

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 2018

15 January 2018

Website

windscribe.com

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 it 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 15 January 2018.

We noted that it was a site offering a paid-for VPN service. The site offered information on how to subscribe to the service, a description of the features offered by the service, client support services and a contacts page. While the BBFC is aware that VPNs can be used to enable illegal activity and to avoid detection when a criminal offence is being committed, they are not themselves illegal under UK law. In addition, the website contained no overt references to illegal activity - for example, it did not include instructions on how to use a VPN to commit an offence or promote the use of the service in order to avoid detection when committing an offence. As such, we found no content which we would classify 18.

17 January 2018

Website

medipen.co.uk

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 it 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 17 January 2018.

We noted that it was a site offering products related to a Cannabinoid Vaporizer, including a range of CBD oils. The site contained a 'Frequently Asked Questions' section which outlined information such as the legality of CBD oil in the UK, emphasising that the cannabinoid extracts used are "completely legal, non-psychoactive and don't induce any mind-altering effects" since they do not contain THC and "are not subject to any legal restrictions on their import, sale, possession or use". In addition, in relation to the MHRA's public statement on products containing CBD, the site was not marketing its products as a medicine, or claiming any medical benefits for them. As such, we found no content which we would classify 18 or refuse to classify.

18 January 2018

Website

guntrader.uk

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 it 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 18 January 2018.

We noted that it was a site which offered the selling and trade, by private individuals and dealers, of various guns ranging from airsoft guns up to shotguns and rifles, and appeared to be a refreshed version of a site which the BBFC adjudicated on in February 2015. We noted that the site offered links to both types of vendors. The site stated that its aim was "To provide appropriately licensed members of the public with the easiest way to buy or sell a gun" and "To provide the trade with a simple and new way to increase their sales". The BBFC Classification Framework does not cover sites which supply age restricted goods or services unless any adult filters in place

block on the basis of the types of content listed in Part B of this schedule. Given the presentation of the site, the BBFC found no material which it would classify 18.

22 January 2018

Website

hempura.co.uk

Issue

A member of the public 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 22 January 2018.

We noted that it was a site offering Cannabidiol (CBD) products (including oils, vape liquids, chocolates and capsules) for sale as a food supplement. The site contained general information on CBD, as well as a 'Frequently Asked Questions' section which emphasised that the CBD products advertised do "not possess any psychoactive properties" and that "consuming it will not get you high or cause any altered mental status changes such as euphoria or hallucination". The site also stated that "cannabis oil supplements are registered with the Food Standard Agency of the United Kingdom" and that the company is a member of the Cannabis Trades Association (CTA) which works with "the MHRA government entity on our behalf to ensure the industry as a whole is legal and safe for consumption". In addition, in relation to the MHRA's public statement on products containing CBD, Hempura was not marketing its products as a medicine, or claiming any medical benefits for them, but as food supplements. As such, we found no content which we would classify 18 or refuse to classify.

23 January 2018

Website

dmovies.org

Issue

A member of the public 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 site on 23 January 2018.

We noted that it was a site dedicated to coverage of innovative and challenging cinema which contained articles and film reviews. Following changes made to the site as a consequence of a previous adjudication on 19 September 2017, the BBFC viewed the site again for confirmation that changes to the most problematic material had been made. We found no material which we would classify at 18.

25 January 2018

Website

nsra.co.uk

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 it 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 25 January 2018.

We noted that it was a site run by the National Small-bore Rifle Association which is the national governing body for all Small-bore Rifle and Pistol Target Shooting in the United Kingdom, including Airgun and Match Crossbow Shooting. The site contained news updates and articles on the sports shooting competitions held under the auspices of the NSRA, including schools competitions. The information on the site covered compliance with Home Office legislation on the licensing and ownership of firearms. There was a link on the home page to the NSRA Shop which advertises the retail of firearms and accessories for licensed use, both online and at the shop's premises at the NSRA's base. As such, we found no material which we would classify at 18.

25 January 2018

Website

<http://gamehacking.org>

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 it 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 25 January 2018.

We noted that it was a mainly forum and chat-based site for the exchange of cheat and videogame enhancement codes for new and older videogames. The site carried a disclaimer stating "We are not involved with piracy (game 'cracking', etc.), and do not condone hacking of online, multiplayer games or unlocking paid content". 'Hacking', in the context of GameHacking.org, refers to modification of a platform's system memory during game play, or modification of files that comprise a game, to achieve a desired effect during game play. In other words, we make cheat codes here". The Forum Rules on the site also forbid the posting or linking to illegal content, the posting or linking to adult (pornographic) content, and offers to exchange hack

codes for financial remuneration. On that basis, we were satisfied that the site did not promote illegal activity. As such, we found no material which we would classify at 18 or refuse to classify.

February 2018

8 February 2018

Website

moodle.peterborough.ac.uk

Issue

A member of the public 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 8 February 2018.

We noted that it was a site dedicated to Peterborough Regional College offering various resources to students and staff. The appeal for an adjudication came from a site supervisor who stated that "College staff and students are unable to access https content on the College virtual learning resource website" due to blocking by adult filters. Access to the majority of the links on the site required pre-registration and the provision of usernames/passwords, and so this content could not be viewed for assessment. However, based on our sampling of what could be accessed on the site, we found no content which we would classify 18 or refuse to classify.

9 February 2018

Website

synergyofnature.co.uk

Issue

A member of the public 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 9 February 2018.

We noted that it was a site offering Cannabidiol (CBD) products (including oils, vape liquids, and vaping equipment) for sale as a food/lifestyle supplement. The site contained general information on CBD which also emphasised that the CBD products advertised have no psychoactive effect and cannot be used recreationally. In addition, in relation to the MHRA's public statement on products containing CBD, the site was not marketing its products as a medicine, or claiming any medical benefits for them. As such, we found no content which we would classify 18 or refuse to classify.

21 February 2018

Website

peterborough.ac.uk

Issue

A member of the public 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 21 February 2018.

We noted that it was the main website for Peterborough Regional College offering information on further education courses, student services and college events. We also noted that this site was distinct from moodle.peterborough.ac.uk for which the BBFC made an adjudication on 8 February 2018. Based on our sampling of the site, we found no content which we would classify 18 or refuse to classify.

21 February 2018

Website

cannadonia.co.uk

Issue

A member of the public 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 21 February 2018.

We noted that it was a site offering Cannabidiol (CBD) products for sale as a nutritional supplement. The site contained general information on CBD, as well as a 'Frequently Asked Questions' section which emphasised that the CBD products advertised do not possess any psychoactive properties. In addition, in relation to the MHRA's public statement on products containing CBD, Cannadonia was not marketing its products as a medicine, or claiming any medical benefits for them, but as a food supplement. As such, we found no content which we would classify 18 or refuse to classify.

March 2018

7 March 2018

Website

burlesquebaby.com

Issue

A member of the public 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 7 March 2018.

We noted that it was a site offering various dance lessons, including burlesque, in class environments and at social gatherings such as hen parties. The site was clear that no nudity features in any of these classes and there were no nude images on the site. The site contained galleries featuring images of performers and students wearing lingerie or revealing costumes, and text included references to the "sexy" nature of the dances being taught, but this was in the generally playful tone of the site in relation to the services being offered. Although the services offered were clearly indicated as being available only to adults, there was no material contained within the site that the BBFC would classify at 18 or refuse to classify.

14 March 2018

Website

anstonbbs.co.uk

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 it 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 14 March 2018.

We noted that it was a forum for a registered air rifle and pistol sporting club which provided news items for its members and a means for them to communicate with each other and offer equipment for sale. We found no content on the site that the BBFC would classify at 18 or refuse to classify.

22 March 2018

Website

siska.tv

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 it 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 22 March 2018.

We noted that it was a site containing images of explicit sexual activity and nudity which linked to videos of similar content which the BBFC would classify at 18 or R18.

22 March 2018

Website

mostholyfamilymonastery.com

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 it 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 22 March 2018.

We noted that it was a site which promoted a strictly traditional interpretation of the teachings and belief of the Roman Catholic Church. It contained articles, posts and videos which express criticism of other Christian and non-Christian religious teachings, sexuality and issues such as abortion. While the views which are expressed may be subject to debate, and some people will disagree with the positions taken by the site, they are made in the spirit of religious belief and our sampling of the site did not discover examples of overt hate speech. As such we found no content on the site that the BBFC would classify at 18 or refuse to classify according to the Classification Framework.

BBFC
5 April 2018