

Report of: Chief Officer, Elections and Regulatory

Report to: Licensing Sub Committee

Date: Tuesday 9th November 2021

Subject: Certification of Films – Leeds Palestinian Film Festival 2021

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s): Headingley & Hyde Park, Chapel Allerton, Little London & Woodhouse, Otley & Yeadon		
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 seven films in respect of the Leeds Palestinian Film Festival. All screenings are scheduled to take place between 20th November 2021 and 3rd December 2021, at HEART, Seven Artspace, Woodhouse Community Centre, Wheeler Hall, The Pyramid Theatre and Otley Courthouse.

Of the seven films to be certified, the applicant only has access to links for viewing four. Having sought legal advice, Members are recommended to certify the films they cannot view as category 18 ratings. Further information on this matter is detailed at 3.2 of this report.

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 a film that does 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 8 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 Universal. Suitable for all.

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

Category 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.

Category 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, the BBFC recommend that they check the ratings info for that film in advance. No one younger than 12 may rent or buy a 12 rated video work.

Category 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.

Category 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.

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

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

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 a film which is 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 certification from the BBFC.

2.4 A copy of the current BBFC Classification Guidelines are attached at **Appendix A** for Member's consideration.

3.0 Main Issues

3.1 An application has been received on behalf of Leeds Palestinian Film Festival for the certification of seven films scheduled for screening between 20th November 2021 and 3rd December 2021. The screenings are intended to take place at HEART, Seven Artspace, Woodhouse Community Centre, Wheeler Hall, The Pyramid Theatre and Otley Courthouse.

3.2 In response to a briefing by the BBFC and due to previous issues experienced with films that Members have been unable to view, the film classification process has now changed. Advice sought from the Council's Legal Department has reaffirmed it is essential the Licensing Sub-Committee can view each film in order to rate it appropriately. In instances where films are unavailable, Members are advised to certify them 18 rating, subject to a written declaration from the applicant confirming that each film does not contain any content which would more likely than not, render the film liable to be classified as R18 if considered in accordance with the BBFC Classification Guidelines.

3.3 A list detailing the title, synopsis and the applicant's suggested rating for each of the sevens films is as follows:

Title:	LITTLE PALESTINE (DIARY OF A SIEGE)
Venue:	HEART, Bennett Rd, Headingley, Leeds LS6 3HN
Screening Date:	1 st December 2021
Synopsis:	After the Syrian Revolution, Al-Assad's regime besieges the district of Yarmouk, the largest Palestinian refugee camp in the world. Yarmouk is cut off and out of the public eye. This filmed diary of the daily life of its inhabitants, who decided to face bombing, displacement and hunger with rallying, study, music, love and joy...
Suggested Rating:	15

Title:	NOT JUST YOUR PICTURE
Venue:	Seven Artspace, 31A Harrogate Road, LS7 3PD
Screening Date:	3 rd December 2021
Synopsis:	Layla and Ramsis, German-Palestinian siblings living in Germany, face a family tragedy far away in the besieged Gaza Strip. A documentary feature by Anne Paq and Dror Dayan.
Suggested Rating:	15

Title:	THE PRESENT
Venue:	Oblong, Woodhouse Community Centre, 197 Woodhouse St, Woodhouse, Leeds LS6 2NY
Screening Date:	20 th November 2021
Synopsis:	Yusuf and his daughter set out to buy his wife an anniversary gift, a gesture demanding much patience and negotiation skills in the West Bank.
Suggested Rating:	15

Title:	MY NEIGHBOURHOOD
Venue:	Oblong, Woodhouse Community Centre, 197 Woodhouse St, Woodhouse, Leeds LS6 2NY
Screening Date:	20 th November 2021
Synopsis:	Through their personal stories, My Neighbourhood goes beyond the sensational headlines that normally dominate discussions of Jerusalem and captures voices rarely heard, of those striving for a future of equality and pluralism in the city.
Suggested Rating:	15

Title:	OBJECTOR
Venue:	Wheeler Hall, rear of St. Anne's Cathedral, LS2 8BE
Screening Date:	26 th November 2021
Synopsis:	OBJECTOR follows Atalya to prison and beyond, offering a unique window into the Israeli-Palestinian conflict from the perspective of a young woman who seeks truth and takes a stand for justice. "Atalya is a remarkable young woman, exhibiting a rare courage.
Suggested Rating:	18

Title:	BETWEEN HEAVEN AND EARTH
Venue:	The Pyramid Theatre at Leeds University Union, Lifton Place, Leeds, LS2 9JZ
Screening Date:	22 nd November 2021
Synopsis:	A young couple are going through steps to get divorced when the husband finds out secrets about his past in this part road movie, part mystery, and part dive into the Palestinian psyche.
Suggested Rating:	18

Title:	GAZA
Venue:	Otley Courthouse, Otley, LS21 3AN
Screening Date:	28th November 2021
Synopsis:	This beautifully shot film captures how ordinary people find meaning behind the conflict in this small strip of land that borders the Mediterranean Sea.
Suggested Rating:	18

3.5 Details of each film requiring classification have been provided to Members of the Licensing Sub Committee in advance of the hearing and a representative is due to attend the hearing to provide additional details.

4.0 Content Summary

5.1 To assist members with their deliberation, two officers of the Licensing Authority have viewed the films with available screeners and provided the following comments. These has been written by in accordance with BBFC guidelines.

5.2 Little Palestine, Diary of a Seige

The film is the heart-breaking tale of a community struggling to survive in increasingly difficult circumstances during the siege.

In the early stages of the film people are frustrated, but go about their lives. As the film progresses the town crumbles around them as buildings fall to mortar fire, but more critical is the food shortages resulting in distressing images of starvation. Despite the despair the film does not focus on misery, but of hope, with the documentary being realistic but never melodramatic.

In the context of what the message the film is conveying the officers that viewed it consider it is within the BBFC guidelines for a 15 rating.

5.3 Not Just Your Picture

The story of two German-Palestinian siblings who had their life shattered one morning in 2014 when their father, his second wife and their five young children were killed by an Israeli airstrike during the attacks on Gaza.

The film gives insight in to their emotions and attempts to visit their grieving family and the graves of their loved ones.

Officers consider this feature is within the BBFC guidelines for a 15 rating.

5.4 The Present

A short film documenting the troubles for Yusuf and his daughter to undertake a task taken for granted by so many.

The officers that viewed the feature consider it is within the BBFC guidelines for a 15 rating.

5.5 My Neighbourhood

A short film portraying a Palestinian teenager growing up in East Jerusalem where in some Palestinian neighbourhoods, Israeli settlers are securing court orders to evict residents and take possession of their homes.

Officers consider this feature is within the BBFC guidelines for a 15 rating.

6.0 Implications for Council Policy and Governance

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

7.0 Legal and Resource Implications

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

8.0 Recommendations

8.1 Members are requested to consider this request for the certification of the films as attached hereto.

8.2 Members are recommended to view films prior to the issue of a Certificate.

9.0 Options Available to Members

9.1 The Licensing Authority has the authority to categories a film which is absent of a Certificate from the BBFC.