which young children are likely to copy.

Language

Mild bad language only. Aggressive or very frequent use of mild bad language may result in a work being passed at a higher category.

Nudity

There may be nudity with no sexual context.

Sex

Sexual activity may be implied, but should be discreet and infrequent. Mild sex references and innuendo only.

Threat

Frightening sequences or situations where characters are in danger should not be prolonged or intense. Fantasy settings may be a mitigating factor.

Violence

Violence will usually be mild. However there may be moderate violence, without detail, if justified by its context (for example, history, comedy or fantasy).







12A/12 – Suitable for 12 years and over

Films classified 12A and video works classified 12 contain material that is not generally suitable for children aged under 12.

No one younger than 12 may see a 12A film in a cinema unless accompanied by an adult. Adults planning to take a child under 12 to view a 12A film should consider whether the film is suitable for that child. To help them decide, we recommend that they check the BBFCinsight for that film in advance.

No one younger than 12 may rent or buy a 12 rated video work.

Discrimination

Discriminatory language or behaviour must not be endorsed by the work as a whole. Aggressive discriminatory language or behaviour is unlikely to be acceptable unless clearly condemned.

Drugs

Misuse of drugs must be infrequent and should not be glamorised or give instructional detail.

Imitable behaviour

No promotion of potentially dangerous behaviour which children are likely to copy. No glamorisation of realistic or easily accessible weapons such as knives. No endorsement of anti-social behaviour.

Language

There may be moderate language. Strong language may be permitted, depending on the manner in which it is used, who is using the language, its frequency within the work as a whole and any special contextual justification.

Nudity

There may be nudity, but in a sexual context it must be brief and discreet.

Sex

Sexual activity may be briefly and discreetly portrayed. Moderate sex references are permitted, but frequent crude references are unlikely to be acceptable.

Threat

There may be moderate physical and psychological threat and horror sequences. Although some scenes may be disturbing, the overall tone should not be. Horror sequences should not be frequent or sustained.

Violence

There may be moderate violence but it should not dwell on detail. There should be no emphasis on injuries or blood, but occasional gory moments may be permitted if justified by the context.

Sexual violence may only be implied or briefly and discreetly indicated, and its depiction must be justified by context.



15 – Suitable only for 15 years and over

No one younger than 15 may see a 15 film in a cinema. No one younger than 15 may rent or buy a 15 rated video work.

Discrimination

The work as a whole must not endorse discriminatory language or behaviour, although there may be racist, homophobic or other discriminatory themes and language.

Drugs

Drug taking may be shown but the work as a whole must not promote or encourage drug misuse (for example, through instructional detail). The misuse of easily accessible and highly dangerous substances (for example, aerosols or solvents) is unlikely to be acceptable.

Imitable behaviour

Dangerous behaviour (for example, hanging, suicide and self-harming) should not dwell on detail which could be copied. Whether the depiction of easily accessible weapons is acceptable will depend on factors such as realism, context and setting.

Language

There may be strong language. Very strong language may be permitted, depending on the manner in which it is used, who is using the language, its frequency within the work as a whole and any special contextual justification.

Nudity

There are no constraints on nudity in a non-sexual or educational context. There may be nudity in a sexual context but usually without strong detail.

Sex

Sexual activity may be portrayed, but usually without strong detail. There may be strong verbal references to sexual behaviour, but the strongest references are unlikely to be acceptable unless justified by context. Works whose primary purpose is sexual arousal or stimulation are unlikely to be acceptable.

Threat

There may be strong threat and horror. A sustained focus on sadistic or sexual threat is unlikely to be acceptable.

Violence

Violence may be strong but should not dwell on the infliction of pain or injury. The strongest gory images are unlikely to be acceptable. Strong sadistic violence is also unlikely to be acceptable.

There may be detailed verbal references to sexual violence but the depiction of sexual violence must be discreet and justified by context.







18 – Suitable only for adults

No one younger than 18 may see an 18 film in a cinema. No one younger than 18 may rent or buy an 18 rated video work.

Adults should be free to choose their own entertainment. Exceptions are most likely in the following areas:

- where the material is in breach of the criminal law, or has been created through the commission of a criminal offence
- where material or treatment appears to us to risk harm to individuals or, through their behaviour, to society. For example, the detailed portrayal of violent or dangerous acts, or of illegal drug use, which may cause harm to public health or morals. This may include portrayals of sadistic or sexual violence which make this violence look appealing; reinforce the suggestion that victims enjoy sexual violence; or which invite viewer complicity in sexual violence or other harmful violent activities

- where there are more explicit images of sexual activity in the context of a sex work (see below) or where the primary purpose of the images in question is sexual arousal

In the case of video works, which may be more accessible to younger viewers, intervention may be more frequent than for cinema films.

Sex education at 18

Where sex material genuinely seeks to inform and educate in matters such as human sexuality or safer sex and health, explicit images of sexual activity may be permitted.

Sex works at 18

Sex works are works whose primary purpose is sexual arousal or stimulation. Sex works containing only material which may be simulated are generally passed 18. Sex works containing clear images of real sex, strong fetish material, sexually explicit animated images, or other very strong sexual images will be confined to the R18 category. Material which is unacceptable in a sex work at R18 is also unacceptable in a sex work at 18.



R18 - To be shown only in specially licensed cinemas, or supplied only in licensed sex shops, and to adults only

The R18 category is a special and legally-restricted classification primarily for explicit works of consenting sex or strong fetish material involving adults. Films may only be shown to adults in specially licensed cinemas, and video works may be supplied to adults only in licensed sex shops. R18 video works may not be supplied by mail order.

The following content is not acceptable:

- material which is in breach of the criminal law, including material judged to be obscene under the current interpretation of the Obscene Publications Act 1959 (see Annexe)
- material (including dialogue) likely to encourage an interest in sexually abusive activity which may include adults role-playing as non-adults
- the portrayal of sexual activity which involves real or apparent lack of consent. Any form of physical restraint which prevents participants from indicating a withdrawal of consent
- the infliction of pain or acts which may cause lasting physical harm, whether real or (in a sexual context) simulated. Some allowance may be made for moderate, non-abusive, consensual activity
- penetration by any object associated with violence or likely to cause physical harm
- sexual threats, humiliation or abuse which do not form part of a clearly consenting role-playing game. Strong physical or verbal abuse, even if consensual, is unlikely to be acceptable

These Guidelines will be applied to the same standard regardless of sexual orientation of the activity portrayed.



Advice Viewings

A customer may submit works for advice at any stage of the production process.

We will inform them of the likely classification a work will receive, and where appropriate any changes required to achieve the customer's preferred classification. However advice given in such circumstances is not binding and we reserve the right to reach a different decision when the final version of the work is submitted formally for classification. If the final version of the work submitted for classification differs in any significant respect from that seen for advice, and if those changes appear to reflect advice we have given, then details of the changes will appear on our website.

Intervention

Where possible we will carry out our responsibilities through appropriate use of the classification categories, particularly in order to protect children from any potential harm. If necessary, however, we may cut or even refuse to classify a film or video work.

In some cases, we require assurances, cuts or other changes (for example, the addition of warning captions) as a condition of classification, or as a condition of classifying at a particular category. In some circumstances we may refuse to classify a work at any category. We publish details of all interventions on our website.

Cuts for category

If the submitted work is suitable for classification, but only at a category higher than that requested by the customer, we will consider whether a lower category could be achieved through relatively minor or simple changes. If so, we may offer the customer a choice of accepting either the higher or lower category (the latter with defined changes as necessary).

Cuts for category are unlikely to be available if the required changes would be very extensive or complex, or would not address for example, a tonal or thematic issue running throughout the work.

Compulsory cuts

If a submitted work raises issues or concerns that cannot be addressed by classification at a particular age category, we may require cuts or other changes as a condition of classification. Such intervention is most likely when the submitted work contains:

- material which may promote criminal activity
- material which is obscene or otherwise illegal
- material created by means of the commission of a criminal offence
- portrayals of children in a sexualised or abusive context

- material which makes sexual or sadistic violence look normal, appealing, or arousing
- graphic images of real injury, violence or death presented in a salacious or sensationalist manner which risks harm by encouraging callous or sadistic attitudes
- material which reinforces the suggestion that victims enjoy sexual violence
- material which invites viewer complicity in sexual violence or other harmful violent activities
- sex works which contain material listed as unacceptable at R18

When the issue relates to the circumstances of filming (for example, in relation to animal cruelty or public indecency) the customer will normally be given an opportunity to present evidence before a final decision is reached.

Refusal to classify

As a last resort, the BBFC may refuse to classify a work, in line with the objective of preventing non-trivial harm risks to potential viewers and, through their behaviour, to society. We may do so, for example, where a central concept of the work is unacceptable, such as a sustained focus on sexual or sadistic violence. Before refusing classification we will consider whether the problems could be adequately addressed through intervention such as cuts. In deciding whether to refuse to classify, we will keep in mind the inherent difficulty of using behavioural research to draw conclusions about real world risks, and will have regard to the full range of available evidence, including the views of the public and our own knowledge and experience.

Appeals

We offer a formal reconsideration procedure which is open to any customer dissatisfied with the determination made in respect of their work. The reconsideration is free of charge and will normally take fewer than 10 working days.

A customer may also appeal directly to an independent authority. Such an appeal may take place following, or instead of, our reconsideration. In the case of films, the customer (or any member of the public) may address itself to the local authority which licenses cinemas in a particular area. In the case of video works a customer may appeal to the Video Appeals Committee. The VAC is independent of the BBFC and can be contacted by post at **VAC, PO Box 6949, London, W1A 3TZ** or by email at **enquiries@vacappeal.co.uk**

Customers should note that a reconsideration or an appeal involves looking at the issues afresh. This means that the outcome could, in some circumstances, be more restrictive than the original determination.

Engagement with the Public

As part of our role we provide consumers, particularly parents, with as much information as possible to enable them to make a fully informed decision about what they will view. We therefore publish detailed information about the content of every film we classify. This is called BBFCinsight.



insight

BBFCinsight consists of the following:

- short content advice on film posters, some film advertising and video packaging, for example:



Strong language and sex references

- more detailed information, aimed particularly at parents, found on our website and free App

BBFCinsight is a short description of the issues found in a film or video work. It explains why an individual title received a particular classification. It highlights the key issues in a film, and gives examples of the content in the film, avoiding where possible any potential plot spoilers.

BBFCinsight also notes any other issues that might be important for parents, or those wishing to take younger viewers to see a film. This may include, for example, themes of divorce or bereavement, a film's overall suitability for family viewing and the likely familiarity of the audience with the film's source material or cast.

We encourage viewers to check BBFCinsight for a clear idea of the issues a work contains.

Websites



BBFC Website - www.bbfc.co.uk

Our website gives detailed information about every classification decision.

The website includes an online version of our Guidelines, detailed information about the different classifications, a library of our research, education tools and resources for use in the classroom and independent study, and a media centre including news and press releases.



Children's BBFC – www.cbbfc.co.uk

This website offers children clear information about how age classifications work and our role and history. It includes interactive elements, and material especially adapted for younger filmgoers and families.

The site also has an area for adults which contains information about BBFCinsight, the classification categories and details of our education and outreach work (for example, video conferencing) for schools.

BBFC App

We have a free App available to download for iOS and Android devices. It lets users check the latest film and video classifications on the go, along with BBFCinsight.

Twitter

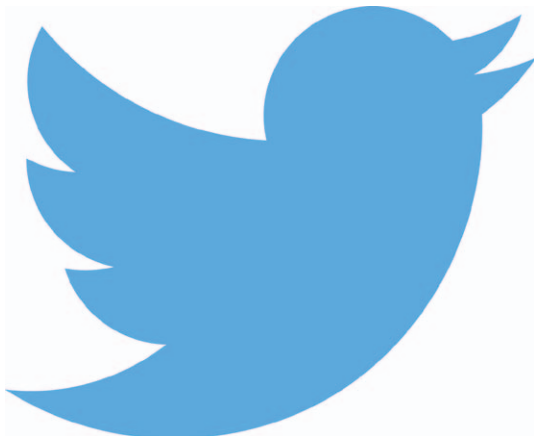
We regularly update our Twitter account, **@BBFC**, with BBFC news and the latest film and video classifications.

Newsletters

We produce regular newsletters for the industry, for those involved in education and for the general public. These give details about recent BBFC classification decisions as well as our resources, workshops and events. To sign up for any of the newsletters visit **www.bbfc.co.uk**.

Podcasts

We produce themed podcasts which feature guest interviews, discussion of recent decisions and current classification issues. The podcasts can be downloaded from the website.



Feedback

We welcome all feedback, whether positive or negative, and any comments can be sent to feedback@bbfc.co.uk, or in writing to the **Director's Office, BBFC, 3 Soho Square, London, W1D 3HD.**

For further details see the 'Contact Us' page on www.bbfc.co.uk



Annexe

Legal Considerations

The following legislation is not listed according to chronology or importance. Instead, it reflects a useful way of explaining the structure of the legal framework that applies to our work.

The Licensing Act 2003 – England and Wales Cinemas (Northern Ireland) (Order 1991) – Northern Ireland

Cinemas Act 1985 – Scotland

Cinemas require a licence from the local authority in which they operate. The licence must include a condition requiring the admission of children (anyone under 18) to any film to be restricted in accordance with our recommendations or those of the licensing authority. One of the key reasons for the licensing requirement is the protection of children, including from potentially harmful content in films.

The Video Recordings Act 1984

Video works (including films, TV programmes and some video games) which are supplied on a disc, tape or any other device capable of storing data electronically must have a BBFC classification unless they fall within the definition of an exempted work.

When considering whether to award a certificate to a work, or whether a work is suitable at a particular category, we are required by the Act to have special regard to the likelihood of works being viewed in the home, and to any harm that may be caused to potential viewers or, through their behaviour, to society by the manner in which the work deals with:

- criminal behaviour
- illegal drugs
- violent behaviour or incidents

- horrific behaviour or incidents
- human sexual activity

In considering these issues we have in mind the possible effect not only on children but also on other vulnerable people.

The Obscene Publications Act 1959 & 1964 – England and Wales

The Obscene Publications Act 1857 – Northern Ireland

The Civic Government (Scotland) Act 1982 – Scotland

It is illegal to publish a work which is obscene. A work is obscene if, taken as a whole, it has a tendency to deprave and corrupt a significant proportion of those likely to see it. Under the Obscene Publications Act 1959, no offence is committed if publication is justified as being for the public good on the grounds that it is in the interests of science, art, literature or learning or other objects of general concern.

In Scotland, case law implies a similar test would be applied. In Northern Ireland, while there is no express defence of “public good” it is likely that English law would be taken into consideration.

Criminal Justice and Immigration Act 2008 – England, Northern Ireland and Wales

Criminal Justice and Licensing (Scotland) Act 2010 / Civic Government (Scotland) Act 1982 – Scotland

It is illegal to be in possession of an extreme pornographic image. Under the Criminal Justice and Immigration Act 2008 an extreme pornographic image is one which is pornographic and grossly offensive,

disgusting or otherwise of an obscene character, which features an apparently real person, and which portrays, in an explicit and realistic way, an act which:

- threatens a person's life
- results, or is likely to result, in serious injury to a person's anus, breasts or genitals
- involves sexual interference with a human corpse
- involves bestiality

In Scotland, the Civic Government (Scotland) Act 1982, includes as "extreme" for the purpose "an act which takes or threatens a person's life" and "rape or other non-consensual penetrative activity".

Works we classify under the Video Recordings Act are excluded from the scope of the offence across the UK.

The Protection of Children Act 1978 – England and Wales

Protection of Children (Northern Ireland) Order 1978 – Northern Ireland

Civic Government (Scotland) Act 1982 – Scotland

It is illegal to make, distribute, show or possess indecent photographs or pseudo-photographs of a child. It is also illegal to make, distribute, show or possess indecent images of children which have been derived from a photograph or pseudo-photograph (for example, by tracing). Offences relating to the possession of such images are contained within the Criminal Justice Act 1988 (England, Wales and Scotland), and the Criminal Justice (Evidence, Etc.) (Northern Ireland) Order 1988. A child is defined as a person under the age of 18.

The Coroners and Justice Act 2009 – England, Northern Ireland and Wales

The Criminal Justice and Licensing Act 2010 - Scotland

It is illegal to be in possession of a prohibited image of a child. A prohibited image of a child is a non-photographic or non-pseudo-photographic image which is pornographic and grossly offensive, disgusting, or otherwise of an obscene character, and which focuses solely or principally on a child's genitals or anal region, or which portrays specified sexual acts by, of, or in the presence of a child, including masturbation, oral sex or penetration, including sexual acts with animals. A child is defined as being under 18 and an image of a child or other person can include imaginary representations. Works we classify under the Video Recordings Act are excluded from the scope of the offence unless images have been extracted from such works for the purpose of sexual arousal.

The Sexual Offences Act 2003

It is illegal to expose oneself with intent to cause alarm or distress – this offence augments the common law misdemeanour of indecent exposure. The Act also prohibits a person recording the private act of another, where the intention of the recording is for the sexual gratification of himself or a third party and where the recorded party has not consented to so being filmed.

The Public Order Act 1986 – England, Scotland and Wales

The Public Order (Northern Ireland) Order 1987 – Northern Ireland

It is illegal to distribute, show or play to the public a recording of visual images or sounds which are threatening, abusive or insulting if the intention is

to stir up racial hatred or hatred on the grounds of sexual orientation, or if racial hatred or hatred on the grounds of sexual orientation is likely to be stirred up. It is also illegal to distribute, show or play to the public a recording of visual images or sounds which are threatening if the intention is to stir up religious hatred.

In Northern Ireland the relevant group of persons may be defined not only by colour, race, nationality or ethnic or national origins, but also by “religious belief” or “sexual orientation” or “disability”.

In Scotland, the communication of material that is threatening and is intended to stir up hatred on religious grounds is an offence under the Offensive Behaviour at Football and Threatening Communications (Scotland) Act 2012.

The Cinematograph Films (Animals) Act 1937

It is illegal to show any scene “organised or directed” for the purposes of the film that involves actual cruelty to animals. This Act applies to the exhibition of films in public cinemas but we also apply the same test to video works. For the purposes of this legislation and The Animal Welfare Act 2006, only vertebrates which are domesticated or otherwise under the control of man are defined as “animals”.

The Animal Welfare Act 2006 – England and Wales

The Welfare of Animals Act (Northern Ireland) 2011 – Northern Ireland

The Animal Health and Welfare (Scotland) Act 2006 – Scotland

It is illegal to supply, publish or show or possess with intent to supply a video recording of an “animal fight” that has taken place within the UK since 6 April 2007.

The Tobacco Advertising and Promotion Act 2002

It is illegal, in the course of a business, to publish a tobacco advertisement.

Blasphemy

In Scotland and Northern Ireland, the common law crime of blasphemy exists but has not been utilised for prosecution in modern times. The offences of blasphemy and blasphemous libel under the common law of England and Wales were abolished in The Criminal Justice and Immigration Act 2008.

Human Rights Act 1998

The Act permits such restrictions on freedom of expression as are prescribed by law and are necessary in a democratic society, in the interests of national security, territorial integrity or public safety, for the prevention of disorder or crime, for the protection of health or morals, for the protection of the reputation or rights of others, for preventing the disclosure of information received in confidence, or for maintaining the authority and impartiality of the judiciary.

Other unlawful material

In carrying out its responsibilities, we will have regard to whether the material itself appears to be unlawful in the United Kingdom, or has arisen from the commission of an unlawful act.



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Age Ratings You Trust

British Board of Film Classification

3 Soho Square, London, W1D 3HD

T 020 7440 1570

www.bbfc.co.uk

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