

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.

April 2019

1 April 2019

Website

debden.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

We noted that the website is an outdoor goods supplier which offers links to four separate branded sites, one of which presents details of legal airguns and related accessories such as targets. As the site advertises legal products, we found no content that we would classify 18 or refuse to classify.

3 April 2019

Website

lifeindigital.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

We noted that the site was a search engine. It also included links to well known retailers, as well as links to the organisation's own broadband and mobile comparison websites. We found no material that the BBFC would classify 18 or refuse to classify.

26 April 2019

Website

bestvpn.com

Issue

A member of the public contacted the BBFC directly to complain that a website was placed behind adult filters despite containing no material that in the complainant's opinion would cause access to be restricted to adults only.

Adjudication

We noted that the website reviews paid-for VPN services and products. The site offers information and reviews on various VPN services, as well as a range of articles and news features. While the BBFC is aware that VPNs can be used to enable illegal activity the website contained no overt references to illegal activity, nor did it actively 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. We found no material that the BBFC would classify 18 or refuse to classify.

May 2019

1 May 2019

Website

psychedelicsociety.org.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 noted this is a website belonging to the Psychedelic Society, whose aim is to educate about the use of 'psychedelics' and to campaign for a change in the law on illegal drugs. While aspects of the website serve a legitimate campaigning purpose, other aspects of the website actively promote and encourage the misuse of illegal class A drugs. Accordingly, the BBFC found material on the website that we would classify at least 18.

June 2019

13 June 2019

Website

cbdmarketplace.co.uk

Issue

A member of the public contacted the BBFC directly to complain that a website was placed behind adult filters despite containing no material that in the complainant's opinion would cause access to be restricted to adults only.

Adjudication

We noted that the site is an online store retailing a range of products containing CBD. The site contained general information about CBD, as well as its products, and reinforced across the website that none of the products available to purchase contain psycho-active properties, as they contain less than 0.2% THC. The website also featured a disclaimer noting that none of the products that it retails are "intended to diagnose, treat, cure or prevent any disease". As such, we found no content that we would classify 18 or refuse to classify.

13 June 2019

Website

openvpn.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

We noted that the website offers a paid-for VPN service. The site offers information on how to purchase the service for both private and business use. The website also offers a range of information on VPNs. While the BBFC is aware that VPNs can be used to enable illegal activity, the website contained no overt references to illegal activity, nor did it actively 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 could classify 18 or refuse to classify.

13 June 2019

Website

budandtender.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

We noted that the site retails a range of CBD based oil products, all of which differ in strength. The site contained general information on CBD, as well as a 'Frequently Asked Questions' which emphasised that the CBD products advertised do not contain "the molecules responsible for the intoxicating psychoactive highs" and confirmed that the consumption of its product will not result in a 'high'. The site also stated in the FAQs that its products "are not intended to diagnose, treat, cure or prevent any disease". We found no content that we would classify 18 or refuse to classify.

18 June 2019

Website

cbdna.co.uk

Issue

A member of the public contacted the BBFC directly to complain that a website was placed behind adult filters despite containing no material that in the complainant's opinion would cause access to be restricted to adults only.

Adjudication

We noted that the site retails a range of CBD based products. The site contained general information on CBD, including links to YouTube videos. The site also provided information on how to join a CBD oil franchise. In text across the website, including in the 'Frequently Asked Questions', there were multiple statements reinforcing the fact that none of the products available to purchase contain psychoactive properties, and that all products available to purchase conform with the Misuse of Drugs Act 1971. The website also featured a disclaimer noting that none of its products should be used in an attempt to diagnose, treat, cure or prevent disease or ill health. We found no content that we would classify 18 or refuse to classify.

BBFC

30 June 2019