

Licensing Sub Committee – 14<sup>th</sup> November 2017

Late Item

Film Certification

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**Report of the Head of Elections, Licensing and Registration**

**Report to the Licensing Sub Committee**

**Date: 14<sup>th</sup> November 2017**

**Subject: Certification of Films**

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s): City Wide		
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Is the decision eligible for Call-In?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, Access to Information Procedure Rule number:		
Appendix number:		

**Executive Summary**

To advise Members of an Application for the certification of films to be shown at the Leeds Palestinian Film Festival which will run between November and December 2017.

**1.0 Purpose of this report**

1.1 This report informs Members with the background, history and issues of an application made under the Licensing Act 2003 ("the Act") for the certification of films that do not currently have a BBFC (British Board of Film Classification) certification. Finally, this report informs Members of the options available to them when considering an application for the certification of films.

**2.0 Background information**

2.1 The Licensing Act 2003 applies to premises which provide film exhibitions. At present there are a total of 7 cinemas licensed in the Leeds District.

2.2 The majority of films shown in Cinemas will carry a Certificate from the BBFC the categories of which are as follows:

- Category 'U' Passed for general exhibition
- Category 'PG' Passed for general exhibition but parents/guardians are advised that the film contains materials they might prefer children under fifteen years not to see.



Category `12'	Passed as suitable only for exhibition to persons of twelve years and over. When a programme includes a `12' film, no persons under twelve years can be admitted.
Category `12a'	Passed as suitable for children under the age of 12 if accompanied by an adult.
Category `15'	Passed as suitable only for exhibition to persons of fifteen years and over. when a programme includes a `15' film, no persons under fifteen years can be admitted.
Category `18'	Passed as suitable only for exhibition to adults. When a programme includes an `18; film no persons under the age of eighteen years can be admitted.

2.3 In addition to licensing premises for film exhibitions, the Licensing Authority has a duty under Section 20 of the Licensing Act 2003 to categorise films which are absent of a Certificate from a film classification body such as the BBFC. The Licensing Authority may also reject or modify a film which has received a Certificate from the BBFC.

2.4 Details of the BBFC Guidelines are attached at **Appendix A** for Members consideration

### **3.0 Main Issues**

3.1 Application has been received from the Leeds Palestinian Film Festival office to have a number of films certified as they are not currently certified by the BBFC. The films are to be shown in a number of venues around the city

3.2 Details of the films which require certification including a brief synopsis and a recommended category in line with the BBFC classifications is attached at **Appendix B** for Members information.

3.3 A representative from the Leeds Palestinian Film Festival office will attend the hearing to give additional details of the films.

### **4.0 Implications for council policy and governance**

4.1 There are no implications for Council policy and governance in respect of determining this application.

### **5.0 Legal and resource implications**

5.1 The applicant can appeal any decision made by committee. Any appeal would be to the Magistrates Court.



## **6.0 Recommendations**

- 6.1 Members are requested to consider this request for the certification of the films as attached hereto.
- 6.2 Members may take the decision to view any of the films prior to the issue of a certificate

## **7.0 Options available to Members**

The Licensing Authority has a duty to create conditions or restrictions, and does have the authority to categories a film which is absent of a Certificate from the BBFC.





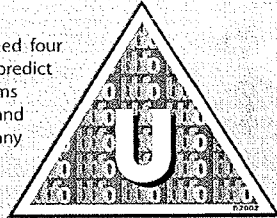
# bbfc

## Age Ratings You Trust

### Guidelines

#### U - Universal

A U film should be suitable for audiences aged four years and over, although it is impossible to predict what might upset any particular child. U films should be set within a positive framework and should offer reassuring counterbalances to any violence, threat or horror. If a work is particularly suitable for pre-school children, this will be indicated in the BBFCinsight.



#### Discrimination

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

#### Drugs

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

#### Imitable behaviour

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

#### Language

Infrequent use only of very mild bad language.

#### Nudity

Occasional nudity, with no sexual context.

#### Sex

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

#### Threat

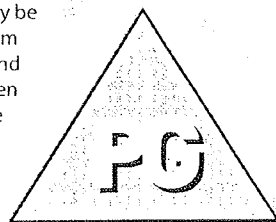
Scary or potentially unsettling sequences should be mild, brief and unlikely to cause undue anxiety to young children. The outcome should be reassuring.

#### Violence

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

#### PG - Parental Guidance

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



#### Discrimination

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

#### Drugs

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

#### Imitable behaviour

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

#### Language

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

#### Nudity

There may be nudity with no sexual context.

#### Sex

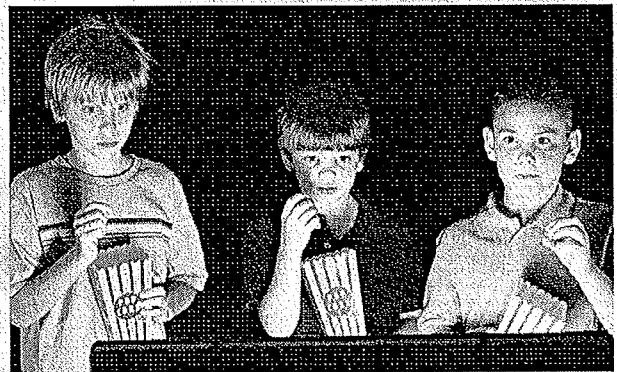
Sexual activity may be implied, but should be discreet and infrequent. Mild sex references and innuendo only.

#### Threat

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

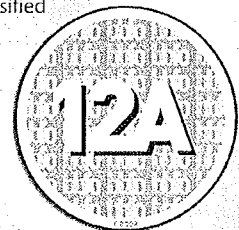
#### Violence

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



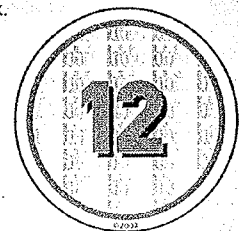
#### 12A/12 - Suitable for 12 years and over

Films classified 12A and video works classified 12 contain material that is not generally suitable for children aged under 12. No one younger than 12 may see a 12A film in a cinema unless accompanied by an adult. Adults planning to take a child under 12 to view a 12A film should consider whether the film is suitable for that child. To help them decide, we recommend that they check the BBFCinsight for that film in advance. No one younger than 12 may rent or buy a 12 rated video work.



#### Discrimination

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



### Drugs

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

### Imitable behaviour

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

### Language

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

### Nudity

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

### Sex

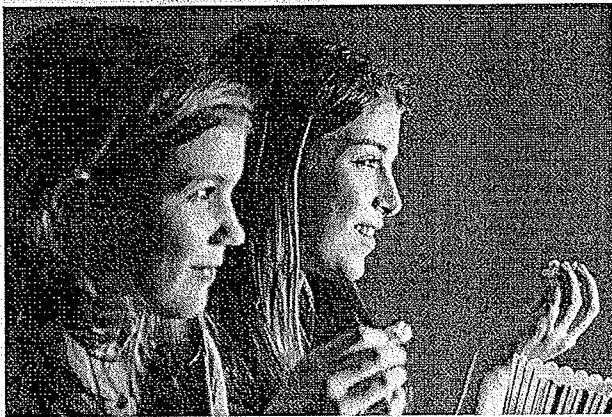
Sexual activity may be briefly and discreetly portrayed. Moderate sex references are permitted, but frequent crude references are unlikely to be acceptable.

### Threat

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

### Violence

There may be moderate violence but it should not dwell on detail. There should be no emphasis on injuries or blood, but occasional gory moments may be permitted if justified by the context. Sexual violence may only be implied or briefly and discreetly indicated, and its depiction must be justified by context.



## 15 – Suitable only for 15 years and over

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

### Discrimination

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

### Drugs

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

### Imitable behaviour

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



### Language

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

### Nudity

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

### Sex

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

### Threat

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

### Violence

Violence may be strong but should not dwell on the infliction of pain or injury. The strongest gory images are unlikely to be acceptable. Strong sadistic violence is also unlikely to be acceptable. There may be detailed verbal references to sexual violence but the depiction of sexual violence must be discreet and justified by context.

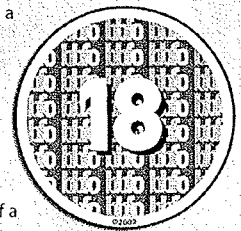


## 18 – Suitable only for adults

No one younger than 18 may see an 18 film in a cinema. No one younger than 18 may rent or buy an 18 rated video work. Adults should be free to choose their own entertainment. Exceptions are most likely in the following areas:

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

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



## LEEDS PALESTINIAN FILM FESTIVAL 2017

### Non-classified films

All of the non-classified films that we are showing are documentaries. In various ways they illustrate different aspects of life in the Occupied Palestinian Territories and some contain newsreel-type images of the Israeli-Palestinian conflict. Having read the BBFC classification guidelines and taking into account that some of these images may be distressing for younger children we suggest that all of the films be classified as suitable only for 15 years and older.

The films are listed below with brief synopses and links to the relevant websites.

Tricia Griffin, Leeds Palestinian Film Festival

### THE OCCUPATION OF THE AMERICAN MIND

Saturday 18 November 5-8pm  
The Carriageworks, Millenium Sq, LS2 3AD

***“One of the most compelling and important documentaries in recent years”*** John Pilger

The film features leading observers of the Israeli–Palestinian conflict, exploring how the Israeli government, U.S. government, and the pro-Israel lobby have joined forces (often with very different motives) to shape American media coverage of the conflict in Israel’s favour. It provides a sweeping analysis of Israel’s decades-long battle for the hearts, minds, and tax dollars of the American people. Narrated by Roger Waters, lead singer of rock band Pink Floyd.

*Loretta Alper & Jeremy Earp 2016 85mins USA*  
<http://mediaed.org/occupationmovie/about.html>

### FIREFIGHTERS UNDER OCCUPATION

Film, food & talk night  
With West Yorkshire Fire Brigade Union (FBU)

Friday 24 November  
7pm Middle Eastern buffet      7.30pm Film and Q&A

The Old Fire Station, Gipton Approach, LS9 6NL

In 2011 a FBU delegation delivered fire fighting equipment to vastly under resourced firefighters in the West Bank. This new FBU supported documentary made by a South Wales firefighter and filmmaker, gives a unique insight into the life of firefighters in the world's longest running military occupation and why they say "our first enemy is the occupation – our second enemy is the fire".

Q&A session with the Director Ciaran Gibbons and retired firefighter Jim Malone.

*Ciaran Gibbons 2016 100mins UK*

<https://www.fbu.org.uk/blog/firefighters-under-occupation-0>

### **THE ACTIVIST AS FILM-MAKER**

Saturday 9 December 2:00 pm - 4:30 pm

Blackwells Bookshop, 21 Woodhouse Lane, Leeds LS2 9HJ

### **THE FORGOTTEN**

In a period of catastrophic human displacement in the Middle East, it is sobering to be made aware that the largest single refugee population in the world remains that of the Palestinians, ejected from their lands in 1948 to make way for the founding of the state of Israel. How has the politics of power rendered these long-term dispossessed and stateless people a largely forgotten reality?

*Jon Pullman 25 minutes 2015 UK*

<http://jonpullman.com/films/the-forgotten>

### **EXISTENCE IS RESISTANCE**

**An evening of three short films, photographic exhibition and conversation on the theme of 'Sumud' or 'steadfastness'.**

Friday 8th December 7:00 pm - 10:00 pm

Inkwell Arts, 31 Potternewton Lane, LS7 3LW

### **Sumud: Everyday Resistance**

Life under Israeli military occupation in the West Bank told through the stories of Palestinian women, not as victims but as drivers of change, proactive, engaged and dignified.

*Bryan Gerard Duffy 2016 12 mins Subtitled*

<http://www.bryangerardduffy.com/sumud-everyday-resistance-2016/>

### **Journey of a Sofa**

We may think getting a newly purchased sofa home is tricky. But in the Shatila Palestinian refugee camp in Lebanon, it becomes a Sisyphean journey revealing the complexities and absurdities of everyday life in the camp.

*Alaa Al Ali 2014 9 min Palestine Subtitled*

<http://idiomfilm.com/movies/journey-of-a-sofa/>

**Shireen of al-Walaja**

An intimate, inspiring portrait of the day-to-day life of a dynamic popular resistance leader from Palestine who quit her job with the UN to return to her home village of al-Walaja and fight for its survival.

*Daz Chandler 28 mins 2015 Australia/Palestine*

<http://www.origamiflight.com/projects/shireen-of-al-walaja/>

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