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# CAMPAIGN

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# CENSORSHIP

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AGAINST

(THE DEFENCE OF LITERATURE AND THE ARTS SOCIETY)

PLEASE REPLY TO:-

BBFC PUBLIC CONSULTATION: LONDON 2ND JUNE 1998

Ted Goodman (Chair of CAC) and Basil Stein (CAC Committee Member) attended this consultation in London, one of a series held by the British Board of Film Classification throughout the United Kingdom in 1998.

James Ferman, the outgoing Director, showed excerpts from films and video recordings while explaining BBFC classification. He demonstrated that graphic rape scenes are cut from adults-only films and videos. When asked why, he stated that this was to prevent male voyeurs from masturbating while repeatedly playing the video scenes of rape and thus getting pleasure out of the image of a female suffering! He said that only male suffering was acceptable, because it was non-sexual! He showed the scenes of violence and drugtaking cut from leading American films -but not the explicit consensual sex which had been censored. When asked why, he responded that he was certainly not going to show pornography even at this consultation!

Ferman demonstrated that he cut American scenes of horses falling if they had been induced by use of a tripwire because that was cruel, even though the audience was unaware of the technique used and even though the Cruelty to Animals Act 1937 only outlawed cruelty during filmmaking, not showing same. Someone asked if this meant that videos attacking cruel sports could be banned. Ferman replied that they would be if the cruelty shown had been staged, whatever the motive.

He stated that he consults regularly with classifiers in other countries. Goodman of CAC asked him why the BBFC had much stricter classification than on the Continent. Ferman stated this was because of "different national standards." He said that other countries were much less worried about sex than Britain. For instance the new film "Lolita" had caused an outcry in the UK, with calls from the "Daily Mail" and others for it to be banned. In France, by contrast, it was given a "12" certificate. Similarly other countries were more tolerant of violence; the film of Michael Collins was passed for general exhibition in the Republic of Ireland, but given a "15" certificate in the United Kingdom.

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The new Chairman of the BBFC, Andreas Whittam Smith, and three Examiners then explained their position. They stated that they were answerable to the Home Office, whose main preoccupation was prevention of crime. It had warned the BBFC to cut explicit sexuality from all film and video, so as to reflect the seizure policy of British Police and Customs.

A female Examiner said she had unwillingly had to to "cut an erect penis" that day, although she knew that pornography was available under the counter near the BBFC's office in Soho Square ! Whittam Smith explained that the Home Secretary and Parliament demanded strict censorship, not the BBFC. He explained that videos were far more heavily censored than films, because the law clearly stated that the BBFC had to have regard to the effect on minors of adult videos (but not films) ! No such distinction was made between films and video classification on the Continent because the law there placed responsibility on adults not to show unsuitable video recordings to minors. English law, by contrast, assumed that minors watched adults-only videos !

Smith declared that he wanted more openness, including publication of duration of cuts made to each film and video released. Ferman, Director of BBFC, stated that the organisation was entirely funded by fees charged by the minute for classifying and cutting. He said the industry resisted any move to reduce charges for minority filmmakers. Smith said he would, however, investigate the possibility of so doing because he realised that producers of minority material were unable to pay the requisite fee for classification and thus were prohibited from releasing their product commercially.

Smith stated that the BBFC was responsive to public criticism. When asked for details, he said that over a hundred letters of protest about one film or video was unusual. Normally there was only handful on any one issue. He was on the lookout for staged correspondence. He gave the example of several letters all demanding cuts in one film, all couched in the same terms and all containing the same spelling mistake ! He said that from now on the BBFC would try and reply to all letters it received and that it wanted mail on its role. The aim was to reflect public opinion. Ferman said that British people had become much more tolerant of nudity and sexuality, but the BBFC could not change the English laws against obscenity or blasphemy.

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Goodman of CAC criticised the BBFC for overreacting to potential illegality. He pointed out that no other country in the world had banned the video "Agony of St Theresa" and that it was unlikely to have been found blasphemous if released in Britain. Similarly explicit sexuality might not contravene the Obscene Publications Act if the only persons likely to see it were consenting adults. In any event no film or video could be prosecuted for obscenity without the consent of the Director of Public Prosecutions, which would not be given.

Ferman was asked why the versions of films shown on television were edited differently from those vetted by the British Board of Film Classification for cinemas and video. He explained that the BBFC had no authority whatsoever over television which was supervised by the Broadcasting Standards Council. Television stations showed their own edited versions of films, which were usually cut more than by the BBFC, especially if shown before the 9 pm watershed.

Goodman of CAC mentioned that the former Home Secretary, Michael Howard, had stated that the United Kingdom had amongst the strictest film and video censorship in the world. No-one from the British Board of Film Classification disagreed! Instead the argument for censoring adults-only material was that it was done to comply with the law and protect the "disturbed minority" of adults, who might imitate what they saw..