

Quarterly Report of Appeals, Complaints and Advice

The BBFC is the regulator of commercial and internet content delivered via the mobile networks of EE, O2, Three and Vodafone.

In the interest of transparency, the BBFC publishes all of its adjudications in relation to cases reported to it of purported underblocking or overblocking, along with requests for advice on whether particular content should go behind parental controls or adult filters.

We keep this list updated as and when new cases are reported to us and publish updates every three months.

In all cases, the BBFC conveys its adjudication to (i) the complainant, appellant or person or body seeking advice; (ii) Mobile UK; and (iii) the relevant mobile network operator(s).

The adjudication that a website contains no material that we would classify 18 does not necessarily mean that we believe it is suitable for younger children.

In the following cases, the adjudications represent an assessment of the content according to the dates listed below. Any subsequent changes to content have therefore not been viewed by the BBFC, although we reserve the right to change our adjudication should altered content be brought to our attention subsequently.

January 2017

5 January 2017

Website

backpage.com, backpage.co.uk

Issue

A mobile network operator contacted the BBFC for advice about the suitability of the websites for people under 18.

Adjudication

The BBFC viewed the websites on 5 January 2017.

We noted that while the sites appeared in large part to provide classified advertising for various non-adult products and services, there was also a significant proportion given to adult services. Adult services on offer included escorts, strippers, dominatrixes and adult entertainment venues, and there were employment opportunities for work in the adult industry. We noted that the dating section also contained a considerable focus on adult services. Many of the advertisements contained photos, some of which were pornographic in nature, in addition to sexual text. As such, we did not consider the sites suitable for people under the age of 18.

12 January 2017

Website

Hotvids.club

Issue

The website owner contacted the BBFC to complain that the site was blocked by adult filters despite, in the complainant's view, containing no material that would restrict it to access by adults only.

Adjudication

The BBFC viewed the website on 11 and 12 January 2017.

We noted that it was a site containing numerous videos with sexualised material in each of its sections. Some of the videos contained clear sight of sexual activity such as masturbation, and BDSM activity including the use of nipple clamps and ball gags. We would consider this kind of material to be a sex work, and classify accordingly at 18 or R18.

27 January 2017

Website

lovecbd.org

Issue

The website owner and a third party contacted the BBFC to complain that the site was blocked by adult filters despite, in their view, containing no material that would restrict it to access by adults only.

Adjudication

The BBFC viewed the website on 18 and 27 January 2017, and sought legal advice.

We noted that it was a site offering CBD (Cannabidiol) oil / balm products for sale as a food supplement. The site also contained articles relating to legal issues around CBD oil in the UK, US and Canada, and a 'Frequently Asked Questions' section that outlined information such as the legality of CBD oil in the UK, and its THC content. While articles on the site, and links to other websites, may have advocated a change in legislation concerning CBD oil and cannabis in different parts of the world, we found no content which overtly glamorised the recreational use of cannabis or encouraged illegal activity. In addition, Love CBD was not marketing its products as a medicine, or claiming any medical benefits for them, but as food supplements. Therefore, we found no content which we would classify 18 or refuse to classify.

February 2017

2 February 2017

Website

yellw.co

Issue

A mobile network operator contacted the BBFC for advice about the suitability of the website for people under 18.

Adjudication

The BBFC viewed the website on 31 January and 2 February.

We noted that it was a site limited to a few text pages which outlined various aspects of the 'Yellow' App's service, including the Community Guidelines, with references to rules such as prohibiting the sharing of pornographic / sexually explicit content. The site also invited users to download the App from the iOS and Android App stores. However, the website was clearly distinct from the App itself and as such, we found no content on the website which would cause us to classify it 18.

14 February 2017

Website

velvetaffair.co.uk

Issue

The website owner contacted the BBFC to complain that the site was blocked by adult filters despite, in the complainant's view, containing no material that would restrict it to access by adults only.

Adjudication

The BBFC viewed the website on 10 and 14 February 2017.

We noted that it was a website offering a wide range of products, ranging from outfits and underwear to sex toys. In the 'After Hours' section of the site, vibrators, dildos and paddles were offered for sale among other adult products such as a 'Beginner's Bondage Fantasy Kit'. Images and text accompanied each of the products for sale, which described their respective uses. The website also included a blog section which included text related to sexual activity including BDSM. As such, we did not consider the site suitable for people under the age of 18.

March 2017

10 March 2017

Website

grobo.io

Issue

A mobile network operator contacted the BBFC for advice about the suitability of the website for people under 18, following a complaint from a member of the public that the site had been placed behind adult filters despite containing no material that in the complainant's opinion would cause access to be restricted to adults only.

Adjudication

The BBFC viewed the website on 9 and 10 March.

We noted that it was a site whose primary purpose was to sell a 'Smart Grow Box' that can be used to grow plants, and that there was nothing inherently illegal in the product itself. However, in our opinion the site went further in promoting and normalising the growing of cannabis, including the provision of some detailed instructional material about its cultivation, and an external link to the purchase of certain kinds of cannabis seeds. Given that such information could be used to aid in illegal activity, such as the cultivation of cannabis, we would classify the site at least 18.

BBFC
31 March 2017