

HAVANT BOROUGH COUNCIL

LICENSING COMMITTEE

FILM CLASSIFICATION

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 'The Prison' for exhibition at The Station Theatre, Station Road, Hayling Island

2.0 Recommendation

To rate the film 'The Prison', to be shown at The Station Theatre 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 Station Theatre is licensed for exhibition of films and wishes to show a film called 'The Prisoner', produced locally and to be shown in aid of a charity.

- 3.2 The following mandatory conditions apply to premises licensed for the 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 'The Prisoner' has been made by a Hampshire resident and they wish to exhibit it at the Station Theatre and raise some money for the theatre. 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 35 minutes long and is described by the filmmaker as follows:
The film is a modern day British take on the Stanford Prison psychological experiment into human behaviour that occurred in 1971, whereby a group of young men were placed into a mock prison environment, some in the role of guards and others prisoners, to see how their role and situation affected their behaviour. The results of the experiment were shocking and the film attempts to show the ability of an essentially good person to become 'evil' as a result of their situation.

- 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 Harris who has directed and produced the film 'The Prisoner', (much of which was filmed locally with local actors) is recommending an 18 classification i.e. to prevent any children from viewing the film.

- 4.4 Licensing Officers have viewed the film which contains swearing throughout, a scene of non-sexual nudity, a few scenes of moderate violence and mild suffering.

- 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 a venue such as the Station Theatre (i.e. 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.

5.3 Strategy: None

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

5.5 Communications: None

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

6.0 Consultation N/A

Appendices:

Appendix A – BBFC classification guidelines

Agreed and signed off by:

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Environmental Health Service Manager: 2/5/14

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