



LICENSING COMMITTEE REPORT

Report Title	Policy and Procedure for the Classification of Films
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AGENDA STATUS: PUBLIC

Committee Meeting Date:	5 November 2013
Policy Document:	Film Classification Policy
Directorate:	Customers and Communities

1. Purpose

1.1 For Members to consider proposals for a Council Policy for the Classification of Films.

2. Recommendations

2.1 That the Committee;

- (a) Approve the policy and procedure for dealing with the classification of films (attached as Appendix A)
- (b) Agree to adopt the Guidance issued by the British Board of Film Classification (BBFC) to assist in the determination of classifying films (attached as Appendix B).
- (c) Delegate responsibility for the authorisation of films which have not already been classified by the BBFC to the Licensing Manager and Senior Licensing Officers.
- (d) Delegate responsibility for the authorisation of films which have not already been classified by the BBFC and where the Licensing Manager and Senior Licensing Officer are unable to make a formal classification to the Licensing Sub Committee.

3.1 Report Background

3.1.1 There is currently no formal procedure for the Council to deal with the classification of previously unclassified films, appeals by distributors against the British Board of Film Classification's (BBFC) decision's, or requests to reclassify films. As the

Council's responsibilities in relation to film classifications are incorporated within the Licensing Act 2003 it is necessary to adopt such a procedure.

3.1.2 Whilst the British Board of Film Classification (BBFC) performs a national film classification role, the Council, as a Licensing Authority, is the classification body for the public exhibition of films shown in the Borough by virtue of the Licensing Act 2003 (LA03).

3.1.3 As such the Licensing Authority has the right to classify films that are shown in premises licensed under the Act such as cinemas, hotels, clubs and public houses. A copy of the Guidance issued by the BBFC to be adopted is attached at Appendix B.

3.1.4 Section 20 of the Licensing Act 2003 provides that a mandatory condition shall be applied to all premises licences that authorise the exhibition of films.

3.1.5 This relates to the restriction of the admission of children (defined in the Act as "persons aged under 18") to the exhibition of any film to either the film classification recommended by the BBFC or, if the Licensing Authority does not agree with that recommendation, to such other classification recommended by the Licensing Authority.

3.1.6 The Licensing Authority may be required to classify a film that has not been classified by the BBFC.

3.1.7 A typical example of this would be a locally made film to be shown at a film festival within the Borough.

3.1.8 Therefore, the Licensing Authority must have a formal procedure in place to determine this classification.

3.1.9 The proposed policy and procedure to be adopted is attached at Appendix A.

3.1.10 A distributor of a film or other party may also appeal to the Licensing Authority against a decision of the BBFC and request that the Licensing Authority reclassifies the film for local screening.

3.1.11 This is a very rare occurrence however procedures must be in place should a formal request be made.

3.1.12 In addition to classifying films the Licensing Authority can issue a classification waiver which permits the exhibition of the film or films within the local area without a classification, but subject to certain conditions and restrictions.

3.1.13 The Licensing Act 2003 also provides for a number of exemptions for certain types of film such as those exhibited for the purposes of demonstration of products, advertising goods or services, information, education or instruction and films exhibited in a museum or art gallery that consist of, or form part of, an exhibition.

3.1.14 Under the Act, the Licensing Authority must carry out its functions with a view to promoting the licensing objectives. The objectives are;

- The prevention of crime and disorder
- Public safety

- Prevention of public nuisance
- Protection of children from harm

3.1.15 In terms of film exhibitions, the most relevant licensing objective is the protection of children from harm.

3.1.16 There may, however, be instances where there could be a case for relying on the prevention of crime and disorder objective.

3.1.17 In such a case, evidence would have to be produced that a particular film would lead to crime and disorder.

3.1.18 The BBFC is an independent, non-governmental body funded through the fees it charges to those who submit films, videos, DVDs and digital games for classification.

3.1.19 The BBFC classifies films intended for public exhibition on behalf of the local authorities that licence premises for that purpose under the Licensing Act 2003. The BBFC also classifies videos, DVDs and digital games under the Video Recordings Act 1984.

3.1.20 The Secretary of State's Guidance issued under Section 182 of the Licensing Act 2003, recommends that :

"Licensing authorities should not duplicate the BBFC's work by choosing to classify films themselves. The classifications recommended by the BBFC should be those normally applied unless there are very good local reasons for a Licensing Authority to adopt this role. Licensing Authorities should note that the provisions of the 2003 Act enable them to specify the Board in the licence or certificate and, in relation to individual films, to notify the holder or club that it will make a recommendation for that particular film."

3.1.21 As a requirement is placed on the Licensing Authority to carry out this function it is not proposed to carry out any form of consultation as this is a procedural matter for Licensing Authorities contained within the Act. If approval is given the procedure will be implemented with immediate effect.

3.1.22 It will not be necessary to change the terms of reference of the Licensing Committee as stated within the Constitution. It is already responsible for all matters relating to the discharge, by the Council, of its functions relating to licensing under the Licensing Act 2003.

4.1. Implications (including financial implications)

4.1.1. There are no financial implications of the proposed action.

4.1.2. There are no Human Rights implications in adopting the recommendations of this report.

5.1 Resources and Risk

5.1.1 Resources will not be affected the licensing team will continue to issue licences and monitor these premises.

5.1.2. Not having a policy might result in the moral and psychological harm being caused to members of the public, in particular children, by film exhibitions containing strong language, horror/violence or sexual images.

5.1.3 In adopting and approving the recommendations the Council will be exercising due diligence in licensing matters

5.3 Legal

5.4 Equality

5.4.1. An Equality Impact Assessment Screening has been completed and the conclusions are that there are no adverse or negative impacts of opportunity for any equality group or for any reason.

5.6 Consultees (Internal and External)

5.6.1. Legal

5.7. Background Papers

5.7.1. Licensing Act 2003..

5.7.2. British Board of Films Classification Guidelines

5.7.3. Northampton Borough Council's Statement of Licensing Policy.

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APPENDIX A

Policy for Determining Film Classifications

Purpose

The Council, as the Licensing Authority, is responsible for authorising the public exhibition of films. Section 20 of the Licensing Act 2003 (the Act) provides that where a Premises Licence or Club Premises Certificate authorises the exhibition of a film(s), the licence must include a condition requiring the admission of children to films to be restricted in accordance with recommendations given either by the British Board of Film Classification (the BBFC) or by the Licensing Authority itself.

The purpose of this Policy is to set out the formal procedure for the Licensing Authority to determine the classification of previously unclassified films, appeals by distributors against the British Board of Film Classification's decisions or requests to reclassify films.

Where a premise seeks or intends to exhibit film(s) that venue must be covered by a Premise Licence, Club Premises Certificate or Temporary Event Notice under the Licensing Act 2003.

The definition of children is any person under the age of 18 years.

Under the Licensing Act 2003, the definition of the exhibition of a film is the exhibition of moving pictures.

In summary, the public exhibition of all films on licensed premises must either be classified by the BBFC or authorised by the Licensing Authority under the powers of the Licensing Act 2003.

The Licensing Authority when authorising film(s) shall at all times take into account the Guidance issued under section 182 of the Licensing Act 2003 (the National Guidance).

The Licensing Authority may be requested to authorise a film that has already been classified by the British Board of Film Classification (BBFC) in two different circumstances:

- (a) A distributor of a film may appeal against the decision of the BBFC and request that the Licensing Authority re-classifies/authorises the film for local screening (with recommendations on age restrictions); and
- (b) An independent party may request that the Licensing Authority reclassifies/authorises the film for local screening (with recommendations on age restrictions).

In addition, the Licensing Authority may be requested to authorise the showing of an unclassified film(s). This normally occurs in the following cases:

- A film festival covering a specific period of time
- A one off screening of a film
- A trailer for a film

1. General Policy

In accordance with paragraph 10.33 of the National Guidance, other than in the context of film classification for film exhibitions, licensing authorities should not use their powers under the 2003 Act to seek to impose conditions which censor the content of any form of regulated entertainment.

This is not a proper function of licensing law and cannot be properly related to the licensing objectives. The content of regulated entertainment is a matter which is addressed by existing laws governing indecency and obscenity.

Where the concern is about protecting children, their access should be restricted where appropriate. But no other limitation should normally be imposed.

In terms of film exhibitions and festivals, the most relevant licensing objective is the Protection of Children from Harm.

Paragraph 2.41 of the National Guidance states:

'The protection of children from harm includes the protection of children from moral, psychological and physical harm. This includes not only protecting children from the harms associated with alcohol but also wider harms such as exposure to strong language and sexual expletives (for example, in the context of exposure to certain films or adult entertainment).

2. Principles in Determining Film Classifications

The BBFC classifies films in accordance with its published Guidelines, which are based on extensive research into public opinion and professional advice. The Paragraph 10.74 National Guidance under Section 182 of the LA03 recommends that:

The BBFC classifies films in accordance with its published Guidelines which are based on extensive research into public opinion and professional advice. The classifications recommended by the Board should be those normally applied unless there are very good local reasons for a licensing authority to adopt this role. Licensing authorities should note that the provisions of the 2003 Act enable them to specify the Board in the licence or certificate and, in relation to individual films, to notify the holder or club that it will make a recommendation for that particular film.

This Licensing Authority considers the classification system used by the BBFC to be nationally understood and accepted. It will therefore use this system, and any amendments thereto, as a reference point for determining its recommendation(s) on the restriction of access of children to the film(s). It should be noted however that the Licensing Authority is not obliged to follow these guidelines.

Where a licensed premise seeks to exhibit a film that has not been classified by the BBFC then it will be the responsibility of the Licensing Authority to authorise that film. As such the procedures outlined later in this document will be followed.

This Licensing Authority recognises the principle within the Human Rights Act 1998 that

adults should be free to choose their own entertainment. Material should not be in breach of the criminal law, including material judged to be obscene under the current interpretation of the Obscene Publications Act 1959 or has been created through the commission of a criminal offence.

Applicants must ensure that all material that is the subject of the application complies with the current interpretation of the Obscene Publications Act 1959, the Copyright Design and Patents Act 1988 or any other relevant legislation and has not been created through the commission of a criminal offence.

Any authorisations for the exhibition of film(s) issued by this Licensing Authority shall only apply when the film(s) is exhibited within Northampton Borough and does not effect the authorisation or recommendations in any other borough.

Once authorised by the Licensing Authority a film will be authorised for a particular showing or festival, only subject to the recommendations imposed by this Licensing Authority. (Unless further application for re-classification is made).

Details of the authorisation including any recommendations shall be available from the Council's Licensing Services. The issue of any authorisation by Northampton Borough Council is strictly limited to the authorisation within this Borough and it is assumed that all relevant third party consents and licences in respect of any and all copyright, confidential information and all other intellectual property rights have been obtained.

This Licensing Authority will consider each authorisation on its own merit and may impose additional and more specific recommendations where it deems necessary in order to comply with the Protection of Children from Harm Licensing Objective.

Where this Licensing Authority authorises unclassified material to be shown the Licensing Authority will require an undertaking from the applicant that he has satisfied himself after proper enquiry that no material to be exhibited contravenes the current interpretation of the Obscene Publications Act 1959, the Copyright Design and Patents Act 1988 or any other relevant legislation and has not been created through the commission of a criminal offence.

This Licensing Authority shall also not be liable for any material that has been created through the commission of a criminal offence. It is the responsibility of the applicant to ensure that no film or trailer contravenes the law.

Where the Licensing Authority has determined to refuse authorisation of a film(s) clear and concise reasons shall be given.

3. Procedures for Authorisation Requests for Procedures for Approval of Films

Already Classified by The BBFC

3.1 Films already classified by the BBFC

All applications for authorisation of films already classified by the BBFC shall be referred to and determined by the Licensing Sub Committee on behalf of the Licensing Authority.

This Sub Committee shall consist of three Members of the Licensing Committee.

Applications should be submitted in writing to the Licensing Service.

In accordance with the National Guidance all requests shall be accompanied by the film(s) where possible in DVD format to avoid delays, the cost to be borne by the applicant. If DVD format is not possible then arrangements will be made for a suitable venue to view the film.

This will allow the Licensing Sub Committee time to view and authorise the film(s) so that the licence holder is able to adhere to any recommendations on age restrictions the Licensing Authority may impose. In any event, all requests should be submitted on the Licensing Authority's application form a minimum of 28 days before the proposed screening.

3.2 Requests for Re-Classifications

Where an individual or organisation not connected with the film(s) requests reclassification of a BBFC classified film, they are not expected to provide a copy of the film(s).

The Licensing Authority will then make suitable arrangements to view the film. It is also accepted that in these circumstances, it may not be possible to give 28 days' notice before the proposed screening.

All requests must be accompanied by detailed reasons for the request. Requests will be dealt with as expeditiously as possible as it is appreciated that films are generally only shown in cinemas for a relatively short period.

The Sub Committee will then view the entire film and assess it against the BBFC guidelines and National Guidance.

The Sub Committee shall issue a Notice of Determination of the authorisation within 5 working days from the date of viewing. The Licensing Authority will then formally advise the applicant and the licence holder of any recommendation(s) restricting the admission of children to the film(s).

Requests must be relevant to the protection of children from harm licensing objective and not frivolous, vexatious or repetitive. Requests may also be relevant to the prevention of crime and disorder licensing objective but only in relation to the contravention of the current interpretation of the Obscene Publications Act 1959 or any other relevant legislation.

3.3 General

In line with the National Guidance, where a film(s) is recommended by the Licensing Authority as falling into an age restrictive category, no person under the age specified shall be admitted. Where a film(s) is recommended by the Licensing Authority as falling into a category requiring any persons under a specified age to be accompanied by an adult, no person under the age specified shall be admitted unless accompanied by an adult. In these circumstances, the licence holder will be required to display in a conspicuous position a notice clearly stating the relevant age restrictions and requirements.

With regard to the wording of such Notices, the Licensing Authority shall have regard to National Guidance, e.g.:

'Persons Under the Age Of [insert appropriate age] Cannot Be Admitted To Any Part of The Programme. or

'Persons Under the Age Of [insert appropriate age] Can Only Be Admitted To The Programme If Accompanied By An Adult.'

4. Procedure for Authorisation of Films which have not been Classified by the BBFC or Northampton Borough Council

4.1 Applications for authorisation will in the first instance be considered by officers under delegated powers. However, any request to authorise an unclassified film may be referred by the Licensing Manager at his/her discretion to the Licensing Sub Committee for determination.

Applications should be submitted on the Licensing Authority's application form a minimum of 42 days before the proposed screening.

An application for authorisation should include the following information:

- (a) the film maker;
- (b) such recommendation as may have been made by the film maker upon age limit for the intended audience for exhibition of the film;
- (c) any existing classification issued by an existing classification body, whether within or outside the UK;
- (d) a synopsis identifying the material within the film considered by the exhibitor to be likely to have a bearing on the age limit for the audience for exhibition of the film. Where an applicant seeks an authorisation allowing exhibition of the film to persons 18 years and over only, a detailed synopsis will not be required;
- (e) if known, a legitimate and legal internet site where the film, or a portion of the film is available to view without charge;
- (f) any proposals on age restrictions for viewing the film that the applicant intends to impose; and
- (g) details of how age restrictions will be enforced.

4.2 In accordance with the National Guidance all requests shall be accompanied by the film(s) where possible in DVD format to avoid delays, the cost to be borne by the applicant. If DVD format is not possible then arrangements will be made for a suitable venue to view the film. This will allow the Licensing Manager time to view and authorise the film(s) so that the licence holder is able to adhere to any recommendations on age restrictions the Licensing Authority may impose. In any event, all requests should be submitted on the Licensing Authority's application form a minimum of 42 days before the proposed screening.

The Licensing Manager, whilst viewing the film(s) will have regard to BBFC Guidelines and National Guidance and shall issue a Notice of Determination of the application within five working days from the date of the viewing. When considering all such requests the Licensing Manager will pay particular attention to the Protection of Children from Harm Licensing Objective.

In line with the National Guidance, where a film(s) is recommended by the Licensing Authority as falling into an age restrictive category, no person under the age specified shall be admitted. Where a film(s) is recommended by the Licensing Authority as falling into a category requiring any persons under a specified age to be accompanied by an adult, no person under the age specified shall be admitted unless accompanied by an adult.

4.3 In these circumstances, the licence holder will be required to display in a conspicuous position a notice clearly stating the relevant age restrictions and requirements. With regard to the wording of such Notices, the Licensing Authority shall adopt the example as laid out in the National Guidance:

‘Persons Under the Age Of [insert appropriate age] Cannot Be Admitted To Any Part of The Programme’

‘Persons Under the Age Of [insert appropriate age] Can Only Be Admitted To The Programme If Accompanied By An Adult.’

In order to ensure the promotion of the Protection of Children from Harm and Prevention of Crime and Disorder licensing objectives, the Licensing Authority will formally advise the licence holder and applicant of any recommendation(s) on the restriction on the age of access for children to the film(s). This may also include any relevant notices required to be displayed by the licence holder inside and outside the premises.

4.4 The licensed premises hosting the exhibition of film will be expected to comply with these recommendations. The Licensing Authority recognises the principle that adults should be free to choose their own entertainment and will not normally override this principle, as such requests shall not normally be refused.

However, in all cases the Licensing Authority will expect the applicant to follow the BBFC’s Guidelines for 18 and R18 restricted films.

5. Section 20 Licensing Act 2003: Exhibition of Films

All premises permitted to exhibit films are subject to the following mandatory conditions:

5.1. Where a Premises Licence or Club Premise Certificate authorises the exhibition of films, the licence or certificate must include a condition requiring the admission of children to the exhibition at any film to be restricted in accordance with these paragraphs.

5.2. Where a film classification body is specified in the licence or certificate, unless paragraph 3 (b) below applies, admission of children must be restricted in accordance with any recommendation by that body.

5.3. Where:

- (a) the film classification body is not specified in the Licence or Certificate; or
- (b) the Licensing Authority has notified the holder of the Licence or the Club which holds the Certificate that this paragraph applies to the film in question, admission of children must be restricted in accordance with any recommendation made by the Licensing Authority.

5.4. In these paragraphs "children" means persons aged under 18 and "film classification body" means the person or persons designated as the authority under section 4 of the Video Recordings Act 1984 (authority to determine suitability of video works for classification).

Notwithstanding the above an exception can be authorised for a child under the age of 2yrs for entry to a film classified 15 or a lesser category. The child must be accompanied by a parent.

6. Exemptions for The Showing of Films

The provision of the exhibition of a film(s) is exempt from regulation by the Licensing Act 2003 if either:

It consists of or forms part of an exhibit put on show for any purposes of a museum or art gallery (the LA03 does not define a museum or art gallery so the ordinary meaning of the term is taken)

or:

Its sole or main purpose is to:

- (a) demonstrate any product,
- (b) advertise any goods or services (excluding the advertising of films), or
- (c) provide information, education or instruction

7. Requests to Waive a Film Classification

All requests to waive the film classification will in the first instance be considered by the Licensing Manager or Senior Licensing Officer under delegated powers. However, any request to waive a Film Classification may be referred by the Licensing Manager at his/her discretion to the Licensing Sub Committee for determination.

All requests to waive a film classification must be submitted on the Licensing Authority's application form a minimum of 42 days before the proposed screening with confirmation from the applicant that the film is intended to be shown to an audience of persons aged 18 years and over. Waivers would be issued based on the synopsis of the film and would be appropriate in the following cases:

- a) A foreign or locally made film being shown during a film festival.
- b) A one-off screening of a film.
- c) A trailer for a film.

Any classification waiver will have the following conditions attached:

a) The films must not encourage or incite crime; or lead to disorder; or stir up racial hatred against any section of the public of Great Britain on grounds of colour, race or ethnic or national origins, sexual orientation or sex, or promote sexual humiliation or degradation of or towards women.

b) The film must not have the effect such as to tend to deprave and corrupt persons who see them.

c) The films must not contain a grossly indecent performance thereby outraging the standards of public decency.

d) Persons under the age of 18 years must not be admitted to any such film exhibitions (with or without parental guidance).

If a waiver is not granted either by the Licensing manager or the Licensing Sub Committee the applicant would be able to apply for classification of the film under Section 4 above.

APPENDIX B

BBFC CLASSIFICATIONS - GUIDANCE CRITERIA



Universal Suitable for all

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

If a work is particularly suitable for a pre-school child to view alone, this will be indicated in the Consumer Advice.

Discrimination

No discriminatory language or behaviour unless clearly disapproved of.

Drugs

No references to illegal drugs or drug misuse unless they are infrequent and innocuous, or there is a clear educational purpose or anti-drug message suitable for young children.

Horror

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

Imitable behaviour

No potentially dangerous behaviour which young children are likely to copy. No emphasis on realistic or easily accessible weapons.

Language

Infrequent use only of very mild bad language.

Nudity

Occasional natural nudity, with no sexual context.

Sex

Mild sexual behaviour (for example, kissing) and references only (for example, to 'making love').

Theme

While problematic themes may be present, their treatment must be sensitive and appropriate for young children.

Violence

Mild violence only. Occasional mild threat or menace only.



Parental Guidance

General viewing, but some scenes may be unsuitable for young children

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

Discrimination

Discriminatory language or behaviour is unlikely to be acceptable unless clearly disapproved of or in an educational or historical context. Discrimination by a character with which children can readily identify is unlikely to be acceptable.

Drugs

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

Horror

Frightening sequences should not be prolonged or intense. Fantasy settings may be a mitigating factor.

Imitable behaviour

No detail of potentially dangerous behaviour which young children are likely to copy. No glamorisation of realistic or easily accessible weapons.

Language

Mild bad language only.

Nudity

Natural nudity, with no sexual context.

Sex

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

Theme

Where more serious issues are featured (for example, domestic violence) nothing in their treatment should condone unacceptable behaviour.

Violence

Moderate violence, without detail, may be allowed, if justified by its context (for example, history, comedy or fantasy).



Suitable for 12 years and over

Exactly the same criteria are used to classify works at '12A' and '12'. These categories are awarded where the material is suitable, in general, only for those aged 12 and over. Works classified at these categories may upset children under 12 or contain material which many parents will find unsuitable for them.

The '12A' category exists only for cinema films. No one younger than 12 may see a '12A' film in a cinema unless accompanied by an adult, and films classified '12A' are not recommended for a child below 12. 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 lies with the accompanying adult. The '12' category exists only for video works. No one younger than 12 may rent or buy a '12' rated video work.

Discrimination

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

Drugs

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

Horror

Moderate physical and psychological threat may be permitted, provided disturbing sequences are not frequent or sustained.

Imitable behaviour

Dangerous behaviour (for example, hanging, suicide and self-harming) should not dwell on detail which could be copied, or appear pain or harm free. Easily accessible Weapons should not be glamorised.

Language

Moderate language is allowed. The use of strong language (for example, 'f--k') must be infrequent.

Nudity

Nudity is allowed, but in a sexual context must be brief and discreet.

Sex

Sexual activity may be briefly and discreetly portrayed. Sex references should not go beyond what is suitable for young teenagers. Frequent crude references are unlikely to be acceptable.

Theme

Mature themes are acceptable, but their treatment must be suitable for young teenagers.

Violence

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. Sexual violence may only be implied or briefly and discreetly indicated, and must have a strong contextual justification.



Suitable only for 15 years and over

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

Discrimination

The work as a whole must not endorse discriminatory language or behaviour.

Drugs

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

Horror

Strong threat and menace are permitted unless sadistic or sexualised.

Imitable behaviour

Dangerous behaviour (for example, hanging, suicide and self-harming) should not dwell on detail which could be copied. Easily accessible weapons should not be glamorised.

Language

There may be frequent use of strong language (for example, 'f--k'). The strongest terms (for example, 'c--t') may be acceptable if justified by the context. Aggressive or repeated use of the strongest language is unlikely to be acceptable.

Nudity

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

Sex

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. Works whose primary purpose is sexual arousal or stimulation are unlikely to be acceptable.

Theme

No theme is prohibited, provided the treatment is appropriate for 15 year olds.

Violence

Violence may be strong but should not dwell on the infliction of pain or injury. The strongest gory images are unlikely to be acceptable. Strong sadistic or sexualised violence is also unlikely to be acceptable. There may be detailed verbal references to sexual violence but any portrayal of sexual violence must be discreet and have a strong contextual justification.



Suitable only for adults

No-one younger than 18 may see an '18' film in a cinema.

No-one younger than 18 may rent or buy an '18' rated video.

In line with the consistent findings of the BBFC's public consultations and The Human Rights Act 1998, at '18' the BBFC's guideline concerns will not normally override the principle that adults should be free to choose their own entertainment. Exceptions are most likely in the following areas:

- where the material is in breach of the criminal law, or has been created through the commission of a criminal offence
- where material or treatment appears to the BBFC to risk harm to individuals or, through their behaviour, to society – for example, any detailed portrayal of violent or dangerous acts, or of illegal drug use, which may cause harm to public health or morals. This may include portrayals of sexual or sexualised violence which might, for example, eroticise or endorse sexual assault
- where there are more explicit images of sexual activity which cannot be justified by context. Such images may be appropriate in 'R18' works, and in 'sex works' (see below) would normally be confined to that category

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

Sex education at '18'

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

Sex works at '18'

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