

**bbfc**

Age Ratings You Trust

# British Board of Film Classification

## Annual Report and Accounts 2013





# British Board of Film Classification Annual Report and Accounts

1 January 2013 – 31 December 2013

**Presented to Parliament  
pursuant to Section 6(2)  
of the Video  
Recordings  
Act 1984**

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An underwater scene from the animated film 'Sammy's Great Escape'. The background is a vibrant blue ocean. Several colorful fish are swimming: a large orange fish, a smaller blue fish, and a pinkish-orange fish. In the foreground, there are various types of coral, including a large, branching brown coral and a smaller, pinkish coral. A large, pinkish-orange shell is visible in the bottom left corner. The overall atmosphere is bright and colorful.

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## President's introduction

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Patrick Swaffer -  
President

This annual report reflects the work undertaken by the BBFC in my first full year as President. I have been particularly struck by the level of public trust in the organisation. It is crucial that the public - parents in particular - trusts that the classification decisions we make reflect their own sensibilities.

We therefore go to great lengths to ensure that our decisions are in tune with society's concerns about media content. With that in mind we spent much of 2013 talking to the public. We asked more than 10,000 people, including for the first time teenagers, what value they placed on classification, whether and how they use our age ratings and whether we needed to change our classification standards.

Among much valuable information derived from this research, we learned the following:

- consumers are accessing media content in more ways than ever before. On mobile devices as well as cinema screens. In different rooms in the home or on the move. The BBFC and home entertainment industry have already responded to this change by providing age ratings, on a voluntary basis, for film and video content being distributed online
- the public values the guidance we give them and they use it. 89% of film viewers rate classification as important and 95% of parents with children under 15 usually check the BBFC age rating. 76% of teenagers rate classification as important. 92% of recent film viewers agreed with our classification decisions for films and videos they had seen recently
- film and video content can be a source of worry for those with responsibility for children. Parents are concerned by the risk to vulnerable adolescents of content which can appear to normalise what they consider to be inappropriate behaviour. This includes premature sexual behaviour, drug misuse and self harm. They want us to continue to be robust in how we classify such content
- the public would like to see us give even greater weight to the theme and tone of a film, and the psychological impact of horror. They would also like us to tighten up what bad language we allow at the most junior categories and be more flexible in how we classify stronger language at the higher categories

- in relation to sexual content, the public is particularly concerned about the sexualisation of girls and pornography. The content of music videos and the ease of accessibility of online porn are special worries. In response, we are working with the recorded music industry on a pilot project for age rating online music videos

- the 12A rating is not fully understood by around a quarter of consumers. We and the film industry plan to work together during 2014 to improve understanding of this very important rating.

The BBFC's new Classification Guidelines, published in January 2014, were the concrete outcome of this consultation. They will form the basis of all our classification decisions over the next four years. We are confident that the new Guidelines meet public expectations and will ensure that the public continues to trust what we do.

The Classification Guidelines are not just for the BBFC and the public. Although we do not formally consult the film and video industry about the standards contained in the Guidelines, they perform an important function for the industry we serve. They make our decisions transparent and predictable, enabling film-makers to have a good idea from the start of the



creative process of the classification their film is likely to receive.

Video content also came under Government scrutiny in 2013. Following public consultation, the Government decided to amend the Video Recordings Act 1984 to lower the threshold at which certain videos lose their exemption from classification. These include music videos, sports videos and documentaries. The BBFC worked closely with DCMS, industry partners and other stakeholders to ensure that the changes to the Act, due in 2014, reflect public concerns and improve child protection without placing an undue regulatory burden on industry. We believe that the draft legislation meets these requirements and we look forward to the changes taking effect.

Of course, the Video Recordings Act does not apply online, where for example, most music videos are consumed. We have therefore been working with the record labels and others on bringing trusted BBFC age ratings to online music videos, building on the work already done by the music industry to bring the "Parental Advisory" tag online. We look forward to the launch in 2014 of a pilot project for the voluntary age rating of explicit music videos. We will work hard to make it a success which can be rolled out more widely and permanently to help improve child protection and consumer empowerment online.

Finally, I should like to thank Vena Raffle from the ASA and Annie Mullins who both stepped down from the Consultative Council last year and to Andy Timpson who left the Advisory Panel on Children's Viewing. I am grateful to them for their constructive and positive contributions to the work of both bodies and I am delighted that Annie is now bringing her expertise to the work of the Advisory Panel on Children's Viewing. I should also like to welcome to the Consultative Council Hamish MacLeod from the Mobile Broadband Group, Jo Poots from the ASA and DS David Gray from the Metropolitan Police.



*Alison Hastings - Vice President*



*Gerard Lemos - Vice President*

*Patrick Swaffer*

Patrick Swaffer, 2014

## Director's report

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In his introduction, Patrick discusses the importance of the Classification Guidelines, and the research which underpins them, in maintaining transparency and public trust in what we do. The launch of our new Classification Guidelines was the single most significant public statement we made over the last year. The Guidelines consultation was the most important piece of research we have carried out over the past four years.

### Protecting Children online

However, in terms of the BBFC's work, the most important developments have been in the non-statutory, self-regulatory area. 2013 saw a significant increase in our role in relation to protecting children from potentially harmful media content online.

In 2013 we classified more online video content for more content providers and more platforms than ever before. We saw a three fold annual increase in content classified under our best practice, self-regulatory Watch & Rate service for films and videos that are only being distributed online. 34 companies submitted content for a voluntary Watch & Rate classification for the first time in 2013. They included Netflix, Disney, Playboy and Universal Music.

We also welcomed key new platforms which now carry trusted BBFC ratings. These include iTunes, Samsung, FindAnyFilm.com, Kaleidescape, Lionsgate, Thehorrorshow.tv, VD.IO, Wuaki, Film 4OD, EE store, Virgin Media, BFI, and Ultraviolet. I should like to highlight one new member in particular. In 2013 Joybear became the first adult service to licence the use of BBFC symbols for its online offering. All adult content carried by Joybear will have been classified by the BBFC to ensure that the platform contains no illegal or otherwise harmful material.

In addition to displaying BBFC classification information, several of our platform partners have created parental controls which may be linked to BBFC age ratings, thereby adding an extra level of protection for children accessing film and video content online.

We have also been developing, in partnership with colleagues in the Netherlands, Ireland and Italy, a tool



David Cooke -  
Director

for the age rating of User Generated Content, either by the uploader of a video or by the crowd. The Government has been very supportive of this tool which came out of industry-led work with the Commission in Brussels to make the internet a safer place for children. In 2014, the tool will be tested through a pilot project in Italy run by Italian media giant Mediaset.

But arguably the most innovative new partnership we launched in 2013 is with the mobile industry. On 2 September, the BBFC became the regulator, on a voluntary basis, of content delivered via the mobile networks of EE, O2, Three and Vodafone.

Under this system, any content which we would classify 18 or above is placed behind adult filters. Such content includes material which promotes self harm or suicide, drug misuse, and features strong sex, or strong violent and horrific content.

Because filters are not perfect, we also provide a service to respond in a transparent and timely way to cases reported to us of over and underblocking.

Government, child protection groups and others, including the Open Rights Group have praised and supported this new and transparent way of protecting children from potentially harmful content online. It arguably provides a model for public WiFi to follow. The standards of protection afforded by the BBFC and Mobile Network Operators are quite different from those afforded by public WiFi operators. On child protection grounds, there's a strong logic for applying the same standards on both mobile and public WiFi networks.

### A strong year for film submissions

Although our Video Recordings Act work declined by 4.4% in terms of numbers of videos we watched in 2013, it was a landmark year for theatrical submissions. We processed



## Director's report

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1,042 films for theatrical release, 68 of which we offered advice on prior to classification. This marks the first time that we have processed more than 1,000 films since 1961 and continues the recent trend of strong growth in theatrical classifications. The figures reflect the broader range of films being exhibited; an ever greater exploitation of digital screens; and the popularity of the BBFC's advice service.

### Meeting our customers' changing needs

As well as ensuring continued public trust, it is vital that we continue to provide a first class service to the industries we serve. Recent independent research carried out on our behalf suggests that customers are very satisfied with the service we offer them, while accepting that we will not always agree on individual classification decisions.

Industry partners told us that they particularly value:

- communication between the BBFC and customers, including face to face discussions
- the BBFC's commitment to using new technology
- the BBFC's swift response to changes in the market
- turnaround times and fees. During 2013 the average turnaround time for a theatrical film was 2.1 days and fees remained at, or below, their 2006 levels, meaning that BBFC fees have gone down in real terms by 18% over the past seven years

We improved our service in other ways. For example, in response to industry feedback, we improved the user experience of the BBFC's extranet. In addition, following a successful trial, our new Digital VRA service went live giving customers the option to submit MPEG 4 files instead of a physical disc. This new method is cheaper, faster and more secure for our customers.

In October we introduced a new reduced tariff for student short films. This applies to theatrical works no longer than 40 minutes, made by students or first time film makers affiliated to a recognised funding scheme. The service provides

qualifying film makers the full BBFC black card experience for their short film creations at a much discounted rate.

We will continue to strive to improve our service to our industry customers over the coming twelve months.



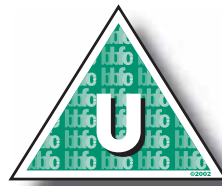
David Cooke, 2014

## Accountability

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The BBFC is accountable to both the public and Parliament. It takes this accountability seriously. This Annual Report is a key part of its fulfilment of this requirement. The Report provides a review of the activities and classification decisions of the BBFC over 2013 as well as information about our financial position as required by law. Our Reports are available on our website and placed in the libraries of both Houses of Parliament.

The BBFC views providing the public, especially parents, with detailed and accessible information about the works it classifies as another essential element of its function and accountability. This service is called BBFCinsight. BBFCinsight is published on our website and our free mobile Apps. BBFCinsight empowers parents and other viewers to make informed choices about what they and their families watch both at home and in the cinema.



## BBFCinsight: helping viewers make informed decisions

The BBFC's main website, [www.bbfc.co.uk](http://www.bbfc.co.uk), provides information about all the works classified by the BBFC.

All BBFC film age ratings come with BBFCinsight. BBFCinsight includes both a summary sentence and a longer explanation about why the film received the classification it did. BBFCinsight also provides other details parents have told us they like to be aware of, such as examples of mild bad language, or themes such as divorce or bereavement that might not impact on the age rating but which might upset some children. Parents may find a short summary of BBFCinsight on DVD and Blu-ray packaging and cinema posters. We publish more detailed BBFCinsight on the website and the BBFC iPhone and Android Apps. BBFCinsight is available for every film and video game we classified since Autumn 2007.

The BBFC website allows users to watch trailers classified U to 15 for new films and to find out where they can see a film at the cinema, watch it online, or buy it on DVD or Blu-ray, by clicking on a direct link to

FindAnyFilm.com. FindAnyFilm.com is an industry supported website that provides information about where to watch, buy, download, stream or rent legitimate film. Operated by the IndustryTrust for IP Awareness, FindAnyFilm.com carries BBFC age ratings and BBFCinsight for all film, DVD, Blu-ray and online content classified by the BBFC.

During January to March 2013 cinemas showed a trailer before theatrical features to help promote awareness of BBFCinsight. We also ran the trailer on our website throughout the year.

The BBFC also worked on a joint public campaign with the IndustryTrust for IP Awareness to promote the importance of accessing legitimate film, DVD, Blu-ray and online and age appropriate viewing, by using FindAnyFilm.com and BBFCinsight.

The BBFC continued to communicate with the public through the @BBFC twitter account, regular BBFC podcasts and email newsletters, and through blogs for the Huffington Post UK.



# insight

## Put yourself in the picture

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The BBFC generally receives a relatively small number of complaints about its classification decisions, and this continued to be the case in 2013. The BBFC responds to every email and letter providing the rationale for its decision and addressing any specific points raised by the correspondent. Public feedback is important to the BBFC. It provides an immediate response to BBFC decisions and helps shape the research and large scale public consultations carried out at each review of the BBFC Classification Guidelines.

The 12A theatrical classification of *Jack Reacher* generated the most feedback in 2013, with a total of 26 complaints. Despite a number of reductions made to scenes of violence to achieve a 12A certificate, those who contacted us considered the film too violent, dark and sadistic for twelve-year-olds, and inappropriately presented the hero as a vigilante figure. The film is occasionally gritty and realistic, but the overall tone and treatment of the violence is similar to recent 12A action films such as the Bourne series and does not exceed the Guidelines at 12A. The film is relatively restrained in showing injury or blood, with no undue focus on the suffering of the victims and the *Jack Reacher*

character is quickly established as an 'anti-hero'.

The 15 classification for *The Paperboy*, starring Nicole Kidman and Zac Efron, received twelve complaints. Correspondents commented on what they considered graphic and explicit sexual scenes in the film and queried whether it should have been classified 18. While the film contains some strong sexual references, both verbal and visual, the detail in these scenes does not

exceed the Guidelines at 15. There is no gratuitous focus on the characters' bodies and the sight of the sexual mechanics is impressionistic and undetailed. The BBFCinsight for the film reads 'Contains strong language, sex, sex references, violence and gory images.'

*The Wolverine* was classified 12A in the summer of 2013. Twelve members of the public contacted the BBFC, with several arguing that language featured in the film was



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1 *Life Of Pi* 'PG'

2 *Jack Reacher* '12A'

3 *The Impossible* '12A'



## Letters from the public

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unacceptable at 12A. Parents thought it was particularly unacceptable for the Wolverine character to use strong language. There is a single use of strong language in the film, noted in the BBFCinsight, plus moderate and mild bad language throughout. At 12A/12 the Guidelines for language state 'Moderate language is allowed. The use of strong language (eg 'f\*\*\*') must be infrequent.'

A number of comments sent to the BBFC in 2013 referred to trailers screened before feature films. Correspondents voiced concern that the genre of films advertised was sometimes not appropriate for the genre of the feature presentation, for example, a trailer for a horror film being shown before a comedy. Trailers for *You're Next* and *The Conjuring* were highlighted as being particularly unsettling when shown before films such as *Alan Partridge: Alpha Papa* or *The World's End*. The BBFC is only involved in the classification of trailers, and has no direct involvement in the programming of screenings. Although the BBFC is stricter in its classification of trailers than features the key requirement is that no trailer should be shown as part of a programme if it has a higher age rating than the feature presentation. If members of the audience are concerned about the choice of trailers shown at a screening we advise them to contact the cinema with their feedback.

*Life Of Pi*, released at the end of 2012, generated ten complaints in 2013 regarding its PG classification. The feedback highlighted concern about the scenes showing animals attacking each other being too distressing for children. Some moments in the film might be sudden and shocking but the attacks are quick, with little sight of injuries or gore. Any sight of blood is kept to a minimum and the focus of the film is on Pi's resourcefulness and courage.

Ten complaints were sent to the BBFC about the classification of *The Impossible*, a film about the survival of a family during and following the 2004 Boxing Day tsunami. Concerns focused on the injury detail shown in the film, which was felt to be too graphic for 12A. The portrayals of injuries were handled with restraint and sensitivity. At 12A/12 the Guidelines state 'Moderate violence is allowed but 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'.

*About Time*, directed by Richard Curtis, received six complaints about its 12A classification. Correspondents were concerned about language and sexual references in the film, and thought it should be classified at 15. Our 12A/12 Guidelines state 'use of strong language must be infrequent'. The five uses of strong language in the film are mitigated by the manner in which they are used, in the overall context of a feel good comedy, as are the visual and verbal sex references.

We continued to receive feedback via the ParentPort website in 2013. In addition to being able to raise concerns about film and DVD content, the site now also enables parents to send comments about internet content available via mobile networks. While we recommend that concerns are first raised with the relevant network operator, unresolved issues can be brought to the BBFC's attention via ParentPort or direct through our website.

Positive feedback was received throughout 2013 for our ongoing 'From The Archive' website feature. Established in 2012, these articles offer a unique insight into our historic classification decisions by showcasing original paperwork from the archive files of the BBFC. In 2013 we published original examiner reports for films including *Die Hard*, *The Prime Of Miss Jean Brodie*, *Jurassic Park* and *Star Wars*.

The highlight of the BBFC's education programme in 2013 was the launch of a new children's website, [www.CBBFC.co.uk](http://www.CBBFC.co.uk), in September. The website features new and interactive content, for children and their parents, including classification information for the latest film releases, timelines explaining the history of film classification and education resources, such as the popular rate a trailer activity and a page dedicated to understanding 12A.

The new CBBFC website launched with a competition for children, which challenged them to draw pictures representing the correct audiences for each age rating. We received over 130 entries. The winning designs feature on a poster resource and leaflet which is available as a free resource for schools.

Our Education department continued to host BBFC seminars for large numbers of students engaging in traditional areas of study (AS/A2, GCSE, BTEC and University students studying film, media and regulation) as well as more general groups, such as film festival goers and students on school enrichment programmes. These events, plus student interviews and larger interactive webcast events, allowed us to speak to over 11,000 people during 2013. Further visits to schools across the UK involved 185 sessions ranging from seminars and lectures to screening introductions, at 117 external locations.

Our largest collaboration in 2013 was with the newly launched National Youth Film Festival where we hosted fourteen screenings of films across the UK, speaking to almost 1800 children and teenagers.



We also took part in the Hay Literary Festival in May, talking to younger audiences, in collaboration with the charity, Film Club. We spoke at large screenings at the Cinemagic International Film and Television Festival in Northern Ireland. BBFC sessions also featured at the Gloucester Film Festival, the Thurrock International Film Festival, the Leeds Youth Festival, the Zoom festival in Wales, and at the BFI's Media Regulation Day.

To ensure we reached adults, older students and education professionals, we presented to teachers at the BFI media studies conference; discussed the history of horror at public talks in Picturehouse cinema venues; and met young people entering the film industry at BFI film academies in Manchester and London.

Education resources produced for students in 2013 included a new poster for secondary classrooms, with concise introductions to BBFCinsight, the examining process, how films are rated, foreign language films, and the BBFC's history. Over 700 posters were requested by UK education institutions over the year. Our education newsletter, which highlights key education events and new website

resources including Case Studies, also continued to grow in popularity in 2013.

Our ongoing, almost permanent dialogue with children and young people enables us to understand their views on film and film classification. During 2013 we continued to use our education work to hear the views of young people through regular student surveys, completed by schools, colleges and other students taking part in BBFC seminars and events. We analysed our second student survey, which gathered young people's views about the role of BBFC and the ratings of recently released films. We received responses from 928 students from 38 educational establishments. The results showed that 81% 'totally' agreed or 'mainly agreed' with the classifications of films they had seen recently, while 83% of under-18s like to find out what's in a film before they see it. We will continue to survey students in this way during 2014.

To help raise awareness about age inappropriate piracy online amongst children and teenagers, we took part in a joint campaign with the Industry Trust for IP Awareness, in August. As part of the campaign an online study asked 1,000 UK 11-15-year-olds about their online viewing habits and found that around one in five young film fans (18%) admit they have been disturbed by films they have watched on pirate websites and about two thirds (65%) of all those surveyed wish they had checked the film's BBFC age rating first.





## Research

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As Patrick Swaffer says in his introduction, our research effort in 2013 was dominated by the large scale public consultation into the BBFC's Classification Guidelines. Involving seeking the views of over 10,000 adults and teenagers, this was the fourth such consultation since 1999. The results of the consultation fed directly into the BBFC's latest Classification Guidelines, published in January 2014.

The research and analysis of the results took most of the year. Patrick Swaffer discusses the main findings of the consultation in his introduction.

These findings arose from both qualitative and quantitative research methodologies. The consultation began with a qualitative stage in which members of the public watched films and videos and fed their views on content in those works back to us through focus groups. We then

tested much of the emerging findings through quantitative research which gave us statistically robust results on attitudes towards, for example, the use of bad language in films.

As a result of this major research project, we are confident that we understand what the public expects in terms of classification standards, and that by applying those standards, we will continue to enjoy high levels of public trust.

1 *The Pirates! In an Adventure with Scientists! 'U'*





1 Behind the Candelabra '15'

There was a rapid increase in the amount of video-on-demand content submitted to us by digital customers in 2013, an increase of over 200% on submissions made during 2012. 34 new companies submitted video-on-demand content for classification and we continued to work closely with the UK's leading video-on-demand platforms. The public can expect to find BBFC ratings on iTunes, BT Vision, Talk Talk, BlinkBox, FilmFlex, Sainsbury's, PlayStation and Xbox. They are available for customers who are building Ultraviolet collections and can be seen on the seatback entertainment systems on Virgin and British Airways.

Watch and Rate, our video-on-demand only ratings service, continued to prove versatile and valuable. Universal Music used it to acquire ratings for their extensive catalogue of music content. Twentieth Century Fox used it to get ratings for the trailers that they make available to their retail partners. Netflix submitted all of its original content, including *House of Cards*, *Hemlock Grove*, *Arrested Development* and the other new series they premiered on their service.

Our work in this area continues to receive public support. BBFC research in 2011 showed that 85% of the public consider it important to

have consistent BBFC classifications for video-on-demand content, with this figure rising to 90% among parents of children under 16. Video-on-demand platforms are increasingly reflecting this public wish. In 2013 a number of platforms decided they would only accept content for sale on their platform if it carried a BBFC classification. We continue to work with them and with their suppliers, to make getting such a classification as quick and easy as possible.

Working with the Dutch media regulator, NICAM, the BBFC designed a user generated content rating tool that can be used to provide ratings for content uploaded to video sharing websites. The tool allows viewers to rate content themselves with the ratings adapted to suit the requirements and expectations of the country in which they are viewing the video.

The growth of online entertainment is likely to accelerate as broadband speeds grow faster and the public consumes content in new and different ways. We will continue to evolve our online classification services in line with the public desire to see BBFC age ratings online, making it easier and quicker for our digital customers to obtain them.

## Mobile content

In 2013 the Mobile Broadband Group appointed the BBFC to provide the independent framework they use to filter internet content available via mobile networks. The framework is a key component of the Mobile Operators' code of practice, established in 2004, and was previously devised by the Independent Mobile Classification Board (IMCB).

Mobile Operators in the UK began to use the Mobile Classification Framework designed by the BBFC to filter video and website content available via mobile networks on 2 September 2013. The Classification Framework defines content that is unsuitable for customers under the age of 18 and is based on the BBFC's Classification Guidelines for film and video. The Guidelines are based on large scale public consultations involving more than 10,000 people and are revised every 4-5 years.

The Classification Framework enables the mobile operators to calibrate filters they use to restrict access via mobile networks to age inappropriate internet content, including entire websites, by those under 18.

The Classification Framework does not cover content or sites that are already regulated, including online advertisements, sites which supply age restricted goods or services, or premium rate voice or SMS text only services.



This self regulatory partnership between the mobile operators and the BBFC brings trusted, transparent and consistent BBFC standards for regulating content accessed via mobile networks. It protects children by restricting adult content to adults only. The Classification Framework is a living document which will be updated regularly to reflect evolving public attitudes and societal concerns.

The BBFC provides a free appeals complaints procedure under the Classification Framework. It is open to any website owner, content provider, consumer or any other person, who is dissatisfied with the application of the Classification Framework to a specific piece of content available via mobile networks.

Between September and December 2013 we received six appeals, with all but one of these concerning over-blocking of material that would not be classified 18 or above under BBFC Guidelines. Those appeals where content was found to be over-blocked

dealt with a range of material and themes, some of which could be considered controversial, but none which would be classified 18 or above under BBFC Guidelines.

One complaint concerned under-blocking. A member of the public reported several chat forum threads on a website ranging from jokes about the Bin Laden family, to images with a sexual element, and a thread encouraging members to post pictures of people they would rape, described as a 'Rape Gallery', alongside written comments about raping these individuals. The BBFC reviewed the content on 5 November 2013 and partially upheld the complaint. Much of the humorous content was aimed at adolescents and was suitable, under BBFC Guidelines, for 15 year olds. This content therefore did not require restriction to adults only. However, the BBFC considered that the 'Rape Gallery' posed a non-trivial harm risk by presenting women as rape targets. We concluded that it would be classified at least 18 under BBFC Guidelines, and might potentially be refused classification altogether. The website owner consequently removed the 'Rape Gallery' from the website.

The BBFC makes available a quarterly report detailing each appeal made to the BBFC under the Classification Framework during that quarter, including the outcome of each case. This report can be found on the BBFC website.





## Enforcement

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Under the terms of the Video Recordings Act 1984 (VRA) it is illegal to supply an unclassified work on DVD, Blu-ray or any other video format in the UK, unless it is exempt from classification. The BBFC provides support to police and Trading Standards Officers by issuing Certificates of Evidence in respect of seized videos. In 2013, the BBFC

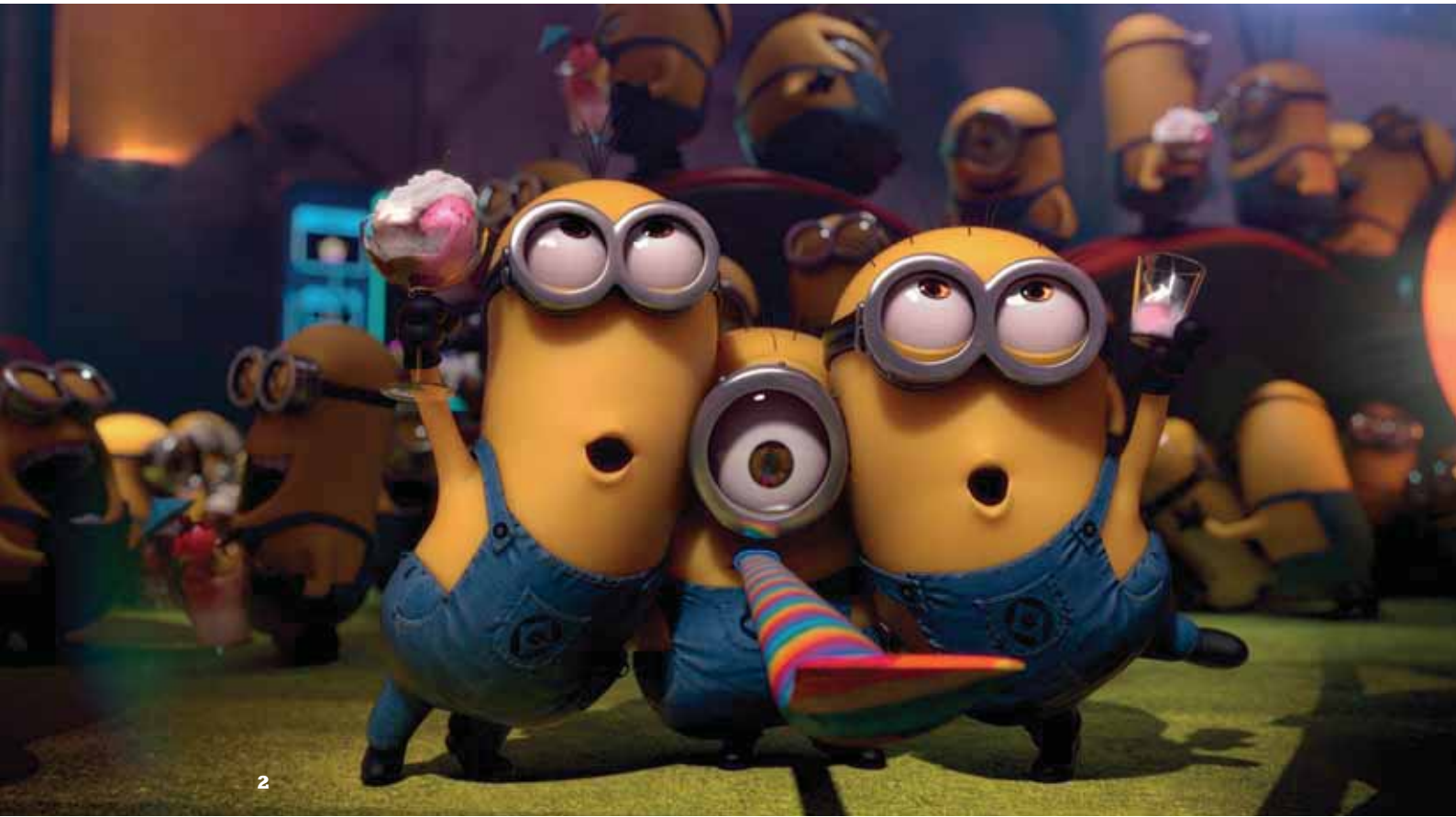
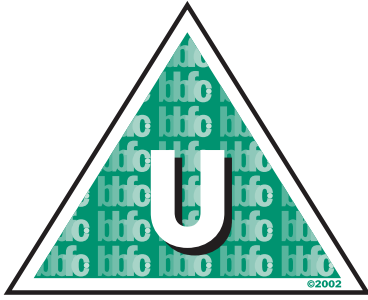
processed fifty-one cases (comprising 1,158 works in total). In June the BBFC hosted an exhibition stand at the annual Trading Standards Institute (TSI) conference. This helped to promote the BBFC's services and provided the opportunity to discuss a range of matters with Trading Standards Officers.



1

1 *The Secret Life of Walter Mitty* 'PG'

2 *Despicable Me* 2 'U'





## U - Universal



The BBFC's Guidelines state that 'a U film should be suitable for audiences aged four years and over. U classified films should be set within a positive moral framework and offer reassuring counterbalances to any violence, threat or horror'. Although U is the lowest of the film categories, U films are not always entirely free of issues. When deciding whether a film can be classified U, the BBFC takes into account specific issues such as bad language, threat and horror, violence and imitable behaviour, drug references and sex references and innuendo, whilst also considering more general aspects such as genre, tone and impact.

Bad language continues to be a matter of concern to the public and to parents in particular. At U, there may be 'infrequent use only of very mild bad language'. **Sammy's Great Escape** is an animated film, aimed at younger children, about a baby turtle who is captured along with some of his underwater friends. They are taken to a giant aquarium, where the babies are separated from the adults and must work together to devise an escape plan. The film contains one emphatic use of 'frigging', which we do not consider to be very mild language and which seemed out of place within the otherwise benign tone of the film. The distributor chose to remove the word in order to ensure that the film was suitable for young children.

Exceptionally, there may be films classified U which contain terms that are not usually permitted at that level, but for which there are mitigating factors. In **Ernest et Célestine – Ernest and Célestine**, a subtitled French language animation about an orphan mouse who meets and becomes friends with a large bear called Ernest, there is a single subtitled use of 'bloody'. It is spoken by an older character who is addressing a young mouse. The speaker immediately realises that the use of the term is ill-advised, comically correcting herself by using the term 'stinky' instead. This both challenges and addresses the use in a way that makes it clear this is a bad word. The film also contains many positive messages about understanding, tolerance and friendship which are appropriate for young children and consequently we classified the film U.

Horror can sometimes present issues at the U category. Although many young children enjoy the thrill of being scared, the Guidelines at U state that 'scary sequences should be mild, brief and unlikely to cause undue anxiety to young children. The outcome should be reassuring.' Two notable films containing scary sequences during 2013 were **Despicable Me 2** and **Monsters University**. **Despicable Me 2** features a cartoon villain who has developed a toxin that turns

people and creatures into ferocious monsters. For most of the film, it is the principal characters, the comic yellow 'minions', who turn purple and snarl and bark threateningly. However, in one key scene, the toxin is used on a human, who is transformed into an enormous and dangerous looking monster, with wild hair and huge teeth. Although this comes across as a little scary, the hero soon intervenes and there is a quick resolution to the danger. The film is classified U with the BBFCinsight 'Contains very mild scary scenes and slapstick violence'.

**Monsters University** is an animated fantasy prequel to **Monsters Inc**. It tells the story of how the young monsters, Mike and Sulley, first become friends and learn to be scary. Mild but comic scary scenes occur when the 'monster' students have to learn how to scare their 'victims'. There are several scenes in which monster characters creep into mocked up bedrooms, in which dummies have been placed as 'victims' to be scared. The characters growl at the dummies in order to test how scary they can be. The University Dean and Librarian are bossy female monsters with tentacles and wings. Although initially intimidating, they are also figures of educational authority, framed within a positive moral framework. All scenes of threat are brief, mild and comic in nature, take place within a fantasy world, and are balanced by reassuring outcomes.

1 *Sammy's Great Escape* 'U'

2 *Ernest Et Célestine* 'U'



A different kind of threat is posed in the film *Chimpanzee*, a natural world documentary showing how a family of chimps survive life in the harsh environment of the rainforests of the Congo. In one scene, the mother of a baby chimp is killed by a leopard, but this is not seen. In other scenes, the family group comes under attack from a rival family of chimpanzees. The scenes are very discreetly presented, however, and the documentary ultimately has a happy and uplifting ending. The film, likely to have universal appeal, is treated in a manner that is suitable for the youngest viewers and is classified U with the BBFCinsight 'Contains mild wildlife threat'.

An issue which the BBFC must consider across all categories is that of imitable behaviour. At the U level, there should be 'no potentially dangerous behaviour which young children are likely to copy'. In the video cartoon compilation *Tom & Jerry Kids Show*, Jerry removes a fuse from a fuse box, giving Tom an electric shock when he places his hand inside. However, the fuse box is old fashioned in style and does not resemble a modern circuit-breaker box. Therefore, the scene is unlikely to be copied and we classified it U, as an example of typical slapstick.

In *The Smurfs 2*, the villain Gargamel falls down the length of the Eiffel Tower, bashing into the side of the structure before ending up landing

head first in a fountain. Gargamel's magic 'party trick' is to conjure up lightning, giving a number of the Smurfs mild shocks, although no apparent injury is caused. *The Smurfs 2* is classified U with 'mild slapstick violence' included in the BBFCinsight.

Not all U films are aimed at, or likely to appeal to, young children. One such film during 2013 was the documentary *Rockshow*, featuring Paul McCartney and his band Wings. A slightly modified version of the film, which had previously been classified U in 1980, was submitted to the BBFC with some additional songs and interviews. The BBFC's Guidelines on drugs at U state that there must be 'no references to illegal drugs or drug





## U - Universal

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misuse unless they are infrequent and innocuous, or there is a clear educational purpose or anti-drug message suitable for young children'.

**Rockshow** contains a few drug references in song lyrics, for example: 'the tension mounts, you score an ounce'. However, these references are oblique, indirect and undetailed and are unlikely to register with younger viewers. The references are

sufficiently innocuous to be permitted at U, in this context.

At U, there may occasionally be mild sex references or innuendo. In **Tooned 50**, an animated series about the McLaren Formula One team, there is some very mild innuendo, such as a man offering to 'sign those babies' for a female fan, after which it's revealed that he's signed a couple of bald baby

heads. There is also a reference to a "pair of massive hairy ... sideburns", which featured enough of a pause to allow older viewers to imagine something other than facial hair. A couple of men who lavish outrageous praise on each other are also told to 'get a room'. This innuendo is all very mild and playful and the video is classified U.



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1 *Smurfs 2* 'U'

2 *Percy Jackson - Sea of Monsters* 'PG'







## PG – Parental Guidance

Works classified PG are generally suitable for children aged eight years and over, but may contain material that departs from the safe and non-threatening world presented to younger children in films or videos classified U.

2013 saw several high-profile PG releases that were too intense for a U audience. These included **Frozen**, the latest animated feature from Disney, which tells the story of a young princess in search of her troubled older sister, who has left their kingdom in permanent winter. The film is full of songs and comic elements, along with positive messages about caring, bravery and selflessness. Nonetheless, some sequences in which characters are threatened by wild animals and snow monsters are too intense for very young or more

sensitive children. Accordingly, the film is classified at PG.

Many children enjoy the 'rollercoaster' thrills offered by films in which young heroes face dangerous challenges as part of a quest. Those elements are present in the fantasy adventure sequel **Percy Jackson – Sea Of Monsters**, based on the popular books by Rick Riordan and inspired by ancient Greek myths. The film contains a number of sequences in which the teenagers fight frightening creatures, but the emphasis is firmly on their bravery and resourcefulness. Although some of the violence results in injuries, the audience is reassured that the characters are not generally harmed because of their super-human abilities, as 'demi-gods'. In line with the first instalment, the film is classified PG.

2013 also saw the return of an older film to scare and delight a new generation of children: Steven Spielberg's 1993 dinosaur adventure **Jurassic Park**. This time the film had been upscaled to the 3D IMAX format, arguably increasing the intensity of what was already a stronger PG. However, the widespread popularity and familiarity of **Jurassic Park** meant that most viewers taking younger children along knew exactly what to expect, permitting its long-standing PG classification to be maintained. Like **Frozen** and **Percy Jackson**, the film focuses on the ingenuity and strength of its child characters, reassuringly balancing any scary scenes with comic moments.

The key issue with film such as **Frozen**, **Percy Jackson** and

1 *The Harry Hill Movie 'PG'*

2 *One Direction: This Is Us 'PG'*

3 *The Secret Life of Walter Mitty 'PG'*



*Jurassic Park* is the intensity of the experience for a young audience, rather than any effect they might have on children's subsequent behaviour. However, the BBFC also takes account of elements that children may copy, whilst acknowledging the fact that older children are less likely than very young children to copy behaviour that is obviously dangerous or comically exaggerated. In the case of *The Harry Hill Movie*, there is sight of a character drinking petrol and then burping flames. The BBFC carefully considered these scenes but concluded that the well-known comic context, based on a popular TV show, together with the fact the character is reprimanded for this behaviour, allow the scenes at PG, albeit with a clear warning about potentially dangerous behaviour in the BBFCinsight.

One issue that raises concerns about possible imitation by the young, as well as more general concerns about 'suitability', is bad language. The BBFC's Guidelines permit only mild bad language at PG, with stronger terms restricted to 12A and above. *Justin Bieber's Believe* has clear appeal to a PG audience and some efforts had been made to obscure strong language that occurs during a scene in which Bieber is besieged by reporters and angry words are exchanged. Nonetheless, although the stronger language was already partially obscured, it was still possible to make out the nature of the language being used, both because the 'bleeping' of the words was inadequate and because the words could still be identified by the speaker's lip movements.



The distributor chose to increase the masking of the strong language by adding additional bleeping and blurring of mouth movements, in order to secure a PG classification. Another music documentary, *One Direction: This Is Us*, featuring a band with a similar appeal to Justin Bieber, contains only mild bad language and is classified PG without cuts.

Strong language was also an issue with the documentary *Project Wild Thing*, which deals with the subject of children losing their connection with nature in modern society. In the film, the director attempts to promote the benefits of the natural world to children and their parents.

During one scene he becomes frustrated as he rehearses a speech and uses strong language, which again had been 'bleeped' by the film makers, but insufficiently well. The company chose to obscure the word more completely, resulting in a PG classification for mild bad language and infrequent mild sex references.

Some works which have little or no obvious appeal to children, but which treat their themes and issues in a suitably restrained, discreet and sensitive manner, may also be classified PG. For example, *Saving Mr. Banks*, starring Tom Hanks and Emma Thompson, is based on the true story of Walt Disney's attempts to acquire the film rights to the 'Mary Poppins' books from the writer P.L. Travers. The film contains scenes of emotional upset in which the young Travers must deal with various family problems, including her father's alcohol-related illness and what is implied to be a suicide attempt by her desperate mother. These scenes, and the themes of childhood trauma, are handled discreetly and sensitively, in a way that helps the audience understand the person and the writer that Travers became and why she was so protective of her most famous fictional creation.

Another example of a film not specifically aimed at children is *The Secret Life Of Walter Mitty*, a comedy starring Ben Stiller, about an office employee who daydreams







## PG - Parental Guidance

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about having a life full of adventure and excitement. In this case, the company chose to show the film to the BBFC for advice, ahead of its formal submission. Such advice screenings can assist companies in ensuring they achieve their preferred classification. The original version of *Walter Mitty* included a shot in which a man is threatened with a broken glass during a bar fight, and sight of some 'pin up' pictures of naked women on the wall, in the background of another scene. These would be appropriately classified at 12A. Subsequent to this advice, the distributor prepared an edited version of the film and submitted it for formal classification. The film is classified PG for infrequent moderate violence, mild language and sex references.

*National Theatre Live – The Audience*, a filmed performance of Peter Morgan's play starring Helen Mirren, which shows the Queen in a series of private audiences with various Prime Ministers during her reign, raised an unusual issue when Margaret Thatcher is reported to have referred to a Commonwealth Heads of Government Meeting as 'Coons Holidaying on Government Money'. Mrs. Thatcher claims that her husband was responsible for the comment. The discriminatory language is permissible at PG in this reported context, partly because of the historical nature of the references, but also because the use of such language is clearly seen to be highly inappropriate and disapproved of.

Discriminatory language and attitudes also appeared in a cinema re-release of the classic *Gone with the Wind*, which is long-established at the PG level. The film contains dialogue exchanges in which slaves and former slaves are referred to as 'darkies', reflecting the ingrained racism of the period in which the film is set. The presence of 'dated discriminatory terms' is highlighted in the BBFCinsight.



12A

©2002

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The 12A category is awarded to films that are suitable, in general, for those aged 12 and over. An adult may take a younger child if, in their judgement, the film is suitable for that particular child. In such circumstances, responsibility for allowing a child under 12 to view the film lies with the accompanying adult. To help adults make such a judgement, the BBFC provides BBFCinsight, available on the BBFC website and free Apps. BBFCinsight describes significant moments in the film, including key classification issues such as bad language, sex, nudity and violence. The 12 classification is the equivalent category for video works. No one under 12 may buy or rent a video classified 12.

Action blockbusters are often submitted to the BBFC with requests for 12A classifications. However, in line with films such as those in the 'Bourne' and 'Bond' series, it is important that any depiction of violence and threat is only moderate in nature, and that the results of any violence do not focus on injuries or blood. Often, companies will submit unfinished versions of films to the BBFC for 'advice', in order to ensure that a major release is within 12A parameters. Such was the case with **A Good Day to Die Hard**, the latest instalment in the 'Die Hard' franchise. The BBFC advised the distributor that an incomplete version of the film would be classified 15 for strong language and strong violence. As a

result of this advice, the distributor made changes to the film prior to formal submission, in order to remove some stronger moments of violence and to reduce the amount of strong language. The version submitted for formal classification is classified 12A, although an extended version for DVD/Blu-Ray release, which reinstates some of the material removed at the 'advice' stage, is classified 15.

Violence and injury detail was also the key issue with another sequel that was seen for advice: **Hunger Games: Catching Fire**. Unlike with **A Good Day to Die Hard**, we advised the distributor of this film that **Catching Fire** was likely to be permissible at their preferred 12A

1 *Mandela Long Walk To Freedom* '12A'

2 *The Missing Picture* '12A'





classification without any changes. Whereas the original *Hunger Games* was cut for a 12A in 2012, both at the advice stage and at the formal classification stage, this first sequel features less in the way of bloody detail. Additionally, because the combatants in the 'hunger games' are now older, compared with the young children seen in the original, the treatment of the theme of violence is less contentious.

The 'Die Hard' series and the 'Hunger Games' trilogy both present violence, threat and injury within a context that is fictional and therefore distanced to some degree from reality. By contrast, other films present violence and injury within a real life, and therefore more

realistic, context. *The Impossible* focuses on a family who survived the 2004 Indian Ocean tsunami. As well as some scenes of sustained 'natural disaster' threat, there are a number of scenes presenting detail of death and injuries. Although potentially upsetting, the film's emphasis on the triumph of the human spirit over adversity, as well as the positive resolution, at least for the film's protagonists, mean that *The Impossible* is rated 12A.

Another dramatised account of real-life events is *Mandela: Long Walk To Freedom*, a biopic of the late South African leader Nelson Mandela. The film charts Mandela's rise in the anti-apartheid movement,

his subsequent twenty-seven year incarceration, and his release and election as President of post-apartheid South Africa. The film contains scenes of police brutality and violence against innocent black South Africans, including the killing of young men, women and children. The BBFC considered the historical significance of the film's story, and the discretion with which the violence and brutality is presented. The film is classified 12A with BBFCinsight advising that it contains moderate violence, language, sex and distressing scenes.

Tackling similar issues, but in a documentary context rather than a dramatised one, *The Missing Picture* follows a man's harrowing



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experiences during the Khmer Rouge in Cambodia. Because of the lack of photographic evidence of the crimes committed by the Khmer Rouge, the film maker reconstructs events, including torture and atrocities, using simple clay figurines. Although the events described and depicted are disturbing, the use of still clay figures provides a certain level of distancing. This distancing, together with the documentary context of the work, allowed it to be classified within the Guidelines at 12A.

Violence can be a particular issue when it comes to South Asian cinema, where films intended to be viewed by a 'family' audience often feature stronger levels of violence than are permissible under the

BBFC Classification Guidelines for family viewing in the UK. South Asian films are an important element of the BBFC's work and a record number of 'Bollywood' and regional South Asian films were classified for cinema release in 2013, ranging from audience-friendly blockbusters like *Chennai Express* to edgier romantic comedies like *Shuddh Desi Romance*.

*Chennai Express* stars Shah Rukh Khan, in a cross-cultural musical romance. A slightly bloody and extended final fight sequence places it at the higher end of 12A. By contrast, *Ghanchakkar*, a Hindi heist thriller, contained some moments of strong violence, including a gunshot to the head and a stabbing in the throat. The

company chose to re-edit the film in order to secure a 12A classification.

*Singam II* is a Tamil language action sequel in which a tough policeman single-handedly takes on the criminal underworld. The film includes sequences of strong bloody violence, including the police hero shooting several characters, resulting in blood spurts. The distributor removed the stronger elements of violence and bloody detail in order to secure its preferred 12A.

Just as the depiction of violence, threat and injury detail must remain moderate in order to qualify for a 12A or 12, so must the depiction of sex, or the discussion of sexual themes.

*The Invisible Woman* portrays an illicit affair between Charles Dickens

1 *The Invisible Woman* '12A'

2 *Lad - A Yorkshire Story* '12A'



and a younger woman. One scene shows a young woman moving on top of her husband in bed. Although the scene clearly establishes that sex is taking place, it does not exceed the 12A/12 Guidelines which state that sex may be 'briefly and discreetly portrayed'. There is no nudity and no detail of sexual activity and the scene is relatively brief.

In contrast to *The Invisible Woman*, the film *Lad: A Yorkshire Story*, included a scene in which some teenage boys look at a pornographic magazine, with brief sight of fully naked women posing in a sexual fashion. Although briefly shown, these images go beyond the Guidelines at 12A and the distributor chose to remove them in order to secure a 12A classification.

Sex references led to both the lowering and raising of established classifications on older works

that were resubmitted for modern classifications. Federico Fellini's *La Dolce Vita* had been classified 15 for video release, prior to the introduction of a 12A or 12 certificate. However, when resubmitted for a theatrical re-release in 2013, it was obvious that the moderate sex references and language are sufficiently dated and the film is now classified 12A. The same was true of the moderate sex references in John Hughes' *Ferris Bueller's Day Off*, now classified 12A.

A slightly more challenging case was *Terms of Endearment*, a romantic drama from 1983 starring Jack Nicholson and Shirley Maclaine, also classified 15 on video prior to the introduction of the 12A or 12. The film portrays a mother and daughter relationship as they handle their emotional relationships in differing ways. In one scene, a couple joke about making various sex noises and

refer to female sexual arousal. These references could be considered crude in another context. However, the characters in this case are depicted as a tender, loving couple and the references are less likely to offend the audience. On this basis, the BBFC re-classified the film from 15 to 12A.

It is easy to conclude from this that reclassification of older works is a one way street. However, a resubmission of the popular and well-known 1980 comedy *Airplane!* illustrates how standards may also tighten over time, in this case not only for sex references but drug references. The film has been PG on video for over twenty years, but its moderate sex references, including the use of a blow-up doll, plus comic scenes of drug abuse, including cocaine snorting and glue sniffing, go beyond the BBFC's present Classification Guidelines at PG. Given how well known the film is, through multiple





**12A Cinema 12 DVD**



TV screenings in particular, we concluded that a 12A would provide sufficient warning about what are highly comic and exaggerated scenes.

Scenes of drug use also raised concerns in the case of some new films, including *Udhayam NH4* and *Honey Bee – It's Trippin'*: two examples of Tamil language films in which scenes of drug use

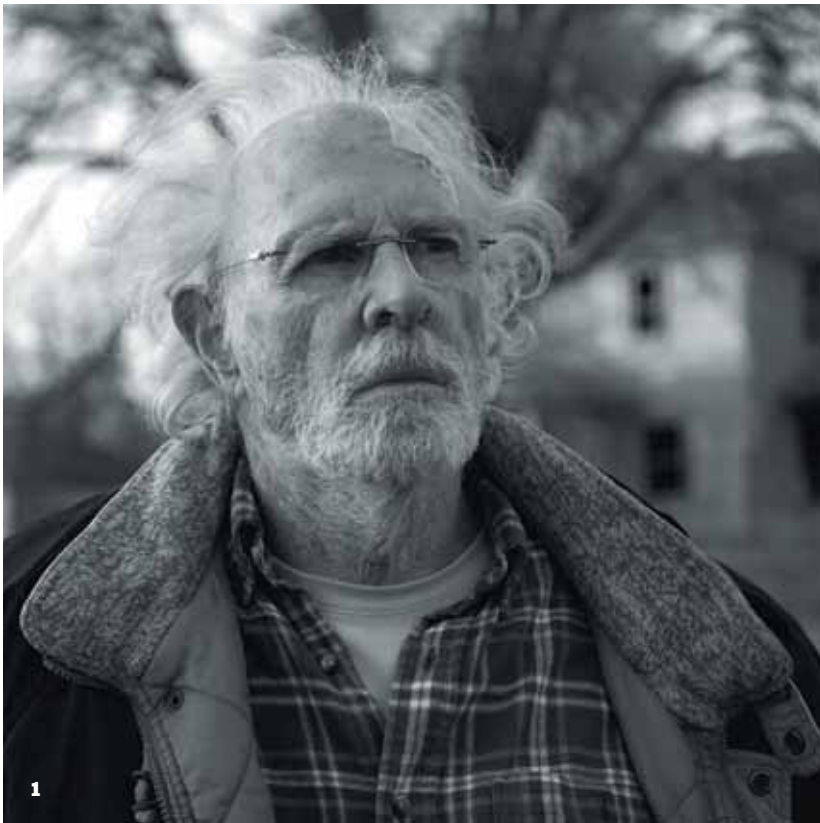
were cut in order to achieve a 12A. *Udhayam NH4* contained a scene in which a woman snorts cocaine in a bathroom and some moments of strong violence. The distributor chose to remove these scenes to achieve its preferred 12A classification. Similarly, in *Honey Bee – It's Trippin'*, the distributor opted to excise scenes of joint smoking and bong use, presented in an appealing fashion, to secure a 12A classification.



- 1** *Terms of Endearment* '12A'
- 2** *Ferris Bueller's Day Off* '12A'
- 3** *Dom Hemingway* '15'







During 2013, a number of films classified 15 featured challenging themes. **Paradies Hoffnung – Paradise Hope** is a German language drama about a thirteen year old girl who is sent to a summer diet camp, where she becomes infatuated with a middle-aged doctor. The film contains a number of strong sex references as teenage girls talk about their sexual experiences and expectations. However, it is apparent that the remarks usually say more about the teens' own growing sexual awareness than about any real life experiences they have had. In one scene, the main character is pawed over by a young man when she is drunk, but there is no nudity or stronger sexual activity.

**Compliance** is a US drama, based on real events, in which a fast food restaurant manager takes a call from a man who claims to be a police officer. The caller tells the manager that a female employee has been accused of theft and requires that the woman be detained and progressively searched and interrogated. The instructions he gives are unthinkingly followed by the manager and others, leading to an escalation of humiliation and abuse. Although disturbing, the

abusive acts are portrayed with some discretion and only limited nudity. The focus is primarily on the reactions of the participants and on the effect of the actions on the victim.

**The Act Of Killing** is a documentary about the suppression of Communist insurgents in Indonesia in the mid-1960s. The filmmaker interviews many of the leaders of the army that carried out the killings and invited them to act out their memories using their favourite films: this leads to some re-enactments based on famous gangster movies. The verbal descriptions of the manner in which victims were tortured and executed are graphic and detailed. The perpetrators speak about these acts with some relish, as they do about acts of rape carried out prior to a mass killing. The BBFC classified the film 15 for graphic verbal descriptions of torture and killings and strong sex references

**Blackfish**, another documentary deals with incidents in which people, chiefly animal trainers, have been injured or killed by captive killer whales. The film contains archive footage showing incidents in which humans have been attacked by killer

whales, as well as incidents in which the whales themselves have suffered bloody injuries. The sustained focus on injuries caused to humans and whales, as well as some protracted scenes in which trainers are injured or threatened, create a sufficiently strong impact to require a 15 classification.

Sometimes, language will require a film to be awarded a 15 classification. **Dom Hemingway** is a British crime drama in which a safe-cracker is released from prison and seeks money owed by his former partners. The film contains nine uses of very strong language. Seven of the uses are self directed or comic in nature. The other two are directed aggressively between men, but are not accompanied by any physical violence. Both of these uses are justified as part of an emotional and drunken outburst, which the character later comes to regret. The BBFC's Guidelines at 15 state 'The strongest terms (for example, 'c\*\*t') may be acceptable if justified by the context. Aggressive or repeated use of very strong language is unlikely to be acceptable.'

If **Dom Hemingway** represents the upper limits of the 15 category, in terms of language, **Nebraska** and **Papadopolous & Sons** represent the lower end. **Nebraska** is classified 15 for a single use of the term 'c\*\*ksucker', while **Papadopolous & Sons** is classified 15 for seven uses of strong language. The BBFC's Guidelines at 12A/12 state that 'The use of strong language (for example, 'f\*\*k') must be infrequent', whilst BBFC policy states that terms such as 'c\*\*ksucker' are not normally permitted below 15.

Sex may also be a classification issue at 15. The BBFC's Guidelines on sex at 15 state that 'Sexual activity may be portrayed 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.' **Thanks For Sharing** is a US drama about the attempts of several people to overcome their sex addiction by attending group therapy sessions and supporting one another. There are some strong scenes of sexual activity and two scenes in which characters watch pornography and masturbate. No strong detail is shown in the two latter scenes and masturbation is only implied. The

1 *Nebraska* '15'

2 *Behind the Candelabra* '15'

film also contains strong verbal sex references, most of which occur within the context of sex addiction therapy. This restrained treatment places the film within the BBFC Classification Guidelines at 15.

***Behind The Candelabra*** is a US biopic about the pianist and entertainer Liberace's relationship with one of his lovers. There are some sex scenes between Liberace and his lover, although there is no strong detail or nudity in these scenes. Stronger images are briefly shown when Liberace is seen watching pornography, although they are on a TV monitor, seen in the background, and little detail can be made out.

***Apres Mai - Something In The Air*** is a French language drama set in the years following the political and

social unrest of 1968. It concerns a young French art student who is torn between his political idealism and his personal ambitions. The student's work includes several paintings and sketches depicting sexual activity. In one scene, the artist is flicking through a book of black and white photographic images, seeking inspiration for his own work, when some strong sexual images are briefly seen. However, the images are not focussed upon and the context is artistic, rather than sexual. The film also contains a number of scenes featuring drugs. One scene shows a woman preparing heroin by heating it up over a candle before drawing it up in a syringe. However, no actual injection is shown. There are scenes in which cannabis is smoked, both in the form of joints and from pipes, reflecting student culture in the early

1970s. However, the film as a whole does not promote or encourage drug misuse. The film is classified 15 for strong sex, nudity and drug use.

The BBFC's Guidelines on sexual violence at 15 state: 'There may be detailed verbal references to sexual violence but any portrayal of sexual violence must be discreet and have strong contextual justification'.

***Después De Lucía (After Lucia)*** is a Spanish drama about a teenage girl who moves to a new school following the death of her mother. Here she becomes the target of a sustained campaign of bullying. The film is classified 15 for distressing scenes of bullying, including sexual assault. The bullying is portrayed in a realistic and upsetting manner, and contains scenes in which the girl is set upon by male students who attempt to sexually







assault her. These scenes are brief, there is no strong detail, and the film does not endorse the bullying.

The BBFC's Guidelines on violence at 15 state: '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 or sexualised violence is also unlikely to be acceptable'. In the action comedy sequel **Kick-Ass 2**, the teenage crime fighter, 'Kick-Ass', joins a group of other makeshift superheroes in order to fight a criminal gang. As in the first film, the violence is generally staged in a cartoonish manner, featuring rapidly edited and highly choreographed moves, displaying the fighting skills of those involved rather than dwelling on the infliction of injuries. There are also a number of scenes in which weapons are displayed and handled, including by a young female character

who is shown to be proficient in their use. These feature within a context of comic excess which emphasises the idea that the character has been trained to be an assassin from a young age. The film is classified 15 for strong bloody violence, sex references and very strong language.

**Trance** is a British crime thriller in which an auction house employee conspires with a criminal gang to steal a valuable painting. Most of the violence and associated gore in the film features in scenes of shootings and a scene of torture, in which a man has his fingernails pulled off. The film also contains two sex scenes, both of which are brief and show little detail, and a scene of full female nudity, as a woman emerges from a bathroom having shaved her genitals. **Trance** is classified 15 for strong bloody violence, gore, sex, nudity and strong language.

**Machete Kills** is a sequel to the film **Machete** and concerns a hero who is sent on a mission to Mexico to prevent a missile attack on America. The central character is frequently seen using a machete to decapitate and dismember people who attack him. The violence is portrayed in a tongue-in-cheek manner, with resulting injuries shown with deliberately fake-looking effects for comic intent.

**Machete Kills** is classified 15 for strong bloody violence, strong language and sex references.

Strong bloody violence also features in **Waar**, a Pakistani action thriller in which Pakistani military intelligence personnel track down a group of fundamentalists and foreign agents who are plotting a wave of terrorist attacks. In the Hindi language action drama **Mumbai Mirror**, a police officer is drawn into conflict with

- 1 **Kick-Ass 2** '15'
- 2 **Machete Kills** '15'
- 3 **Trance** '15'

both a local gangster and his corrupt police colleagues in a film that also includes several scenes of drug use. **Aadhi Bhagavan** is a Tamil language drama about rival gangs and a ruthless policeman who is hunting them down. It is classified 15 for strong language and bloody violence and some scenes of torture and execution.

**The Railway Man** (classified in 2013, released in 2014), is a drama based on a true story and concerns a man who is haunted by memories of his time as a Japanese prisoner of war. The film features a scene of torture in which the main character is 'waterboarded' by his captors, as well as other scenes in which prisoners of war are shown being kicked and beaten with canes, resulting in some sight of bloody injuries. The sustained nature of the 'waterboarding' scene in

particular required a 15 classification.

Similar issues to those found in **The Railway Man**, feature in **Captured**, a military training video from 1959 based on the experiences of soldiers captured during the Korean War. One scene depicts a soldier subjected to waterboarding during an interrogation. The scene is too sustained and detailed at the 12 level and the film is consequently classified 15.

As in previous years, some films classified PG-13 in the US (a category which allows films to be shown to children of all ages, with the caveat that parents are cautioned that 'some material may be inappropriate for children under 13') were classified 15 in the UK, rather than 12A. These included the action horror drama **World War Z**, the comedy film **The**



3



2





**Incredible Burt Wonderstone**, and **Parkland**, a drama about the assassination of President Kennedy and the events that occurred over the next few days.

**A Good Day To Die Hard** was cut by the distributor to reduce elements of violence, in order to secure a 12A for its cinema release. The film was subsequently submitted in its uncut version on DVD and classified 15.

Five short films offering sex and relationship advice to young people with learning disabilities were submitted for classification. They were created by a charity and funded by Bradford Council. Although one film is classified 12, the other four are classified 15, chiefly because of some explicit line drawings showing sexual activities. Although the drawings were unusually explicit at 15, the educational nature of the works, the positive messages they contain, plus the fact they are likely to be used in a suitably mediated context, meant the images did not require an 18 classification in this context.

The Norwegian coming of age drama **Fa Meg Pa, For Faen – Turn Me On**, Dammit concerns a teenage girl and her sexual fantasies. At one point, the girl claims that a teenage boy pressed his erect penis against her; when he denies this, she is ostracised by her friends. The film contains brief sight of the boy with an erection apparently protruding from his trousers. Because the actors in the film were all aged between 16 and 18, the BBFC sought confirmation from the film-makers that body doubles were used and that the penis was a prosthetic. The film is classified 15 for strong sex, sex references, strong language and soft drug use.

As in previous years, a number of films were re-submitted for re-release on film, DVD and BluRay, where an 18 classification previously awarded was no longer appropriate according to current standards. In many cases, the films were over twenty years old and their power or impact had diminished to the extent that they are now acceptable at 15. These films included **Do The Right**

**Thing, Marked For Death** (which also had previously cut violent detail reinstated), **The Long Riders** (which still required cuts to remove cruel tripping of horses) and **Heaven's Gate** (which also still required cuts to remove cruel tripping of horses and real cockfighting).



- 1 *The Railway Man* '15'
- 2 *The Incredible Burt Wonderstone* '15'
- 3 *Maniac* '18'



Where concerns arise about content in works at lower categories they can usually be dealt with by giving a higher classification. But at 18 the only option may be to cut or refuse to classify a work. BBFC Guidelines at 18 therefore reflect a desire to balance concerns about protecting rights to freedom of expression with a need to protect vulnerable individuals, and wider society, from the possible harmful effects of some film and video material. This position corresponds with the legal framework within which the BBFC operates; including the Human Rights Act 1998, the Video Recordings Act 1984, and the Obscene Publications Acts 1959 and 1964. The BBFC's Classification Guidelines, which are based on large scale public consultation, respect the right of adults to decide for

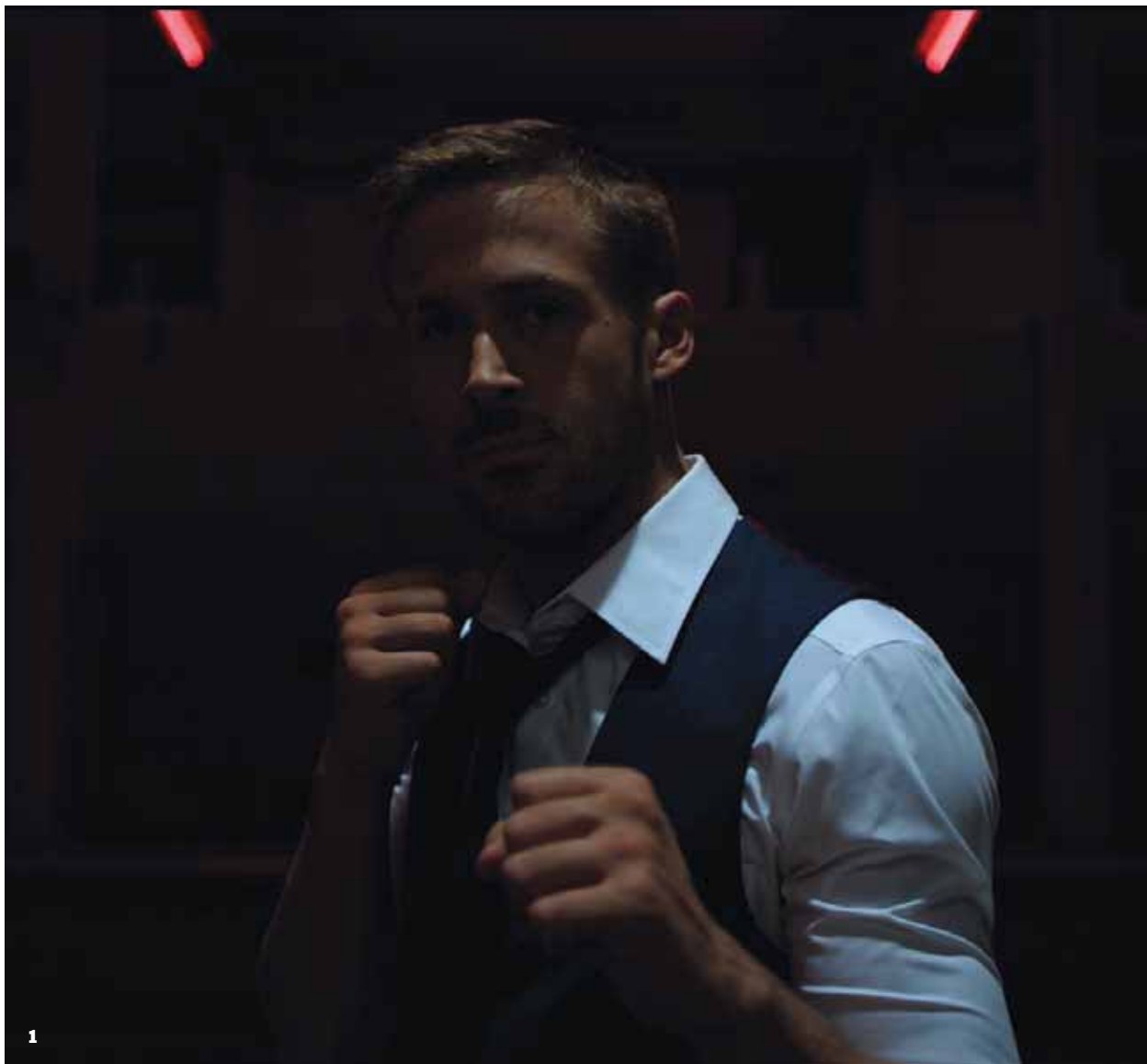
themselves what to watch, as long as it is within the law and does not pose a credible harm risk.

Since its amendment in 1994, the Video Recordings Act has placed a duty on the BBFC to have 'special regard (among other relevant factors) 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; or human sexual activity'. Throughout 2013 the BBFC has continued to give special regard to harm issues, using classification at 18 where appropriate and cutting material where necessary.

When it comes to horror films, the BBFC does not intervene merely

because of the possibility that these works might alarm or shock. Indeed the likely audience chooses to watch such films because they enjoy being frightened. However, the BBFC does ensure that the young and vulnerable are protected. Works featuring strong threat and menace which is sadistic or sexualised are likely to be classified at 18. At 18 horror works may also contain stronger gory images that are unacceptable at 15. Other 18 indicators may include the work being rooted in the real world, as opposed to a fantastical setting, horror that is played straight with little or no humour or irony, and sexual terrorisation.

The horror sequel, **Grave Encounters 2** sees a group of student filmmakers investigate the mysterious deaths of a TV crew at a



1

1 *Only God Forgives* '18'

2 *Stranger By The Lake* '18'





2

supposedly haunted former hospital. In one scene a victim is pummelled to death with a camera, with close focus on blood and gore from the point of view of the weapon. The strong violence and horror, with a dwelling on the infliction of pain and injury, required the film be classified 18.

**Dead End** is a British horror about a family who are kidnapped and tortured by a group of violent outsiders, following a road rage incident. There are several scenes of strong violence, including bloody stabbings, the smashing of a man's head into a toilet and sequences of torture, as well as sexual threat, with all of these combined resulting in an 18 classification.

Another work classified 18 for strong bloody violence and gory horror is **Evil Dead**, a remake of the 1981 film, in which a group of friends travel to a remote cabin in the woods where they inadvertently unleash a demonic force. Sight of self-mutilation by demon-possessed characters and strong bloody injury includes the cutting off of an arm and other acts of dismemberment, which are shown in detail.

In **The Amityville Asylum** a young woman becomes a night shift cleaner at a mental institution in Amityville. An 18 classification was required for strong violence and gore, including blood spraying and pooling following gunfire, and for a scene in which an inmate slices into his own cheek with a blade and uses his fingers to peel away the flesh.

**A Nightmare on Elm Street**, the 1984 Wes Craven horror which introduced the character Freddy Krueger, was re-released in cinemas in 2013. It was originally classified 18. Scenes in which a young woman's stomach is cut open before she is thrown around her room, and a scene in which a man is ejected from his bed by a huge fountain of blood and gore, meant the film was again classified at 18.

**Maniac** is a remake of the 1980 horror film in which a psychologically disturbed individual stalks and kills women. The film is shot from the killer's point of view, showing his pursuit of victims and some bloody detail from his attacks. However, the attacks are not portrayed as sexually motivated and the obvious and severe nature of his mental illness

provides some distancing from his violent actions. The film is classified 18.

The British horror film **Little Deaths** consists of three short films and was submitted for DVD release. One of the films sees a couple invite a homeless woman to their house, where they drug and rape her. Cuts were required to remove sight of the rape victim being ejaculated and urinated upon.

Some of the most challenging material considered by the BBFC in 2013 concerned representations of sexual violence. The BBFC's Guidelines state that portrayals of sexual or sexualised violence which might, for example, eroticise or endorse sexual assault are likely to be cut even at 18.

**I Spit on Your Grave 2** is a rape revenge horror in which a woman is repeatedly, brutally raped before going on to torture and kill her attackers. The distributor of the video sought the BBFC's advice on an incomplete version and was informed that twenty seven cuts would be required across six scenes to remove various elements of sexual





1 Maniac '18'

and sexualised violence. Without these changes the video would be refused a classification. When the video was formally submitted, all the requested cuts had been made and it is classified 18.

In 2013 *Baise-Moi*, a French feature from 2000 which was originally cut for 18 in 2001, was classified 18 without cuts for DVD re-release. Under BBFC policy on sexual violence, which was updated in 2013 following a major piece of original research, the original cuts were no longer required. Brief sight of sexual penetration during a rape scene was thought to heighten the sense of violation, encouraging viewer sympathy, rather than arousal.

*Ilsa, Harem Keeper of the Oil Sheiks* was refused a certificate when it was originally submitted to the BBFC in 1977. In 2013 it was submitted on video for DVD release and passed 18 without cuts. While there are scenes in which women are abused and experimented upon with a 'love machine', these now appear dated and unrealistic and do not raise credible harm concerns. Another film in this series, *Ilsa*

*The Tigress of Siberia*, had not previously been submitted to the BBFC. In 2013, it was also classified 18 without cuts for DVD release.

The arguments that relate media effects to harm are a good deal less convincing where violence without a sexual element is concerned and the BBFC's treatment of non-sexual violence at 18 reflects this. The BBFC remains confident the differentiation in its treatment between sexual and non-sexual violence is substantiated by the available evidence and, additionally, research undertaken to inform the BBFC Guidelines shows the general public supports this position.

As in previous recent years, no cuts were made on grounds of violence alone.

In Ridley Scott's *The Counsellor*, there is a scene in which a thin wire is wrapped around a man's neck, tightening and cutting into the flesh. It severs his fingers before decapitating the man in a scene which contains strong bloody detail and consequently requires an 18 classification.

The Chilean film, *Bring Me the Head of the Machine Gun Woman* features a number of scenes of strong bloody violence, with one scene in particular showing a man's blood and intestines gushing from his body after it is implied he is repeatedly anally penetrated. These scenes of strong bloody violence, and further strong gory images, exceed the BBFC Guidelines at 15 and the film is classified 18 accordingly.

*Gangs of Wasseypur II*, the second part of a Hindi crime drama, contains numerous scenes of brutal fighting and killing. In one of these a man is repeatedly stabbed before his killer is shown holding the victim's decapitated head. The drawn out nature of the scene, and the sadistic and bloody detail, require an 18 classification.

Set in Bangkok, *Only God Forgives* contains scenes of bloody violence and sight of bloody injury and torture, which require an 18. These include a man being cut open and another man being pinned to a chair with skewers, before having his eye gouged out and being killed with a spike through his ear.

Under the BBFC's Guidelines, more explicit images of sexual activity must be justified by context, if they are to be allowed at 18. In the context of works whose primary purpose is sexual arousal or stimulation, (ie. 'sex works') images of real sex will normally be confined to R18.

***Paradies Glaube - Paradise Faith***

is a German drama, the second film in a trilogy, which follows a middle-aged Catholic woman who spends her holiday attempting to convert people. There is a scene in which the woman encounters a group of people having sex in a park at night. Brief sight of erections, masturbation and fellatio are seen at a distance in the semi-darkness. These scenes require an 18 classification, but are permissible at that level, in context.

Another film classified 18 for strong real sex is ***Stranger by the Lake***, a French drama about a man who becomes romantically involved with a dangerous stranger. The film centres on events that occur at a 'cruising' spot. Two of these scenes include brief sight of unsimulated masturbation, ejaculation and fellatio, illustrating what goes on at the spot in question.

***I Want Your Love*** is a US drama about a man who is forced to leave San Francisco because he can no longer afford to live there. There are a number of scenes in which men engage in real sex, including masturbation, fellatio and ejaculation. Although some of the sexual acts are presented explicitly, the film is a relationship drama and not one where the primary purpose is sexual arousal or stimulation.

***Michael H. - Profession: Director***

is a French and German documentary profiling the work of the filmmaker Michael Haneke. It is classified 18 for strong bloody violence and explicit images of sex. The documentary includes clips from his 2001 film ***The Piano Teacher***, one of which features explicit images of unsimulated sex seen on the covers of pornographic magazines. These scenes have already been classified 18 in the release of ***The Piano Teacher*** itself.

***Interior. Leather Bar.*** is an experimental documentary submitted for DVD release that seeks to reconstruct and illustrate content that was deleted from ***Cruising***, the 1980 film directed by William Friedkin. It is classified 18 for sequences which take place in a sadomasochism themed gay club, which include sight of unsimulated fellatio and masturbation, illustrating the type of content that was 'censored' from the film in the United States.

***Unfaithful*** is a European experimental work, submitted for DVD release and classified without cuts at 18. A filmmaker invites a man to his apartment to conduct an experiment about sex. Most of the film consists of long conversations between the two men. However they also engage in sexual activity, including sight of real fellatio. The more explicit moments are brief and not the main focus of the work.

In 2013 there was a small decrease in the number of explicit pornographic works submitted to the BBFC. 529 works were submitted in 2013, representing a four per cent decrease on 2012. The proportion of R18 works subject to cuts in 2013 was fifteen per cent. This continues to reflect the BBFC's strict policies on material which combines sexual detail with activity which is illegal, harmful, abusive, or involves a lack of consent or the infliction of pain or injury.

The BBFC made cuts to a number of works to remove abusive and potentially harmful activity, including choking and gagging during deep throat fellatio and instances of oxygen restriction during sexual activity. Cuts were also made to remove abusive scenarios which portray a lack of consent.

The BBFC does not allow at R18 penetration with objects likely to cause actual harm, or objects associated with violence. Consequently, in 2013 cuts included the removal of potentially harmful penetration with objects which could cause physical harm. In making these decisions the BBFC continues to draw upon expert research carried out in 2006 into violence and abuse in R18 sex works. The results of this research may be found on the BBFC website.

The BBFC also continues to cut material in accordance with current interpretation of the Obscene Publications Acts 1959 and 1964 (OPA), which includes, but is not limited to, sexualised urination. In consultation with enforcement agencies and in order to ensure that the BBFC's policy is consistent with current interpretation of the legislation, the BBFC may pass brief and isolated examples of limited sexualised urination, so long as there are no harm concerns arising under the Video Recordings Act 1984 (VRA) and where there is no realistic prospect of successful prosecution under the OPA.

## Video Games and associated media

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From 30 July 2012, and with a few exceptions, the responsibility for age rating video games lies with the Video Standards Council (VSC), applying the PEGI system. The BBFC continues to be responsible for classifying all games featuring strong pornographic content (R18 level), as well as content and ancillary games attached to a wider and primarily linear submission.

Non integral linear material, which may form part of a game, must be sent to the BBFC by the VSC for a determination of suitability as this content may affect the overall classification of a game. In 2013, this included add-on material for a number of video games.

At the VSC's request, the BBFC examined linear material from **Grand Theft Auto V** consisting mainly of animated spoof episodes of TV shows and spoof advertising. The material includes infrequent very strong language, and strong sex references. Also present were references to racism, drugs and scenes of drug misuse. The BBFC informed the VSC that this content did not go beyond BBFC Guidelines at 15.

The BBFC also looked at extra material for the game **Zumba World Party**. This consisted of various short segments showing the dancers involved in making the interactive

'Zumba World Party' visiting different parts of the world, learning local dances that they can incorporate into their Zumba routines. The game also includes a section on 'burlesque', but there is no nudity or directly sexualised content present. The BBFC advised the VSC that this content did not go beyond the BBFC Classification Guidelines at U.

The game **NHL 14** features interviews with the ice hockey player, Wayne Gretzky who discusses his career, plus textual material relating to the sport of ice hockey. The BBFC determined that none of this content went beyond what could be classified at U.

A games compilation called **The Basement Collection** features interviews and games footage, along with infrequent use of strong language, and in one clip sight of a drawing of a blow up sex doll. All of this content falls within the 15 Guidelines and the BBFC advised the VSC accordingly.

A video trailer for **Metal Gear Solid V Ground Zeroes** features sight of an injured soldier with bloodied face and clothing, with further blood splattering onto the camera lens during combat between soldiers. The BBFC informed the VSC that this content was a 15 under BBFC Guidelines.

The BBFC must have regard to several pieces of legislation that sometimes affect the classification of works. The Human Rights Act 1998 (HRA) requires the BBFC to ensure, among other things, that a film maker's freedom of expression is not unfairly infringed by its classification decisions. The Act permits such restrictions on that freedom of expression as are prescribed by law and are necessary in a democratic society for the protection of health and morals or the prevention of crime and disorder. If the BBFC does intervene with a work the intervention must be proportionate to the breach concerned. Although no specific issues with the HRA arose in 2013, its application is something that remains at the forefront of the BBFC's approach when classifying material.

The Video Recordings Act 1984 (VRA) is the legislation that underpins the classification and supply of age-rated audiovisual works in the United Kingdom and features prominently in the BBFC's deliberations. Apart from setting out the requirement to have works classified, the VRA also requires the BBFC to pay special regard to material that may cause harm to its potential audience. It goes on to provide a list of subjects which the BBFC must consider. Those subjects are: criminal, violent or horrific behaviour, illegal drugs and human sexual activity. Cuts made under the VRA are referred to throughout this Report.

The application of Obscene Publications Acts (OPA) of 1959 and 1964 tends to be limited to the BBFC's classification of pornography. A work will be potentially considered obscene if it has a tendency to deprave and corrupt a significant proportion of the audience who are likely to see it. In 2013 a number of works required cuts to remove material that was deemed likely to be obscene under current interpretation of the Act, and this discussion is continued in the R18 section of this Report.

Under the Protection of Children Act 1978 (POCA), it is a criminal offence to exploit children by making or distributing indecent photographs or pseudo-photographs of them. The BBFC will refuse to classify works that contain indecent images of children (deemed to be those under 18). Because the term 'indecent' is not defined in law, the BBFC has sought

legal advice in the past and continues to seek legal advice, where necessary, on a case by case basis. The BBFC also seeks proof of age for younger looking performers in pornographic works. The Coroners and Justice Act 2009 introduced a further offence of possessing a 'prohibited image of a child'. Under this legislation a prohibited image of a child covers non-photographic pornographic images of child abuse which portray any of a specific range of acts. It further strengthens the law on child pornography.

The Cinematograph Films (Animals) Act 1937 prohibits the exhibition of a film in a public cinema if any scene within it has been 'organised or directed' in such a way as to involve the cruel infliction of pain or terror on any animal. The word 'animal' is defined as any domestic animal (tame or sufficiently tamed to serve some purpose for the use of man) or any vertebrate which is in captivity or confinement. It is the BBFC's policy to apply the Act equally to works submitted for video classification. The Urdu language film *Main Hoon Shahid Afridi* required cuts to sight of two quails fighting, in a scene that was orchestrated by the filmmaker. In 2013, the 1980 feature *Heaven's Gate* was resubmitted for DVD and Blu-ray release. Sight of cockfighting and of horses being tripped in a cruel fashion were removed before the film could be classified. These cuts were also made when the film was originally classified X in 1981 and 18 for VHS release in 1986. DVD releases of the 1961 film, *Battle at Bloody Beach*, and the 1957 film, *The Restless Breed*, also required cuts to cockfighting scenes, as did an episode of the TV drama series *The Borgias*. DVD releases of the 1965 film, *The Bounty Killer*, the Italian-Polish film, *Siege Lord 2*, the Chinese film, *Saving General Yang*, and the 1980 film, *The Long Riders*, were all cut to remove footage of horses being tripped and made to fall in a cruel and dangerous manner.

The Criminal Justice and Immigration Act 2008 is relevant to the BBFC's work. A key feature of this legislation is the offence of the possession of extreme pornography. Material classified by the BBFC under the VRA is excluded from the definition of extreme pornography. In order for a work to be in breach of this legislation it must be pornographic (produced

solely or principally for the purpose of sexual arousal), be grossly offensive, disgusting or otherwise of an obscene character and, in an explicit and realistic way, portray an act which threatens a person's life; an act which results, or is likely to result, in serious injury to a person's anus, breasts or genitals; an act which involves sexual interference with a human corpse; or a person performing an act of intercourse or oral sex with an animal (whether dead or alive). Cartoon images are not caught by this Act.

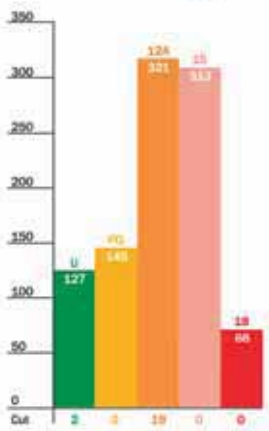
### Rejects

Films, DVDs or digital media which contain unlawful or potentially harmful material will, where possible, be cut. If this is not possible because, for instance, the cuts are so extensive or complex that a viable release cannot be salvaged from the remaining material, or if the distributor refuses to make the required cuts, then a work may be refused a classification altogether. In 2013 no film or video works were refused a classification.



# Statistics

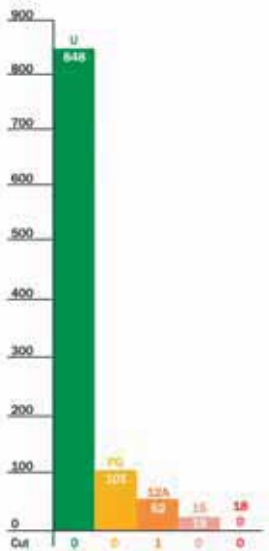
## Cinema Film 974



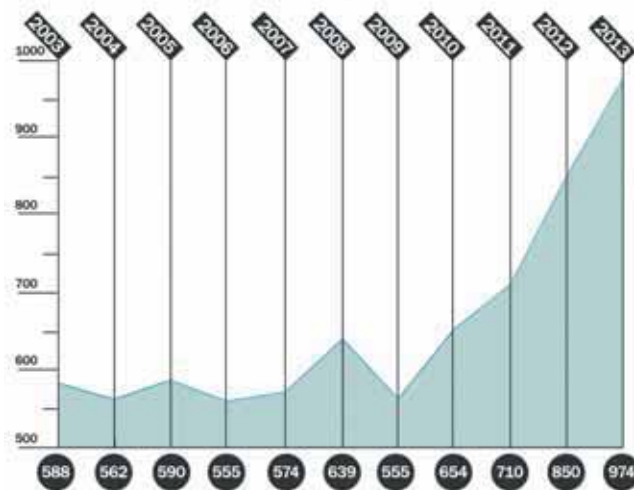
## Film statistics 2003-2013

	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013
U	60	41	63	53	36	69	53	81	102	87	127
PG	132	102	100	92	104	117	83	110	98	150	145
12A	153	148	153	160	159	178	143	174	215	234	321
15	186	222	218	198	222	227	226	226	239	315	313
18	56	49	55	52	53	48	50	63	56	64	68
R18	1		1								

## Cinema advertisements 1020



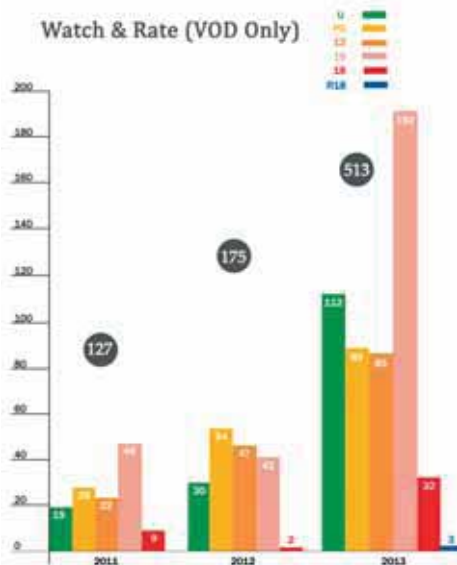
## Film submissions 2003-2013



## Cinema trailers 866



## Watch & Rate (VOD Only)



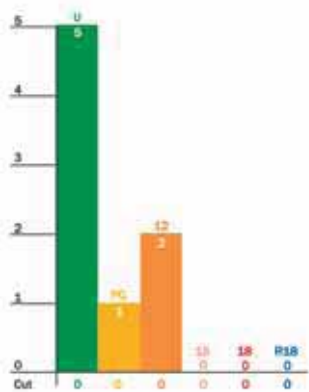
Video 8213



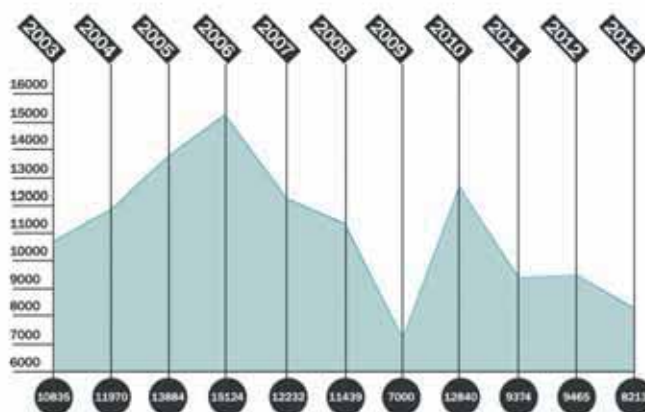
Video statistics 2003-2013

	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013
U	185	133	66	66	19	15	7				
PG	2306	2931	3314	3217	2603	2024	985	2204	2137	1833	1448
12	2579	2882	3615	4399	2864	2681	1527	2584	1564	1552	1361
15	1759	1853	2379	2928	2600	2625	1773	2971	2271	2293	2010
18	2474	2491	2832	3071	2438	2481	1738	3234	2349	2778	2481
R18	1128	1062	1222	1077	997	939	465	809	517	451	393
Rejected	1409	1397	1243	1218	1161	897	955	1125	623	555	520

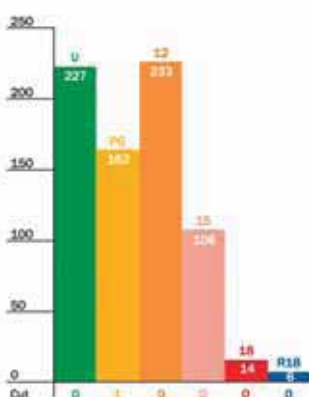
Video advertisements 8



Video submissions 2003-2013



Video trailers 748



BBFC Video Turnaround Time (calendar days) 2004-2013



## Video Appeals Committee

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During 2013 there were no appeals to the Video Appeals Committee (VAC). The VAC is an independent body constituted under Section 4(3) of the Video Recordings Act 1984 to hear appeals from submitting companies against BBFC decisions they consider stricter than warranted.

At the end of 2013 the full membership of the VAC was as follows:

### Video Appeals Committee Chair

**Professor Andrew Burrows QC, FBA:** *Professor of the Law of England in the University of Oxford and a Fellow of All Souls College. Barrister at Fountain Court Chambers, London and a part-time judge.*

### Members

**Athene Heynes:** *Chairman of the NHS Disciplinary Panel. Chairman of both the Disciplinary Committee and the Competency Scheme, of the Chartered Institute of Public Finance and Accountancy. Qualified Mediator in alternative dispute resolution.*

**Judy Clements:** *Former Director of the Independent Police Complaints Commission. Now Adjudicator for HM Revenue and Customs.*

**Clare Dodgson:** *Former Chief Executive of the Legal Services Commission. Now an External Reviewer for the Parliament and Health Services Ombudsmen and Public Appointments Ambassador for the Government Equalities Office.*

**Salman Momen:** *Head of Interactive Media Group, IBM. Former Head of the Media Industry Sector at Capgemini and former Project Director of the BBC.*

**Valerie Owen OBE:** *Managing Director le Vaillant Owen. Former Managing Director of London First and Director of Jones Lang Lasalle. Non-Executive Director of the Dover Harbour Board, Church Buildings Council and East Kent Hospitals University Foundation NHS Trust.*

**Professor Samuel Stein:** *NHS Consultant Psychiatrist in Child, Adolescent and Family Psychiatry, Bedfordshire. Qualified Family Mediator.*

1 *Despicable Me 2 'U'*





The Consultative Council is the BBFC's chief stakeholder body. Its members include representatives from the film and video industry, local authorities, other media regulators, enforcement agencies and parenting and family groups. The Council is an independent source of expert advice and the meetings are an opportunity to examine industry, legislative and media policy developments.

During 2013, the Council contributed to discussions in relation to Government consultations on the deregulation of film exhibition and the dual regulation of cinema advertising, the age rating of certain online content, the Government's proposed amendment of the Video Recordings Act 1984 to lower the threshold at which certain videos lose their exemption from classification, and the BBFC's new Classification Guidelines.

In February, the Council considered the 12A classification of **The Impossible**, a drama recreating the 2004 Indian Ocean tsunami. Council members noted the film could impart a number of important lessons to children, such as respect for nature and to recognise their good fortune. They discussed how, because the film was based on real events, there was contextual justification for the intensity of sections of the film and how most audiences, certainly parents, would be familiar with the tragedy and the images of the disaster, which were widely reported at the time. Council members noted that injuries and brief moments of gore were part of the true story and not there to glorify or exploit violence. The Council supported the 12A classification of **The Impossible**.

In June the Council discussed **The Incredible Burt Wonderstone** (15), a comedy about an illusionist double act in Las Vegas. While some Council members noted that the combination of self harm, injury scenes and a hanging scene would have been problematic at 12A (despite recognising that such elements clearly occur within the scenario of a stage illusion), others argued in favour of a 12A rating highlighting the film's light tone throughout and that the hanging is set in a particular context where nothing is real and such activity is clearly shown to be dangerous. Some Council members suggested that, if classified at 12A, most children would understand the joke. Others noted the dark tone at the end of the film, which

is at odds with the rest of the narrative. Council members were divided over the suitability of the film at the 12A and 15 categories, reflecting the borderline nature of the film.

In October the Council discussed **Kelly + Victor** (18), a drama about a couple's relationship, which includes elements of sadomasochism. The issue of a credible harm risk was raised in relation to the film's portrayal of asphyxiation and the cutting of a character during sexual activity. The Council agreed that the aversive nature of the sexual encounters depicted, along with a lack of novel detail that could be harmful, mitigated what is shown to the extent that cuts to the film were not necessary. Council members considered how the film could connect with young people in terms of its exploration of boundaries within relationships. They also noted that the language in the film, including aggressive language, seemed appropriate for the characters. The Council supported the 18 classification of the film.

We would like to thank the members of the Consultative Council for their input into discussions on the Government consultation on the deregulation of film exhibition, the dual regulation of cinema advertising, and the Government's proposed amendment of the Video Recordings Act 1984, as well as the review of the BBFC Classification Guidelines. We would like to give special thanks to Councillor Brian Goodall of the Convention of Scottish Local Authorities; Vena Raffle, Head of Investigations, Advertising Standards Authority; and DI Ann-Marie Waller of the Metropolitan Police, all of whom stepped down from the Consultative Council in 2013. We'd also like to thank Annie Mullins OBE, previously Global Head of Content Standards, Vodafone, who stepped down from the Consultative Council before joining our Advisory Panel on Children's Viewing (APCV). During 2013 we welcomed to the Consultative Council Hamish MacLeod from the Mobile Broadband Group, Jo Poots from the ASA and DS David Gray from the Metropolitan Police.

#### **Membership of the Council in 2013**

**Reg Bailey**  
*Chief Executive, Mothers' Union*

**Mark Batey**  
*Chief Executive, Film Distributors' Association*

**Kim Bayley**  
*Director General, Entertainment Retailers Association*

**Lavinia Carey OBE**  
*Director General, British Video Association*

**Phil Clapp**  
*Chief Executive, Cinema Exhibitors' Association*

**Patrick Down**  
*Law Reform Division, Scottish Government*

**Alison Edwards**  
*A leading expert in legal issues relating to the provision of film and dvd works under the Video Recordings Act.*

**Andy Foster**  
*Operations Director, Trading Standards Institute*

**DS David Gray**  
*Metropolitan Police*

**Laurie Hall**  
*Director General, Video Standards Council*

**Susie Hargreaves**  
*CEO, Internet Watch Foundation*

**Pete Johnson**  
*Chief Executive, The Authority for Television on Demand*

**Hamish MacLeod**  
*Chairman, Mobile Broadband Group*

**Councillor Mervyn Jones**  
**Northern Ireland Local Government Association**

**Sir William Lawrence**  
*Local Government Association*

**Alison Marsden**  
*Head of Commercial & Consumer Standards and Complaints, Ofcom*

**Jo Poots**  
*Head of Complaints & Investigations Operations, Advertising Standards Authority*

**Justine Roberts**  
*Chief Executive, Mumsnet*

## **Consultative Council**

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**Natalie Rose**

*Senior Editorial Strategy Adviser,  
BBC Trust*

**DI Mike Wetheridge**

*Metropolitan Police*

**Paul Whiteing**

*Chief Executive, PayphonePlus*

*There is currently no representative  
from the Welsh Local Government  
Association on the Council.*

**Members who stepped down in  
2013**

**Councillor Brian Goodall**

*Convention of Scottish Local  
Authorities*

**Annie Mullins OBE**

**Vena Raffle**

*Head of Investigations, Advertising  
Standards Authority*

**DI Ann-Marie Waller**

*Metropolitan Police*



1 Lovelace '18'

The Advisory Panel on Children's Viewing (APCV) provides the BBFC with access to a wide range of skills and expertise connected with child welfare and development. The views of the Panel feed into the creation of BBFC policy. During Panel meetings in 2013 members contributed to the consultation on, and the drafting of, the new BBFC Guidelines, discussed the protection of children online, and considered the issue of sex references in works at the U and PG categories.

At the first meeting held in March, the panel watched **Jack Reacher** (12A). The distributor had chosen to make cuts to two scenes of violence in order to secure a 12A. Even with cuts, some members thought that moments of sadism in the film, along with a menacing tone, meant that a 15 could still be justified. The opening sequence in which a sniper shoots a number of people was highlighted as a difficult scene to watch. Whether there were mitigating factors to take into consideration, such as audience familiarity with the character and the

nature of the source material, was discussed. Some panel members argued that the violence was comparable to other 12A certificate films although the choice of lead actor for the film (Tom Cruise) may have led to different audience expectations. In summary the Panel considered **Jack Reacher** was a borderline 12A / 15 film and there were reservations about whether the cuts made for 12A were sufficient or fully effective.

For the second meeting, held in July, the Panel watched **Lovelace** (18). Members of the Panel believed the film to be on the borderline between the 15 and 18 categories. Members said that while there were some themes in the film that were more suited to adult viewers, no one scene stood out to place the film at 18. The point was made that, in the first half of the film, many of the characters involved in the porn industry are portrayed as exciting, an idea that is insufficiently challenged by events in the second half of the narrative.

In November, the Panel discussed **After Lucia – Despuès De Lucía** (15). The Panel agreed with the 15 classification for the film. Members of the Panel noted that the theme of bullying is a significant issue for teenagers. Much in the film relates to the real experiences of teenagers, such as the pressure of joining and staying in new friendship groups, as well as dealing with bereavement. The torment of the central character, implied sexual assault, and issues of degradation all had to be considered when coming to a classification decision.

We would like to thank the members of the APCV for their input into both the review of the Classification Guidelines during 2013 and for their continued expert advice with regards to child protection. We would like to give special thanks to Andrew Timpson Head Teacher, Crickhowell High School, Powys, who retired from the APCV in 2013 and to welcome Annie Mullins, to the panel. We are recruiting a teaching professional to replace Andrew Timpson on the Panel.



## Advisory Panel on Children's Viewing

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### Membership of the Panel in 2013

**Margo Boye-Anawomah**  
*Childcare barrister and family judge*

**John Carr OBE**  
*Expert on child protection in relation to new media*

**Naomi Eisenstadt**  
*Senior Research Fellow, Oxford University Department of Education*

**Joe Godwin**  
*Director BBC Children's*

**Professor Charlie Lewis**  
*Professor of Family and Development Psychology, Lancaster University*

**Annie Mullins, OBE**

**Martyn Percy**  
*Canon of the Church of England and Theology Professor*

**Professor Ann Phoenix**  
*Co-Director of the Thomas Coram Research Unit*

**Honor Rhodes**  
*Director of Strategic Development, Tavistock Centre for Couple Relationships (TCCR). Board member of the Child and Family Court Advisory and Support Service, (CAFCASS), Non-Executive Director of NHS East London Cluster and a Trustee of both the Early Intervention Foundation and The WAVE Trust.*

### Members who stepped down in 2013

**Andrew Timpson**  
*Head Teacher, Crickhowell High School, Powys, 1993 – 2010*



**1** *The Impossible*  
*'12A'*

**The Principal Officers of  
the British Board of Film  
Classification in 2013**

*President*  
Patrick Swaffer

*Vice Presidents*  
Alison Hastings  
Gerard Lemos

*Director*  
David Cooke

*Assistant Director, Policy and Public  
Affairs*  
David Austin

*Chief Operating Officer*  
Dave Barrett

*Head of Technology*  
Dave Harding

*Head of Finance and Personnel*  
Imtiaz Osman

*Head of Education*  
Lucy Brett

*Chief Digital Officer*  
Mark Dawson

*Press and Public Relations Officer*  
Catherine Anderson

**Council of Management**

*Chairman*  
Graham Lee

*Vice Chairman*  
Steve Jaggs

*Treasurer*  
Jon Teckman

**Members**

Sonita Alleyne  
Maggie Carver  
Joanne Shaw

## Report of the Directors for the year ended 31st December 2013

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### Principal Activity

The company, which is limited by guarantee, is responsible for the classification of cinema and, in accordance with the terms of the Video Recordings Act 1984, for the classification of video works. Its revenue is derived principally from fees charged to distributors for the classification of their product.

### Review of Business

The BBFC continues to focus on providing trusted classification for film and video and the bulk of its income derives from the provision of such services with a growing range of online classification services.

In 2013, the BBFC carried out its most recent large scale public consultation to inform the standards in its published classification Guidelines. These regular consultations ensure that the BBFC is able to track changes in public attitudes. The results of the consultation showed that 84% of parents with children aged 6 – 15 rated the BBFC as effective.

The results for the last financial year are shown in the annexed financial statements. The key financial indicators, used by management to monitor performance and to assess risks, are sales volumes, turnaround times, operating costs and level of cash generated from operations.

Turnover for the year was £5.6m. This was 3% lower than in the previous year (2012: £5.7m). DVD submissions have been declining over the past six years due to the increase in demand for online services. During the year under review, Income from DVD submissions fell by a further 6% and this trend is expected to continue.

Turnaround times for works to be processed were maintained at 7 days.

Film income during the year has increased by 14%. Over the past four years, the increase has been 65% and has, for the first time, generated income of £1m in fees.

The BBFC continues to work in partnership with different industry sectors (for example, home entertainment, mobile network operators) to develop for the online space consistent, transparent, best-practice self-regulatory services which apply trusted BBFC standards. Although current levels of income for such services are low at 4% of total fee income, this represents an increase of 43% on the previous year and the Board expects demand for this line of service to rise significantly in future.

Operating costs increased by £207k during the year. Some additional staff costs have been incurred in the form of redundancy payments, but they will in due course be substantially exceeded by the reduction in staffing costs which will result from the head count reduction, the fourth which the BBFC has undertaken in recent years. The digital archive facility in Bracknell was closed in October 2013 after successfully completing the digitisation of the BBFC's unique and comprehensive archive. These measures have been taken to reduce future costs and the Board continues to review its operational procedures with the aim of providing the best and most cost effective services to its customers.

The Board also continues to review its investment policies to generate improved returns.

Having reviewed funding and liquidity positions and current performance forecasts which indicate that a trading surplus is likely to be generated in 2014, the Board considers that the company has adequate resources to continue its operations for the foreseeable future. For this reason, the Board continues to adopt the 'going concern' basis in preparing the financial statements.

### Directors

The Directors of the company are the Members of the Council of Management together with the President and the Secretary, set out on page 1.

### Statement of Directors' responsibilities

The directors are responsible for preparing the Report of the Directors and the financial statements in accordance with applicable law and regulations.

Company law requires the directors to prepare financial statements for each financial year. Under that law the directors have elected to prepare the financial statements in accordance with United Kingdom Generally Accepted Accounting Practice (United Kingdom Accounting Standards and applicable law). Under company law the directors must not approve the financial statements unless they are satisfied that they give a true and fair view of the state of affairs of the company and of the surplus or deficit of the company for that period. In preparing these financial statements, the directors are required to:

- select suitable accounting policies and then apply them consistently;



## Report of the Directors for the year ended 31st December 2013

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- make judgements and accounting estimates that are reasonable and prudent;
- prepare the financial statements on the going concern basis unless it is inappropriate to presume that the company will continue in business.

The directors are responsible for keeping adequate accounting records that are sufficient to show and explain the company's transactions and disclose with reasonable accuracy at any time the financial position of the company and enable them to ensure that the financial statements comply with the Companies Act 2006. They are also responsible for safeguarding the assets of the company and hence for taking reasonable steps for the prevention and detection of fraud and other irregularities.

### Corporate Governance

The Directors continue to give careful consideration to, and have adopted the main principles of, corporate governance as set out in the Code of Best Practice of the Committee of the Financial Aspects of Corporate Governance (the Cadbury Report). However it is the opinion of the Directors that not all the provisions of the Cadbury Report are appropriate for a company of the size and structure of the British Board of Film Classification.

### Environment, Health and Safety

The company is firmly committed to managing its activities so as to provide the highest level of protection to the environment and to safeguard the health and safety of its employees, customers and the community.

The company's Environment, Health and Safety (EHS) policies provide the guiding principles that ensure high standards are achieved and afford a means of promoting continuous improvement based on careful risk assessment and comprehensive EHS management systems. These policies are reviewed at regular intervals. This work has given greater emphasis to formal management systems, which bring a systematic improvement in performance.

### Financial instruments and Risk Management

The company's financial instruments at the balance sheet date comprised bank loans, investments, cash and liquid resources. The company has various other financial instruments such as trade debtors and trade creditors that arise directly from its operations.

It is, and has been throughout the period under review, the company's policy that no trading in financial instruments shall be undertaken.

### Interest rate risk

The company has no interest rate exposure as all the long term debt is at a fixed rate

### Foreign currency risk

The company's risk to foreign exchange transactions does not arise as all the company's financial instruments are denominated in Sterling.

### Liquidity risk

The company had significant net cash balances as at the balance sheet date.

### Borrowing facilities

As at 31 December 2013, the company had undrawn committed borrowing facilities of £536,000 (2012 - £536,000).

### Transfers to reserves

The retained surplus for the year of £89,010 has been transferred to reserves.

### Fixed assets

Information relating to changes in the tangible fixed assets is given in note 8 to the financial statements.

### Statement as to disclosure of information to auditors

So far as the directors are aware, there is no relevant audit information (as defined by Section 418 of the Companies Act 2006) of which the company's auditors are unaware, and each director has taken all the steps that he or she ought to have taken as a director in order to make himself or herself aware of any relevant audit information and to establish that the company's auditors are aware of that information.

### By order of the Board

David Cooke  
*Secretary*

3 Soho Square,  
London, W1D 3HD.

16 April 2014

## **Independent auditors' report to the members of British Board of Film Classification**

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We have audited the financial statements of British Board of Film Classification for the year ended 31 December 2013 on pages seven to seventeen. The financial reporting framework that has been applied in their preparation is applicable law and United Kingdom Accounting Standards (United Kingdom Generally Accepted Accounting Practice).

This report is made solely to the company's members, as a body, in accordance with Chapter 3 of Part 16 of the Companies Act 2006. Our audit work has been undertaken so that we might state to the company's members those matters we are required to state to them in a Report of the Auditors and for no other purpose. To the fullest extent permitted by law, we do not accept or assume responsibility to anyone other than the company and the company's members as a body, for our audit work, for this report, or for the opinions we have formed.

### **Respective responsibilities of directors and auditors**

As explained more fully in the Statement of Directors Responsibilities set out on page two, the directors are responsible for the preparation of the financial statements and for being satisfied that they give a true and fair view. Our responsibility is to audit the financial statements in accordance with applicable law and International Standards on Auditing (UK and Ireland). Those standards require us to comply with the Auditing Practices Board's Ethical Standards for Auditors.

### **Scope of the audit of the financial statements**

An audit involves obtaining evidence about the amounts and disclosures in the financial statements sufficient to give reasonable assurance that the financial statements are free from material misstatement, whether caused by fraud or error. This includes an assessment of: whether the accounting policies are appropriate to the company's circumstances and have been consistently applied and adequately disclosed; the reasonableness of significant accounting estimates made by the directors; and the overall presentation of the financial statements. In addition, we read all the financial and non-financial information in the Strategic Report and the Report of the Directors to

identify material inconsistencies with the audited financial statements and to identify any information that is apparently materially incorrect based on, or materially inconsistent with, the knowledge acquired by us in the course of performing the audit. If we become aware of any apparent material misstatements or inconsistencies we consider the implications for our report.

### **Opinion on financial statements In our opinion the financial statements:**

- give a true and fair view of the state of the company's affairs as at 31 December 2013 and of its surplus for the year then ended;
- have been properly prepared in accordance with United Kingdom Generally Accepted Accounting Practice; and
- have been prepared in accordance with the requirements of the Companies Act 2006.

### **Opinion on other matter prescribed by the Companies Act 2006**

In our opinion the information given in the Report of the Directors for the financial year for which the financial statements are prepared is consistent with the financial statements.

### **Matters on which we are required to report by exception**

We have nothing to report in respect of the following matters where the Companies Act 2006 requires us to report to you if, in our opinion:

- adequate accounting records have not been kept, or returns adequate for our audit have not been received from branches not visited by us; or
- the financial statements are not in agreement with the accounting records and returns; or
- certain disclosures of directors' remuneration specified by law are not made; or
- we have not received all the information and explanations we require for our audit.

**P. J. Barton (Senior Statutory Auditor)**  
for and on behalf of Wilkins Kennedy LLP  
Statutory Auditors and Chartered Accountants  
Bridge House  
London  
SE1 9QR

Date: 16 April 2014

## Income and Expenditure Account for the year ended 31st December 2013

	Note	2013	2012
<b>Turnover</b>	<b>(2)</b>	<b>5,555,258</b>	5,709,190
Operating costs		<b>(5,636,463)</b>	(5,429,498)
		<b>(81,205)</b>	279,692
Other operating income		<b>52,642</b>	39,414
<b>Operating (deficit)/surplus</b>	<b>(6)</b>	<b>(28,563)</b>	319,106
Interest receivable and similar income	<b>(3)</b>	<b>133,116</b>	146,956
Interest payable and similar charges	<b>(4)</b>	<b>(71,002)</b>	(83,613)
Surplus/(deficit) on current asset investments:			
- realised		<b>96,746</b>	219,210
- decrease/(increase) in provision for unrealised losses		<b>39,991</b>	(2,259)
<b>Surplus on ordinary activities before taxation</b>		<b>170,288</b>	599,400
Tax on surplus on ordinary activities	<b>(7)</b>	<b>(81,278)</b>	(124,836)
Retained surplus for year	<b>(14)</b>	<b>89,010</b>	474,564
Retained surplus at beginning of year		<b>9,176,201</b>	8,701,637
Retained surplus at end of year		<b>£9,265,211</b>	£9,176,201

### Continuing operations

None of the company's activities were acquired or discontinued during the above two financial years.

### Total recognised surpluses and deficits

The company has no recognised surpluses or deficits other than the surplus or deficit for the above two financial years.

The accompanying notes are an integral part of these financial statements.



**Balance sheet 31st December 2013** Company No: 00117289

	Note	2013	2012
<b>Fixed assets</b>			
Tangible assets	(8)	4,935,602	4,896,110
<b>Current assets</b>			
Deferred tax asset - due after more than one year	(9)	100,115	155,064
Debtors	(10)	429,291	575,666
Investments	(11)	2,384,393	2,638,335
Cash at bank and in hand		3,599,960	3,511,029
		<b>6,513,759</b>	6,880,094
<b>Creditors:</b> amounts falling due within one year	(12)	<b>(1,264,636)</b>	(1,438,461)
<b>Net current assets</b>		<b>5,249,123</b>	5,441,633
<b>Total assets less current liabilities</b>		<b>10,184,725</b>	10,337,743
<b>Creditors:</b> amounts falling due after more than one year	(13)	<b>(919,514)</b>	(1,161,542)
<b>Net assets</b>		<b>£9,265,211</b>	£9,176,201
<b>Capital and reserves</b>			
Income and expenditure account		9,265,211	9,176,201
<b>Accumulated funds</b>	(14)	<b>£9,265,211</b>	£9,176,201

Approved by the Board of Directors on 16 April 2014

Graham Lee - *Chairman*

Jon Teckman - *Treasurer*

The accompanying notes are an integral part of these financial statements.

## Cash flow Statement for the year ended 31st December 2013

<b>Reconciliation of operating surplus to net cash flow from operating activities</b>			
	Note	2013	2012
Operating (deficit)/surplus		<b>(28,563)</b>	319,106
Depreciation charges		<b>489,020</b>	351,086
(Surplus) on sale of tangible fixed assets		-	(83)
Decrease/(increase) in debtors		<b>136,206</b>	(31,118)
(Decrease)/increase in creditors		<b>(85,663)</b>	(193,917)
		<hr/>	<hr/>
<b>Net cash inflow from operating activities</b>		<b>£511,100</b>	<b>£445,074</b>
		<hr/>	<hr/>
<b>Cash flow statement</b>			
		2013	2012
Net cash inflow from operating activities		<b>511,100</b>	445,074
Return on investments and servicing of finance	(15a)	<b>72,280</b>	63,964
Taxation		<b>(127,804)</b>	(81,100)
Capital expenditure	(15b)	<b>(528,512)</b>	(84,870)
		<hr/>	<hr/>
		<b>(72,936)</b>	343,068
Management of liquid resources	(15c)	<b>390,679</b>	1,174,180
		<hr/>	<hr/>
<b>Increase/(decrease) in cash</b>		<b>£317,743</b>	<b>£1,517,248</b>
		<hr/>	<hr/>
<b>Reconciliation of net cash flow to movement in liquid funds</b>			
	(15d)	2013	2012
Increase/(decrease) in cash in the year		<b>317,743</b>	1,517,248
(Decrease)/increase in current asset investments		<b>(253,942)</b>	(957,229)
		<hr/>	<hr/>
Change in net liquid funds		<b>63,801</b>	560,019
Net liquid funds at beginning of year		<b>4,759,009</b>	4,198,990
		<hr/>	<hr/>
Net liquid funds at end of year		<b>£4,822,810</b>	£4,759,009
		<hr/>	<hr/>

The accompanying notes are an integral part of these financial statements.

## Notes to the financial statements for the year ended 31st December 2013

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### 1. Accounting policies

The principal accounting policies, which have been consistently applied, are:-

#### (a) Basis of accounting

The financial statements are prepared under the historical cost convention and in accordance with applicable accounting standards.

#### (b) Tangible fixed assets

Tangible fixed assets are stated at original cost. Depreciation is provided at rates calculated to write-off the cost less estimated residual value of each asset on a straight line basis over its estimated useful life as follows:-

Moveable furniture and equipment	25% per annum
Computer equipment	33.33% per annum

Long leasehold property is amortised on a straight line basis over the duration of the lease.

Expenditure on leasehold property and immovable furniture and equipment is fully depreciated in the year of acquisition.

#### (c) Current asset investments

Current asset investments are stated at the lower of cost and net realisable value.

#### (d) Taxation

The charge for taxation is based on the surplus for the year and takes into account taxation deferred because of timing differences between the treatment of certain items for accounting and taxation purposes.

Provision is made at current rates for tax deferred in respect of all material timing differences. Deferred tax assets are only recognised to the extent that they are regarded as recoverable. The company has not adopted a policy of discounting deferred tax assets and liabilities.

#### (e) Turnover

Turnover comprises the value (excluding VAT) of services supplied in the normal course of business.

#### (f) Leased assets

Rentals applicable to operating leases are recognised in the income and expenditure account as incurred.

#### (g) Pensions

The company operates a defined contribution pension scheme to provide retirement benefits for its staff. The amount charged to income and expenditure account in respect of pension costs is the contributions payable and provided in the year.

### 2. Turnover

The turnover and operating surplus are attributable to the principal activity of the company. The entire turnover in both periods is attributable to geographical areas within the United Kingdom.



## Notes to the financial statements for the year ended 31st December 2013

<b>3. Interest receivable and similar income</b>	<b>2013</b>	<b>2012</b>
Bank deposit interest	<b>38,215</b>	48,736
Income from current asset investments	<b>94,901</b>	98,220
	<hr/>	<hr/>
	<b>£133,116</b>	£146,956
	<hr/>	<hr/>
<b>4. Interest payable and similar charges</b>	<b>2013</b>	<b>2012</b>
Interest on loan repayable between 2-5 years	<b>£71,002</b>	-
Interest on loan repayable after more than 5 years	-	£83,613
	<hr/>	<hr/>
<b>5. Employees</b>	<b>2013</b>	<b>2012</b>
Average monthly number of people employed by the company during the year:-		
Non-executive directors	<b>6</b>	7
Presidential team	<b>3</b>	3
Management	<b>5</b>	5
Administration	<b>10</b>	11
Examination	<b>20</b>	21
Technical	<b>17</b>	21
	<hr/>	<hr/>
	<b>61</b>	68
	<hr/>	<hr/>
<b>Costs in respect of these employees including directors:</b>		
Salaries	<b>3,141,106</b>	2,891,231
Social security costs	<b>311,926</b>	326,801
Pensions	<b>223,981</b>	226,023
Life assurances	<b>8,118</b>	7,576
	<hr/>	<hr/>
	<b>£3,685,131</b>	£3,451,631
	<hr/>	<hr/>
<b>Directors' remuneration</b>		
The remuneration of the directors during the year was:-		
Emoluments	<b>279,500</b>	295,143
Pension contributions in respect of 2 (2012 - 2) directors	<b>41,505</b>	40,018
	<hr/>	<hr/>
	<b>£321,005</b>	£335,161
	<hr/>	<hr/>
Highest paid director		
The above amount for remuneration includes the following in respect of the highest paid director	<b>£208,280</b>	£203,968
	<hr/>	<hr/>

## Notes to the financial statements for the year ended 31st December 2013

<b>6. Operating deficit/surplus</b>	<b>2013</b>	<b>2012</b>
	<b>£</b>	<b>£</b>
The operating deficit/surplus is stated after charging:		
Directors' remuneration (including benefits)	<b>321,005</b>	335,161
Depreciation and amounts written off fixed assets	<b>489,020</b>	351,086
Rental of equipment	<b>10,098</b>	33,162
Auditors' remuneration:		
- audit	<b>24,000</b>	23,000
- non audit	<b>8,500</b>	9,560
	<hr/>	<hr/>
<b>7. Tax on surplus on ordinary activities</b>	<b>2013</b>	<b>2012</b>
<b>Reconciliation of tax charge to surplus:</b>		
Surplus on ordinary activities multiplied by standard rate of corporation tax in the UK of 20% (2012 - 24%)	<b>(34,058)</b>	(143,856)
<b>Effects of:</b>		
Expenses not deductible for tax purposes	<b>(1,139)</b>	(3,586)
Realised investment surplus covered by capital losses	<b>(702)</b>	21,763
Unrealised investment surplus not taxable	<b>7,998</b>	(542)
Depreciation in excess of capital allowances	<b>(14,978)</b>	(32,215)
Franked investment income not taxable	<b>16,666</b>	17,760
Marginal relief	<b>-</b>	8,455
Other adjustments	<b>390</b>	4,920
Adjustment in respect of prior year	<b>(506)</b>	-
	<hr/>	<hr/>
	<b>(26,329)</b>	(127,301)
Deferred tax arising from the interaction of depreciation and capital allowances	<b>(54,949)</b>	2,465
	<hr/>	<hr/>
<b>Tax on surplus on ordinary activities</b>	<b>£(81,278)</b>	£(124,836)
	<hr/>	<hr/>

**Notes to the financial statements for the year ended 31st December 2013**

**8. Tangible fixed assets**

	<b>Long leasehold property</b>	<b>Long leasehold property expenditure</b>	<b>Furniture and equipment</b>	<b>Total</b>
<b>Cost</b>				
At beginning of year	5,180,700	94,154	3,681,261	<b>8,956,115</b>
Additions	-	64,055	464,457	<b>528,512</b>
At end of year	5,180,700	158,209	4,145,718	<b>9,484,627</b>
<b>Depreciation</b>				
At beginning of year	400,641	94,154	3,565,210	<b>4,060,005</b>
Charge for the year	41,446	64,055	383,519	<b>489,020</b>
At end of year	442,087	158,209	3,948,729	<b>4,549,025</b>
<b>Net book value</b>				
At end of year	£4,738,613	£-	£196,989	<b>£4,935,602</b>
At beginning of year	£4,780,059	£-	£116,051	<b>£4,896,110</b>

**9. Deferred tax asset**

	<b>2013</b>	<b>2012</b>
At beginning of year	<b>155,064</b>	152,599
(Debit)/credit to income and expenditure account arising from the interaction of depreciation and capital allowances	<b>(54,949)</b>	2,465
At end of year	<b>£100,115</b>	£155,064

A deferred tax asset arising on realised capital deficits carried forward of £59,061 (2012 - £64,591) has not been recognised as the directors are uncertain that sufficient suitable capital surpluses will exist in the future. Should such surpluses arise, the asset will be recovered.



## Notes to the financial statements for the year ended 31st December 2012

10. Debtors	2013	2012
Trade debtors	254,212	235,430
Other debtors	57,488	195,381
Prepayments and accrued income	117,591	144,855
	<u>£429,291</u>	<u>£575,666</u>
<b>11. Current asset investments – listed in UK</b>	<b>2013</b>	<b>2012</b>
Cost		
At beginning of year	2,867,512	3,822,482
Additions	889,974	726,180
Disposals	(1,183,907)	(1,681,150)
	<u>2,573,579</u>	<u>2,867,512</u>
<b>Provision for unrealised deficit</b>		
At beginning of year	(229,177)	(226,918)
Decrease/(increase) in provision	39,991	(2,259)
	<u>(189,186)</u>	<u>(229,177)</u>
<b>Cost less provision at end of year</b>	<b>£2,384,393</b>	<b>£2,638,335</b>
Market value of listed investments at end of year	<u>£3,058,484</u>	<u>£3,099,272</u>
<b>12. Creditors: amounts falling due within one year</b>	<b>2013</b>	<b>2012</b>
Bank loan (secured - see note 13)	242,029	228,813
Trade creditors	127,581	54,948
Corporation tax	25,823	127,301
Value added tax	157,413	182,257
Other creditors	626,122	727,595
Accruals and deferred income	85,668	117,547
	<u>£1,264,636</u>	<u>£1,438,461</u>

## Notes to the financial statements for the year ended 31st December 2013

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<b>13. Creditors: amounts falling due after more than one year</b>	<b>2013</b>	<b>2012</b>
Bank loan (secured)	<b>£919,514</b>	£1,161,542
	<hr/>	<hr/>
Due within 1 – 2 years	<b>255,885</b>	242,029
Due within 2 – 5 years	<b>663,629</b>	813,044
Due after more than 5 years	-	106,469
	<hr/>	<hr/>
	<b>£919,514</b>	£1,161,542
	<hr/>	<hr/>

The bank loan, which is secured by a fixed legal charge over the long leasehold property, bears an annual fixed rate of interest of 5.64% and is repayable in quarterly instalments. The final instalment is due for payment on 6th May 2018.

<b>14. Reconciliation of movements on accumulated funds</b>	<b>2013</b>	<b>2012</b>
Surplus for the financial year after taxation	<b>89,010</b>	474,564
Accumulated funds at beginning of year	<b>9,176,201</b>	8,701,637
	<hr/>	<hr/>
Accumulated funds at end of year	<b>£9,265,211</b>	£9,176,201
	<hr/>	<hr/>

## Notes to the financial statements for the year ended 31st December 2013

<b>15. Cash flow statement</b>		<b>2013</b>	<b>2012</b>	
<b>(a) Return on investments and servicing of finance</b>				
Interest received		<b>48,381</b>	49,357	
Income from current asset investments		<b>94,901</b>	98,220	
Interest paid		<b>(71,002)</b>	(83,613)	
		<b>£72,280</b>	£63,964	
<b>(b) Capital expenditure</b>				
Payments to acquire tangible fixed assets		<b>(528,512)</b>	(84,953)	
Receipt from sale of tangible fixed assets		-	83	
		<b>£(528,512)</b>	£(84,870)	
<b>(c) Management of liquid resources</b>				
Purchase of current asset investments		<b>(889,974)</b>	(726,180)	
Sale proceeds of current asset investments		<b>1,280,653</b>	1,900,360	
		<b>£390,679</b>	£1,174,180	
<b>(d) Analysis of change in net funds</b>	<b>At beginning of year</b>	<b>Cash flows</b>	<b>Other non-cash changes</b>	<b>At end of year</b>
Cash at bank and in hand	<b>3,511,029</b>	<b>88,931</b>	-	<b>3,599,960</b>
Bank loan repayable within one year	<b>(228,813)</b>	<b>(13,216)</b>	-	<b>(242,029)</b>
Bank loan repayable after more than one year	<b>(1,161,542)</b>	<b>242,028</b>	-	<b>(919,514)</b>
Current asset investments	<b>2,638,335</b>	<b>(390,679)</b>	<b>136,737</b>	<b>2,384,393</b>
	<b>£4,759,009</b>	<b>£(72,936)</b>	<b>£136,737</b>	<b>£4,822,810</b>

## Notes to the financial statements for the year ended 31st December 2013

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### 16. Guarantees and other financial commitments

Pension arrangements

(i) The company operates a defined contribution scheme to provide retirement benefits for staff.

(ii) The total pension charge for the year was £223,981 (2012 - £226,023).

### Operating lease commitments

The following operating lease payments are committed to be paid within one year:

	<b>2013</b>	<b>2013</b>	<b>2012</b>	<b>2012</b>
	<b>Property</b>	<b>Equipment</b>	<b>Property</b>	<b>Equipment</b>
Expiring:				
Within one year	-	<b>1,581</b>	35,759	3,611
Between one and five years	-	<b>1,382</b>	-	7,767
After more than five years	<b>37,500</b>	-	37,500	-
	<hr/>	<hr/>	<hr/>	<hr/>
	<b>£37,500</b>	<b>£2,963</b>	£73,259	£11,378
	<hr/>	<hr/>	<hr/>	<hr/>

### 17. Company status

The company is limited by guarantee and is under the control of its members. The liability of the members is limited to £1 each, in the event of the company being wound up.

### 18. Related Party Transactions

During 2012 Goodman Derrick LLP, a firm of solicitors in which P.L.J. Swaffer was a consultant until 31 December 2012, charged £53,831 for professional services at normal commercial rates.



## Income and expenditure account for the year ended 31st December 2013

	2013	2012
<b>Turnover</b>	<b>5,555,258</b>	5,709,190
Administrative expenses		
Directors' remuneration	<b>321,005</b>	335,161
Salaries and pension scheme	<b>3,364,126</b>	3,116,470
Rent, rates, light, heat and insurance	<b>326,925</b>	269,593
Repairs and maintenance of premises and equipment	<b>63,746</b>	156,615
Printing, stationery and certificates	<b>24,530</b>	27,992
Rental of equipment	<b>10,098</b>	33,162
Computer expenses	<b>75,632</b>	79,412
Legal and professional charges	<b>98,022</b>	74,801
Bad debts and old balances written off	<b>1,309</b>	5,105
Staff recruitment costs	<b>4,908</b>	34,968
Travelling expenses	<b>11,416</b>	7,774
Telephone	<b>14,482</b>	14,049
Postage	<b>5,877</b>	6,997
Research and public relations	<b>410,301</b>	435,355
Interpreters' fees	<b>46,749</b>	27,273
Cleaning	<b>30,518</b>	31,325
Archiving	<b>125,923</b>	225,441
Staff training	<b>18,847</b>	22,497
Entertaining	<b>29,047</b>	37,672
General expenses	<b>3,711</b>	5,666
Donations	<b>101,225</b>	77,850
Bank charges	<b>26,486</b>	20,757
Auditors' remuneration	<b>32,560</b>	32,560
(Profit) on disposal of tangible assets	-	(83)
Depreciation and amounts written off: - depreciation and amortisation	<b>489,020</b>	351,086
	<b>(5,636,463)</b>	(5,429,498)
	<b>(81,205)</b>	279,692
Other operating income	<b>52,642</b>	39,414
Operating (deficit)/surplus c/fwd.	<b>(28,563)</b>	319,106

## **Income and expenditure account for the year ended 31st December 2013**

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	<b>2013</b>	<b>2012</b>
<b>Operating (deficit)/surplus b/fwd.</b>	<b>(28,563)</b>	319,106
Interest receivable and similar income	133,116	146,956
Interest payable and similar charges	(71,002)	(83,613)
<b>Surplus/(deficit) on current asset investments:</b>		
- realised	<b>96,746</b>	219,210
- decrease/(increase) in provision for unrealised losses	<b>39,991</b>	(2,259)
	<hr/>	<hr/>
<b>Surplus on ordinary activities before taxation</b>	<b>£170,288</b>	£599,400

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