

**Statens medieråd**

# **Survey ICC2017**

**Classification of sexual content**

# The purpose of the survey

# The purpose of the survey

- To get a broad picture of classification of sexual content
- Get a better understanding of possible international differences and why they exist
- Learn from each other!

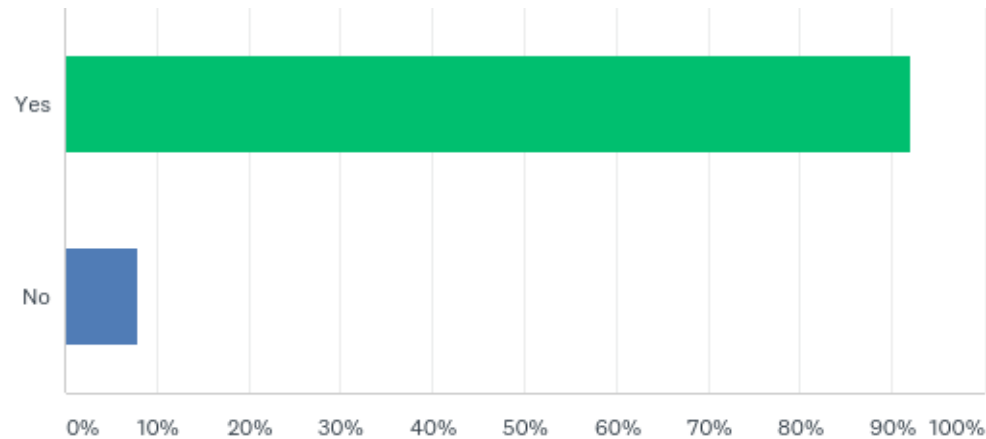
# 27 Respondents

- **FSK GmbH - German Board of film classification**
- **NICAM**
- **National Commission on Markets and Competition (CNMC) Spanish Audiovisual Authority**
- **JIM (Jugendschutz in den Medien)**
- **General inspection of cultural activities - IGAC**
- **OFFICE OF CENSORSHIP**
- **National Audiovisual Institute**
- **FSF - Freiwillige Selbstkontrolle Fernsehen / Voluntary Board of Self-Regulation of Television**
- **M-Net**
- **Commission et comites de classification / Centre National du Cinema et de l'image animee / Ministere de la culture**
- **IMDA**
- **Swiss Radio and Television (SRF)**
- **BBFC**
- **Autorité luxembourgeoise indépendante de l'audiovisuel**
- **Norwegian Media Authority**
- **Consumer Protection BC**
- **Office of Film and Literature Classification**
- **Entertainment Software Rating Board (ESRB)**
- **Irish Film Classification Office**
- **FSM**
- **The Danish Media Council for Children and Young People**
- **Lithuanian Film Centre**
- **Video Standards Council Rating Board**
- **Korea Media Rating Board**
- **Swedish Media Council**
- **Australian Board of Classification**
- **MPAA**



# The results!

# Does your organisation have guidelines/criteria for the classification process?



## Respondents: 22

### Examples of comments:

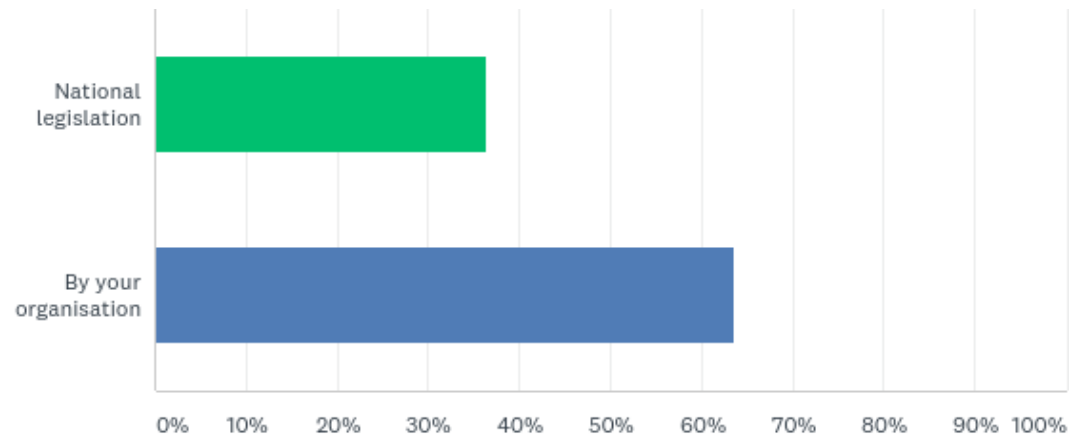
**“Both. National legislation names violence, anxiety and sexual content as basis for classification and on top of these KAVI has defined drug usage as a comparable detrimental category.”**

**“Both. There is a legal framework, furthermore there are particular criteria by our organisation.”**

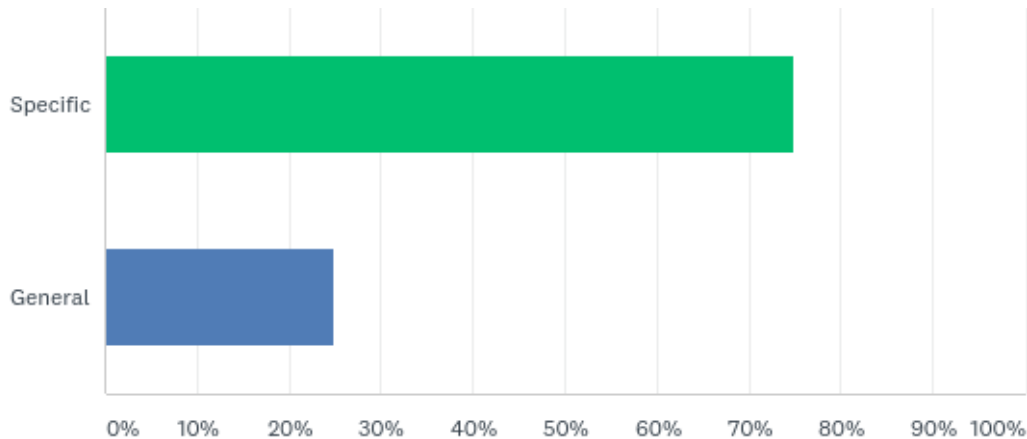
**“While IMDA determines the guidelines, it seeks inputs from the industry and its advisory committees before finalising the guidelines.”**

**“ALIA is currently working to set internal guidelines in addition to the legal provisions/criteria.”**

- How are these guidelines/criteria determined?



## Are these guidelines/criteria specific (e.g. exemplifying different kinds of content) or more general in nature (e.g. a guideline such as “protect children from material injurious to his or her well-being”)?



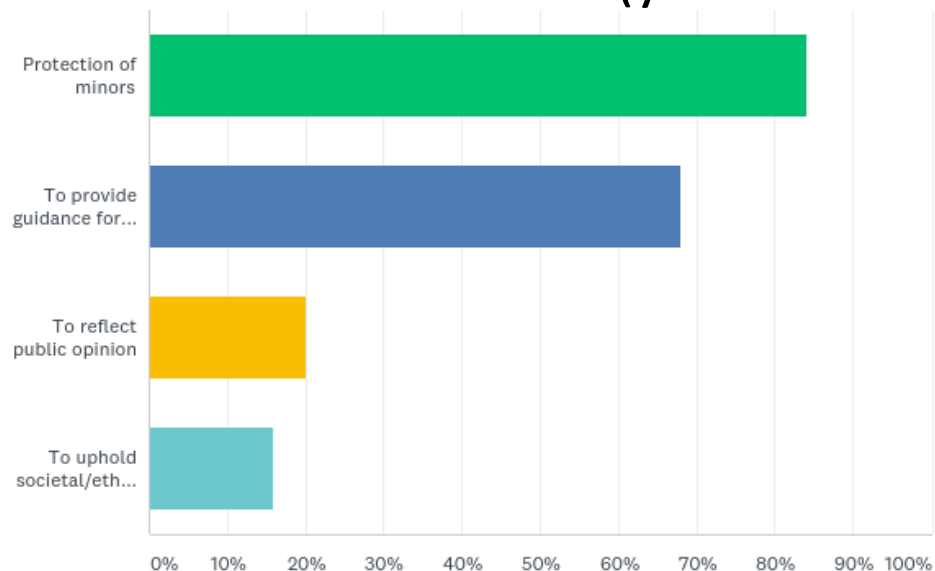
- A selection of comments:  
“They are very generally described, there are no specific criteria.”

“The Guidelines cover both of these areas, with information on the BBFC's core objectives and standards accompanying specific guidance on the appropriateness of material for different ages.”

“The wording of the legal guidelines/criteria is identical to the AVMS directive.”

While the guidelines are content specific, part of our mission statement says "we have a duty to protect children and young people from harm".

# What would you say best describes the objective of your system of classification? (you can choose more than one alternative)



“We do provide guidance for parents, but our main task is the protection of minors – the programme information that we provide for parents is focused on this subject too.”

“• Protect the young while providing more choice for adults • Reflect community values and support racial and religious harmony • Safeguard national/public interest”

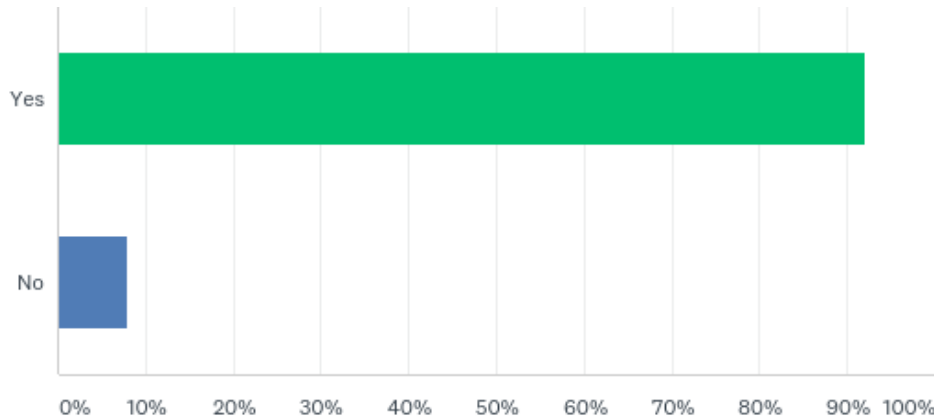
“All the above are important. While the priority is age classification, we also consider it important to provide consumer advice”

SVARSVAL	SVAR	
Protection of minors	84,00%	21
To provide guidance for parents	68,00%	17
To reflect public opinion	20,00%	5
To uphold societal/ethical/moral standards	16,00%	4
Totalt antal svarande: 25		

# What kind of education and/or work experience do the classifiers in your organisation have?

- Pedagogues
- Psychologists
- Sociologists
- Lawyers
- Media experts
- Child experts
- Sexologists
- Journalists
- The police department
- Philosophy

# Do you regard your system of classification as well-functioning?



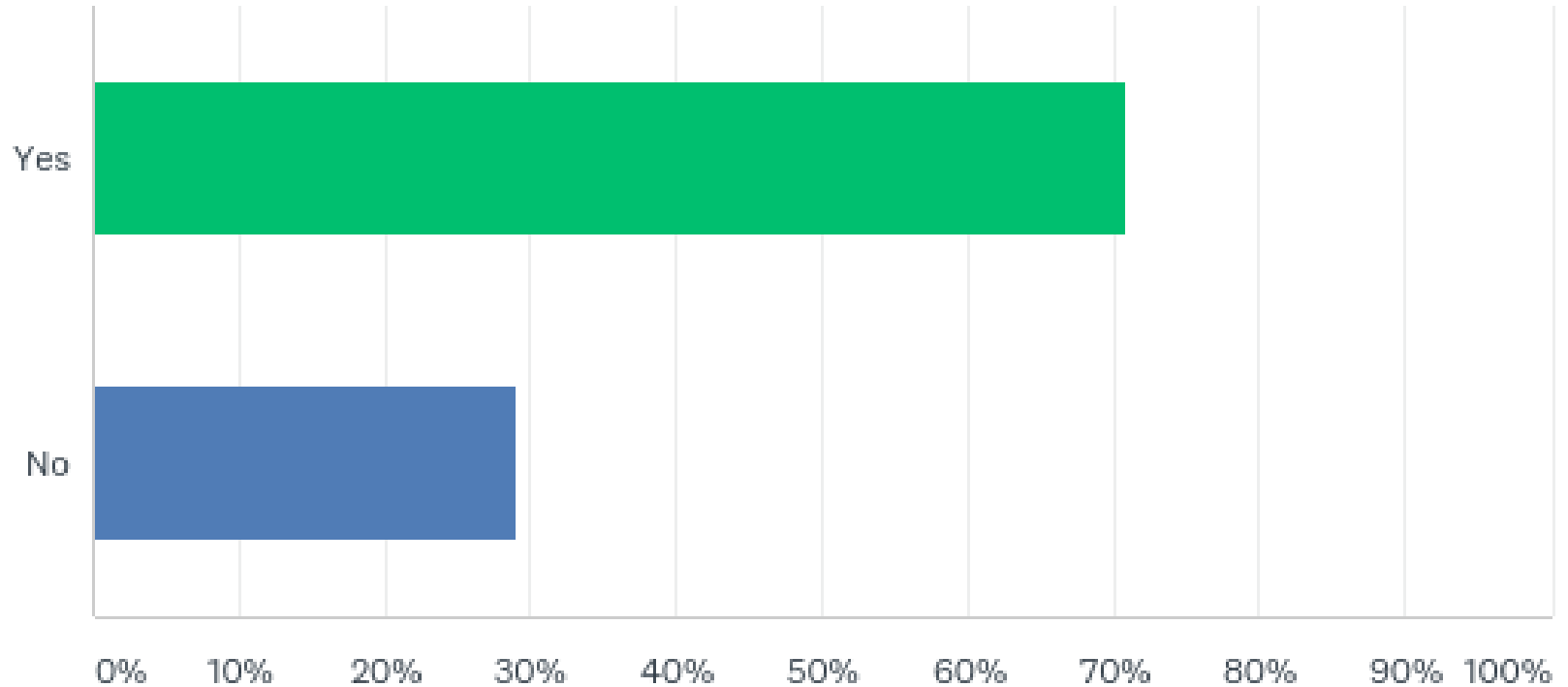
**“The guidelines were approved in 2015 and they were a great improvement of what there was before in Spain. Nevertheless, we believe that the system can be improved and in fact we would like to modify it, taking into account the changes that presumably will be incorporated in the review of the European Audiovisual Media Directive.”**

**“High acceptance by public, industry and authorities”**

**“We have very few complaints from film distributors and viewers.”**

**“We try to balance low number of public complaint versus low number of industry complaint”**

# Does your organisation have specific guidelines/criteria regarding the classification of sexual content?



# If yes, what are these guidelines/criteria?

## Some observations:

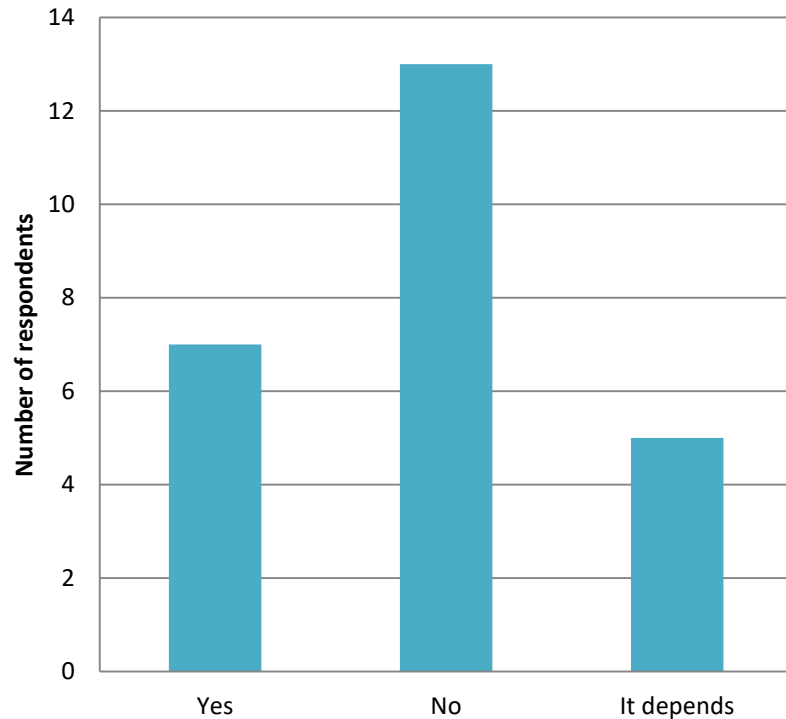
- Context
- Intensity
- Frequency
- Accumulation
- How explicit the depiction
- Duration of scenes

# **When classifying sexual content in non-pornographic films, do any of the examples below automatically have an impact on the age rating?**

- Nudity in a non-sexual context (i.e adults showering, naked children)
- Nudity in a sexual context
- Consensual sexual activity without explicit details (e.g. sound/facial expressions/moving bedsheet)
- Explicit sexual language
- Sexual innuendo
- Sexual orientation among participants (hetero/homo/bi)
- Sexual coercion
- Sexual violence
- Rape

When classifying sexual content in non-pornographic films, do any of the examples below automatically have an impact on the age rating?

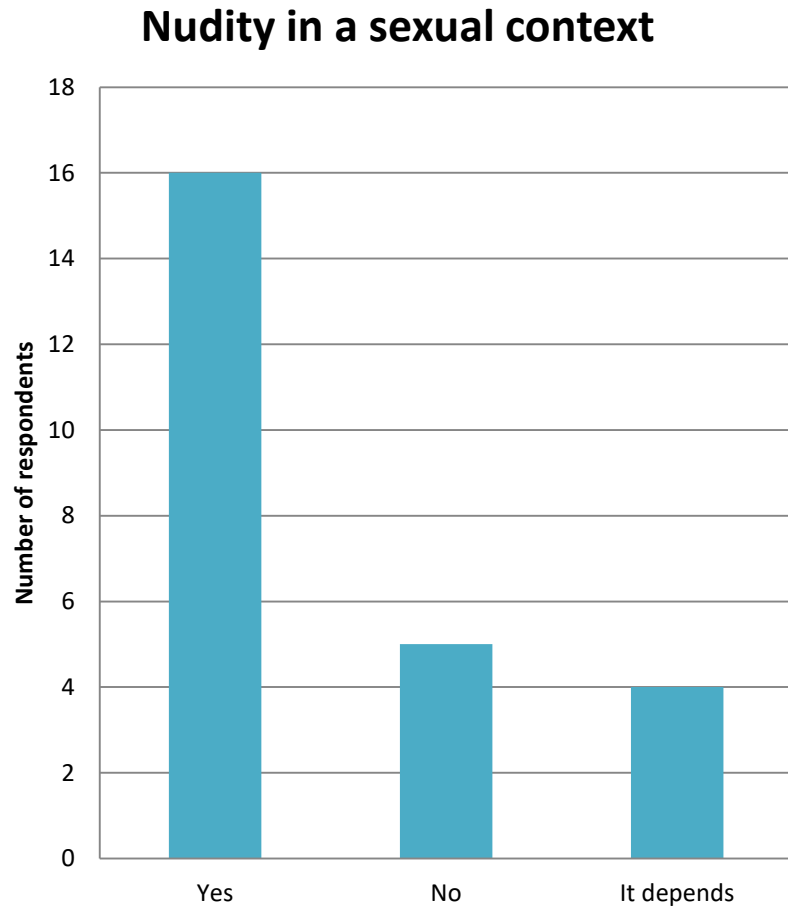
**Nudity in a non-sexual context  
(i.e adults showering, naked  
children)**



**Comments:**

- Not necessarily
- Ocasional – U; regular - PG
- It depends on the individual opinion of the rating experts
- Naked adults: No; naked children: very important how they are depicted

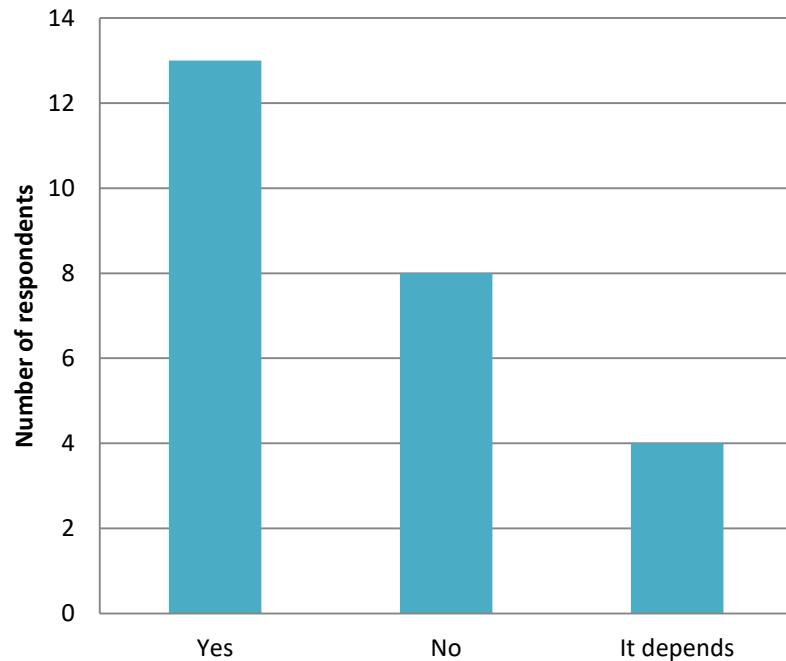
When classifying sexual content in non-pornographic films, do any of the examples below automatically have an impact on the age rating?



“It depends: Depends on the strength of depiction”  
”Sometimes”

When classifying sexual content in non-pornographic films, do any of the examples below automatically have an impact on the age rating?

**Consensual sexual activity without explicit details (e.g. sound/facial expressions/moving bedsheet)**



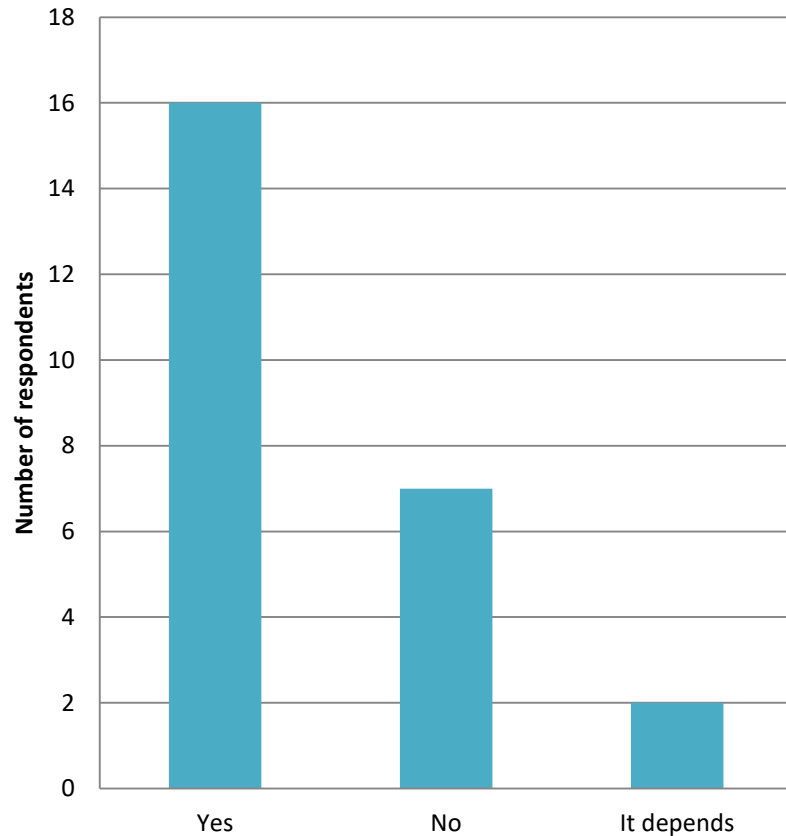
“Depends on depiction”

“Such moderate detail would likely be 12”

“Yes - visual or audible would be PEGI 12”

When classifying sexual content in non-pornographic films, do any of the examples below automatically have an impact on the age rating?

### Explicit sexual language



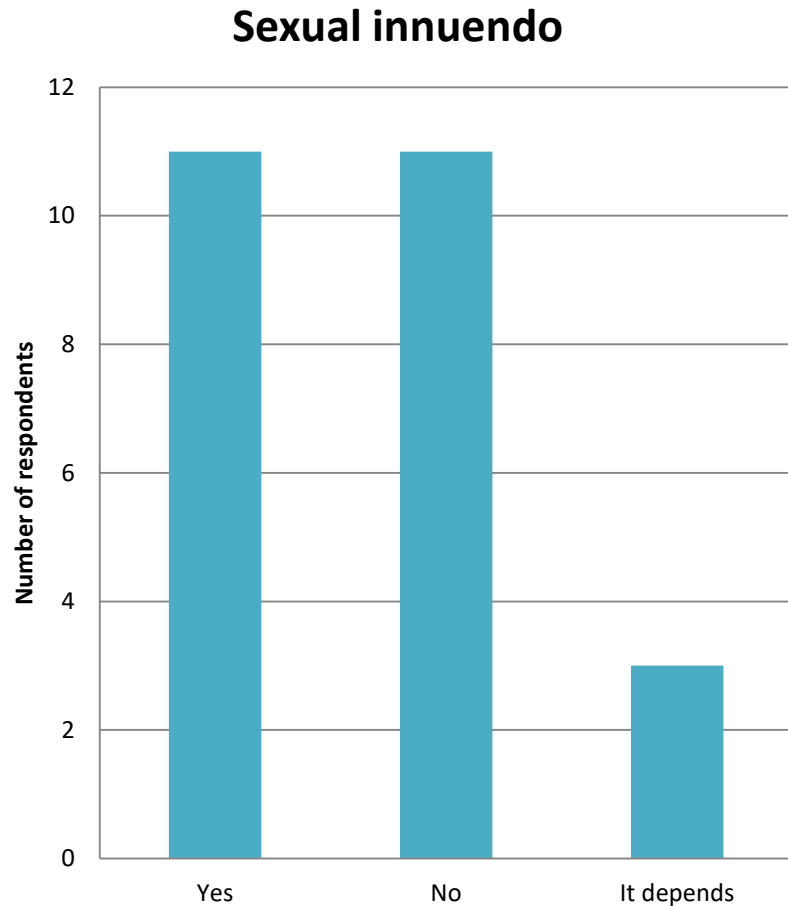
“in context with humiliation etc.”

“15, unless using the strongest terms (18)”

“No. Talking about sex in a non-condescending or non-discriminatory context has no impact on the age rating. However, generally coarse humour (disparaging, sarcastic or sexualised) throughout the film will lead to a 12-year rating or higher in the most extreme cases.”

“Yes - automatically PEGI 16”

When classifying sexual content in non-pornographic films, do any of the examples below automatically have an impact on the age rating?



“Yes - minimum PEGI 12”

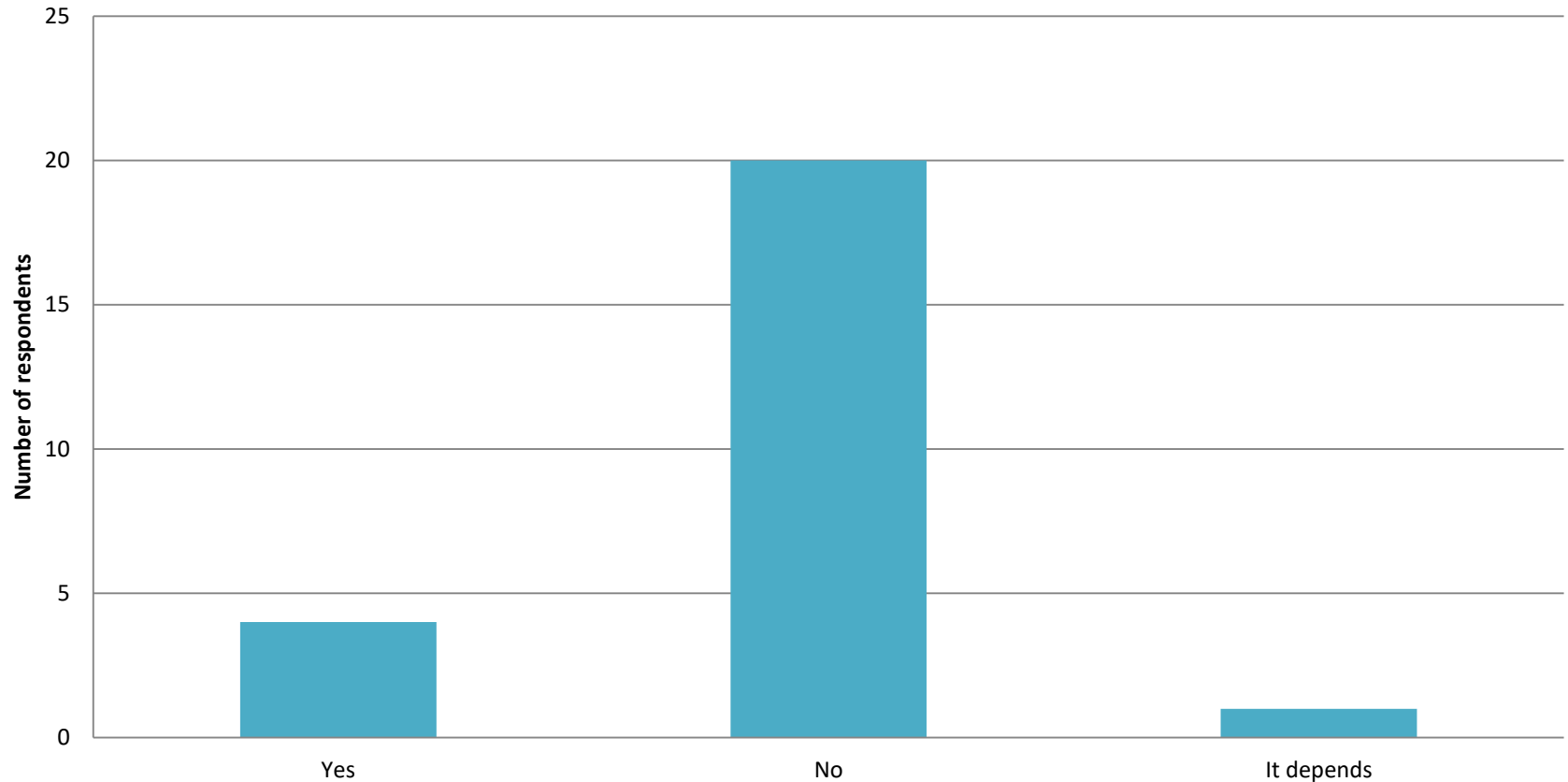
“Mild sex references and innuendo – PG”

“depends on depiction”

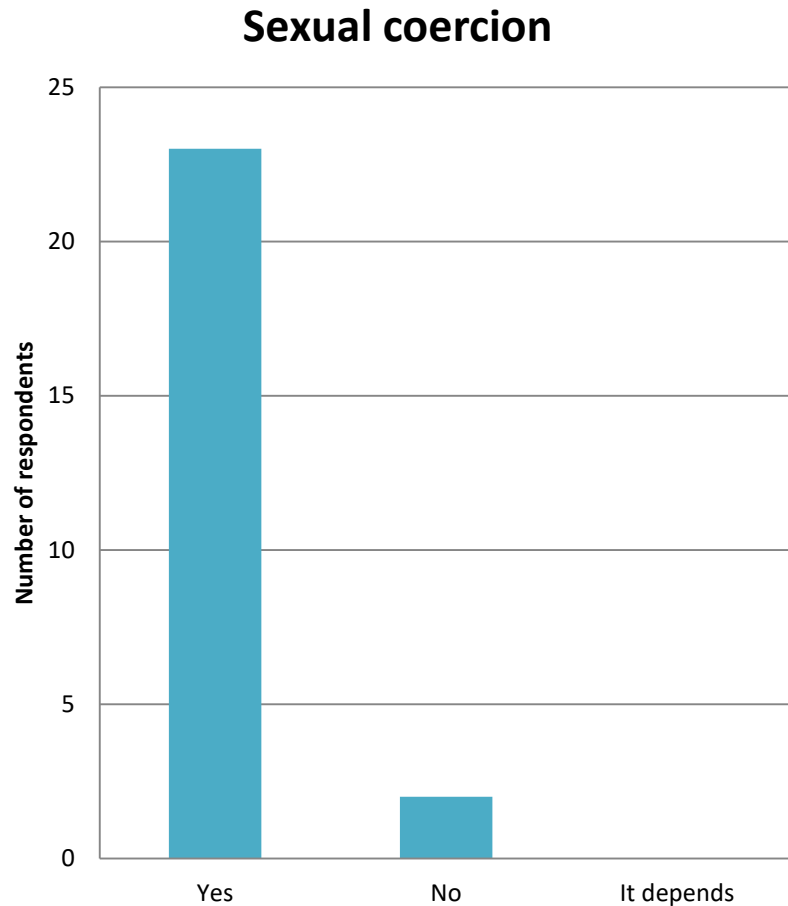
“It depends on the individual opinion of the rating experts”

When classifying sexual content in non-pornographic films, do any of the examples below automatically have an impact on the age rating?

**Sexual orientation among participants (hetero/homo/bi)**



When classifying sexual content in non-pornographic films, do any of the examples below automatically have an impact on the age rating?

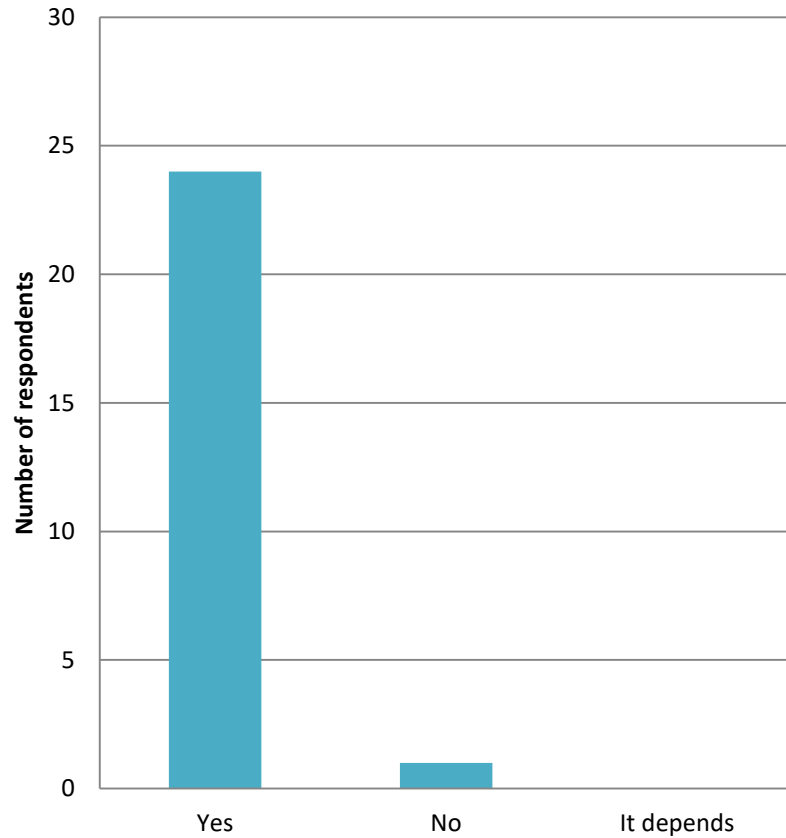


“Yes - classified under violence”

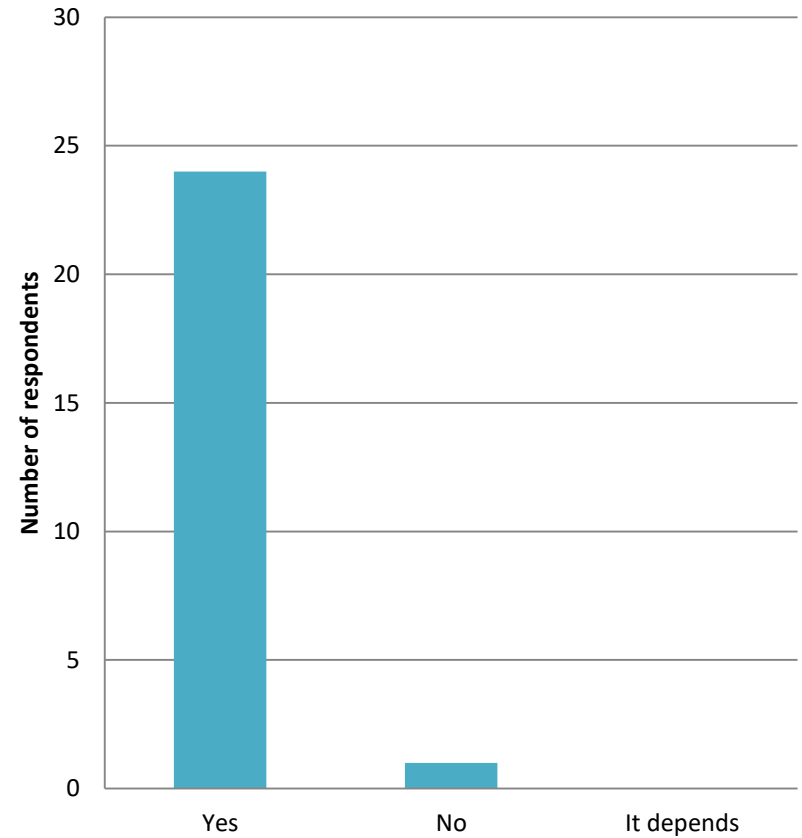
“Not likely below 12, but occasionally allowed”

When classifying sexual content in non-pornographic films, do any of the examples below automatically have an impact on the age rating?

**Sexual violence**



**Rape**



# Do you regard your system of classification as well-functioning when it comes to classifying sexual content?

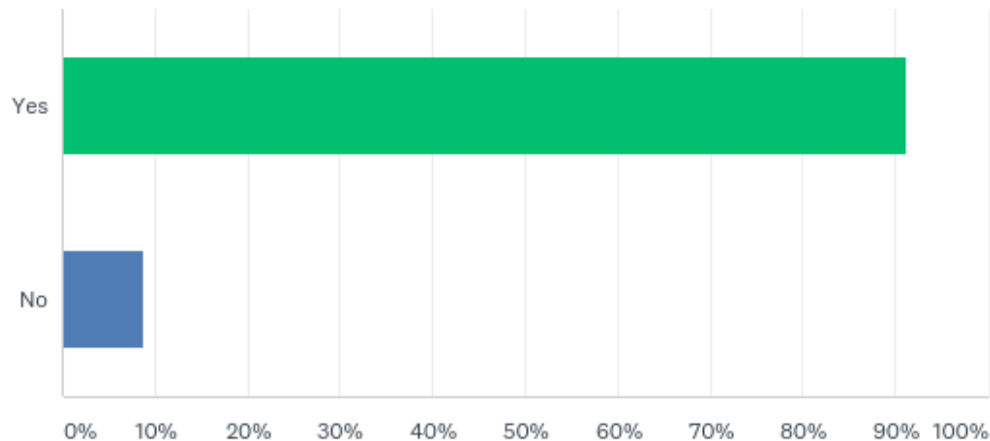
“It reflects accepted public standards”

“It depends on the individual opinion of the rating experts - which I consider as a problem. We would need a clear standard.”

“In some cases classifiers are uncertain how to rate sexual explicitness (images and language) as far as consensually sex is illustrated.”

“It’s more of a personal consideration of the classifier than specific criteria.”

“Definition of an erotic programme is too large to adequately define and interpret.”



# What are the advantages of your system?

- A system that is well known and accepted, recognised logos
- Reliable, fair, objective, consistent
- Context matters
- Room for experts to make decisions, flexible, no strict criterias
- Provides information to parents
- Childrens right to information is taken into account
- Several rating levels makes easier to rate the contents
- Easy to use
- allows applicants to appeal to an independent appeals committee
- Is updated through public surveys and research, revised regularly , criteria that are continuously developed
- Detailed guidelines
- the movies are watched by many in their entirety, there are debates and secret ballots

# Advantages

## General

- Context matters
- Room for experts to make decisions
- Flexible
- No strict criterias

## Specific

- Objective, consistent
- Easy to use
- Provides information to parents
- Detailed guidelines
- Is updated through public surveys and research

# What are the disadvantages?

- Lack of clear guidelines, no specific objective criteria
- One legal age and one recommended age
- Differences in interpreting the criteria
- Discrepancies between expert's decisions and norms in society
- Context is almost impossible to pin down in guidelines, similar scenes can be portrayed very different on-screen.
- Ratings not backed by studies of cognitive development of children
- Online media is not classified, does not apply to streaming services
- Lack of detailed guidelines (while generally considered a good thing) requires good judgement from classifier
- Depends on the each classifiers' personal decisions
- A more fragmented society who appear to disagree a lot more on what would constitute a common standard

# Disadvantages

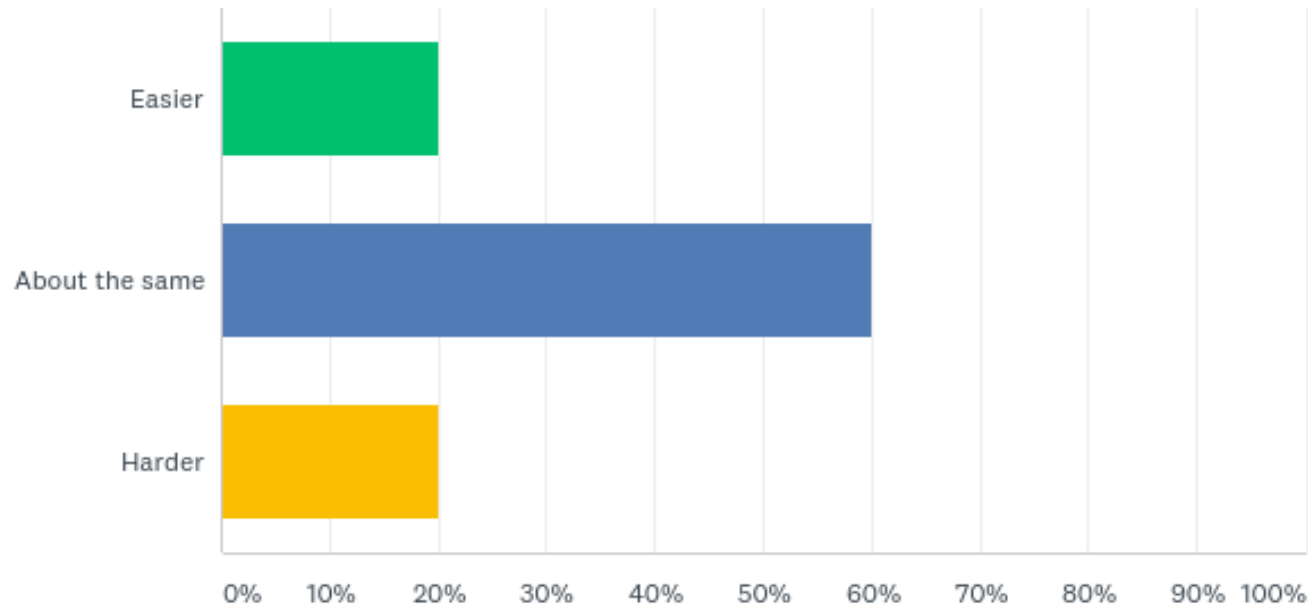
## General

- Lack of detailed guidelines requires good judgement from classifier
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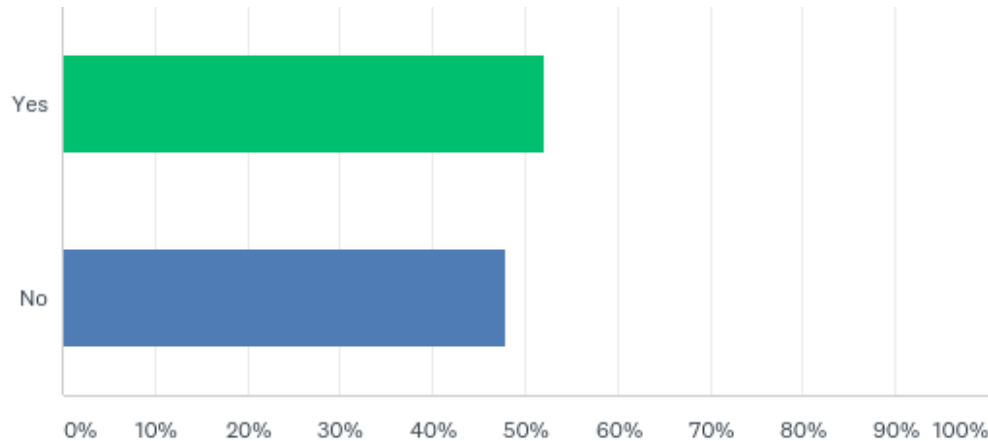
## Specific

- Context is almost impossible to pin down in guidelines
- Similar scenes can be portrayed very different on-screen.
- Differences in interpreting the criteria
- A more fragmented society who appear to disagree a lot more on what would constitute a common standard

# Q17: Do you think sexual content is easier or harder to classify than other types of content?



# In the last 10 years, have there been any changes in the approach to classifying sexual content in your organisation?



"More "liberal" referring to nudity and sexual orientation"

"Would have to say somewhat due to increase in sexual conduct in content received, but our approach have not formally changed in classification thereof"

"There has been a sea change in the treatment of sexual material coinciding with a growing liberal attitude and much less religious influence."

"Same-sex relationships have been normalized"

"The representation of content across several areas, such as sexual activity, has shifted over the years in line with public opinion. However, sexual content is treated with exactly the same examining process as other forms of content and the means by which such material is examined is to all intents and purposes identical."

Can you give a recent example of a film/tv-series in which sexual content has led to an interesting discussion/difficult assessment?

Please explain why!

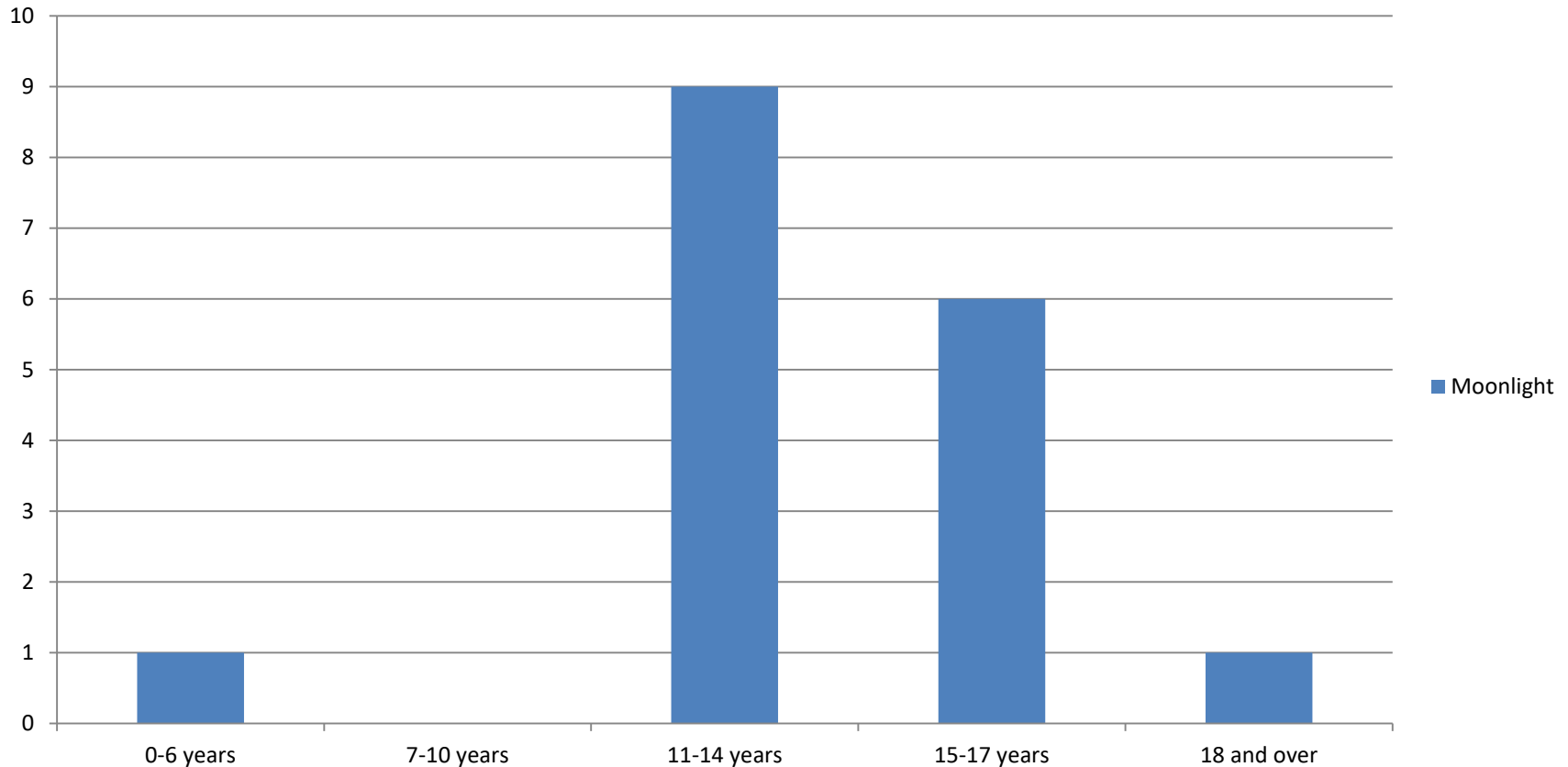
**Topics/dilemmas:**

- Pornographic content shown in non-pornographic films (documentaries etc)
- Unsimulated sex (*Love*, by Gaspar Noe)
- Homosexual content (*Theo et Hugo Dans le Meme Bateau*, *American Gods*)
- BDSM (*50 Shades of Grey*)
- VR-sex
- Controversial themes in a comical context (*Kiki Love to Love*)

What age rating did the following films receive from your organisation?

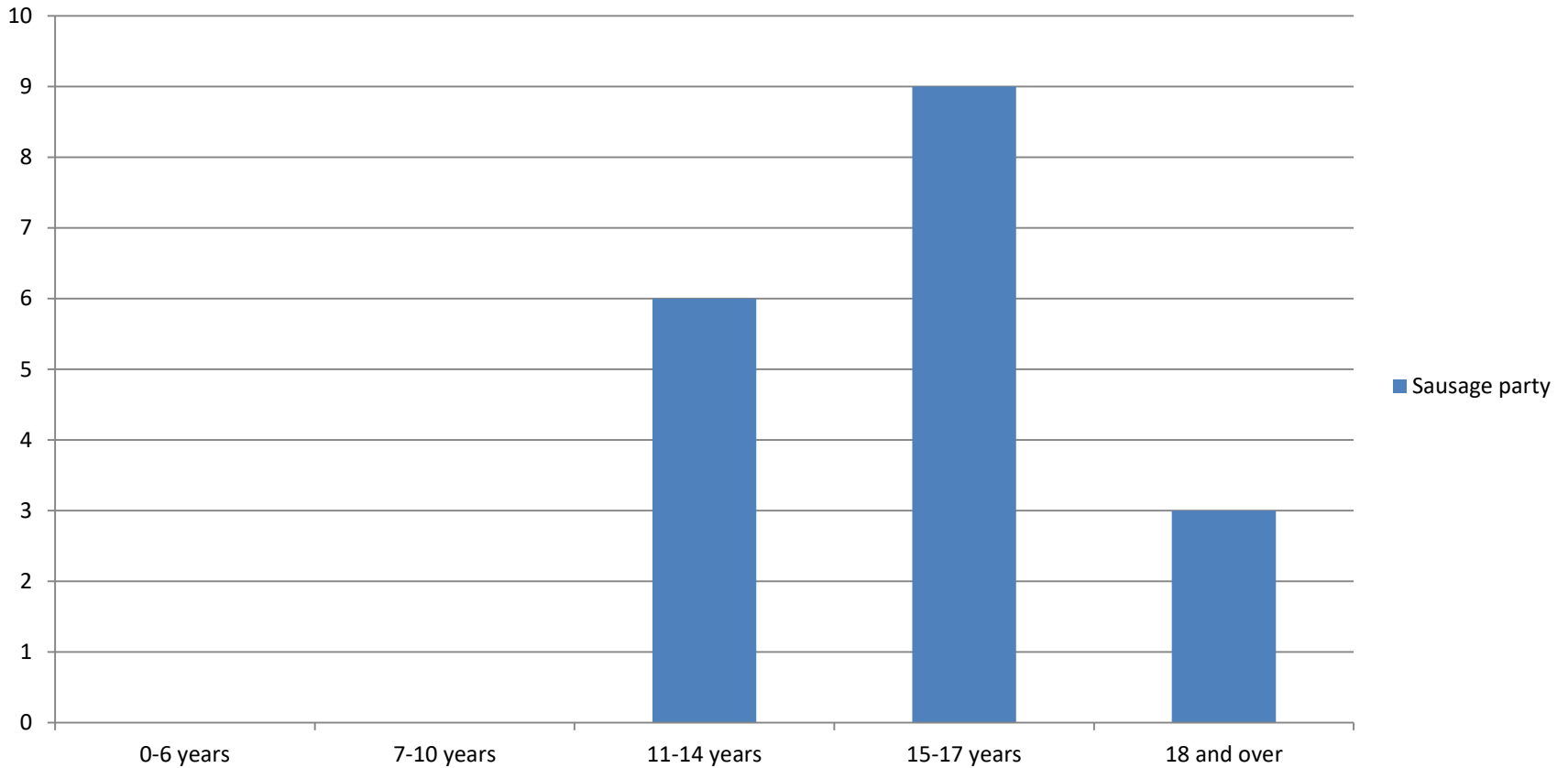
# What age rating did the following films receive from your organisation?

## Moonlight



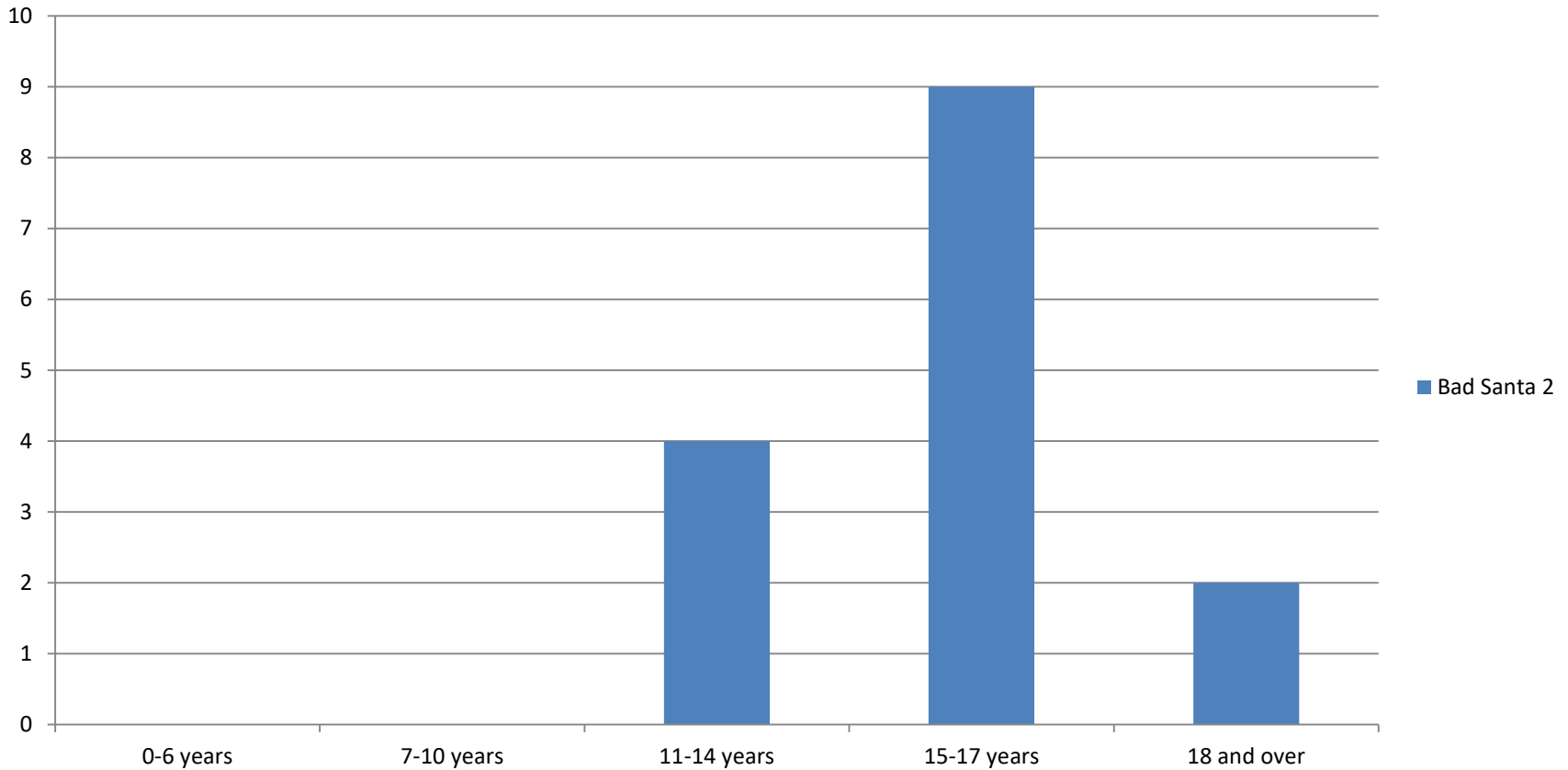
# What age rating did the following films receive from your organisation?

Sausage party



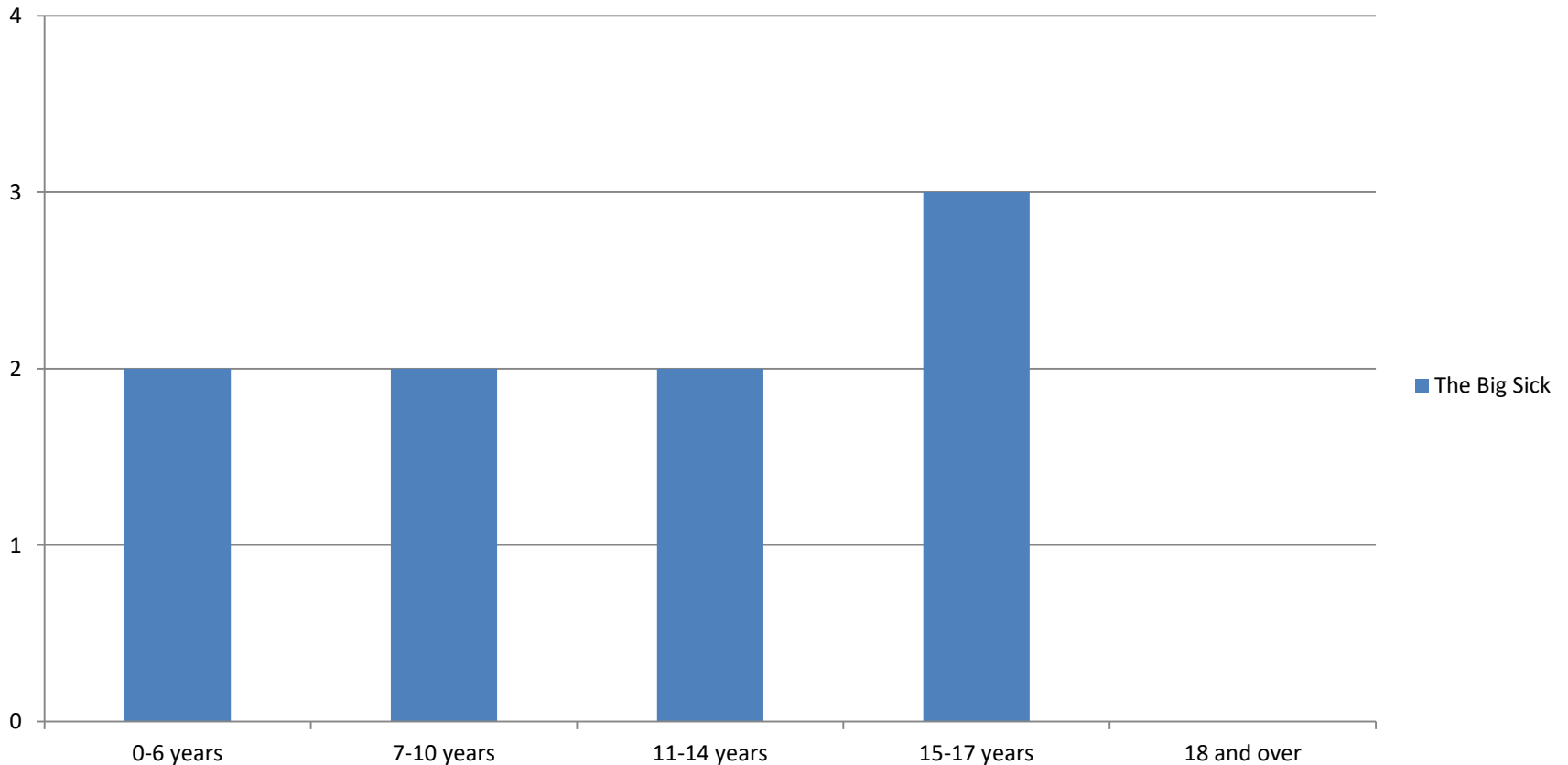
# What age rating did the following films receive from your organisation?

**Bad Santa 2**



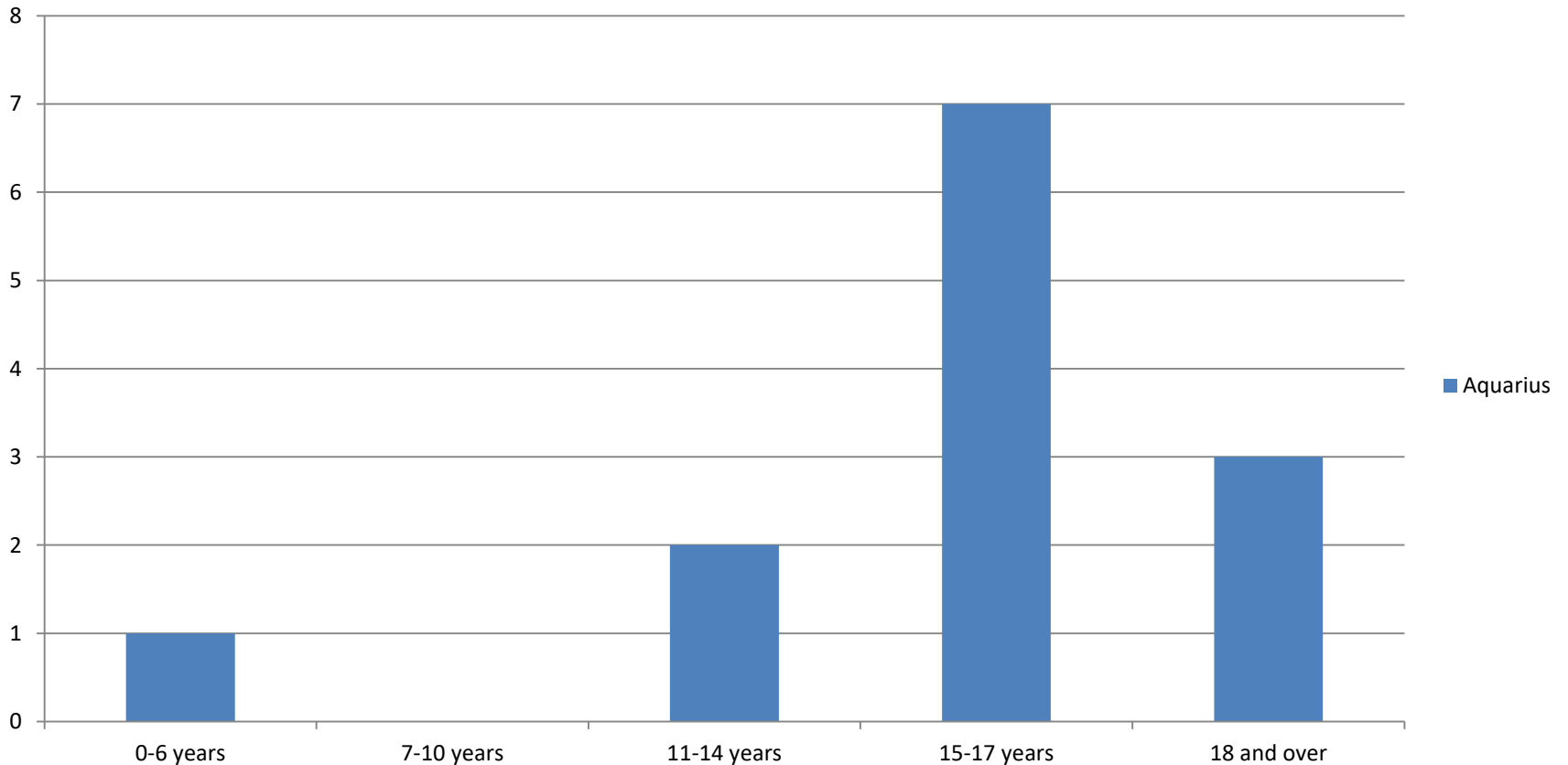
# What age rating did the following films receive from your organisation?

## The Big Sick



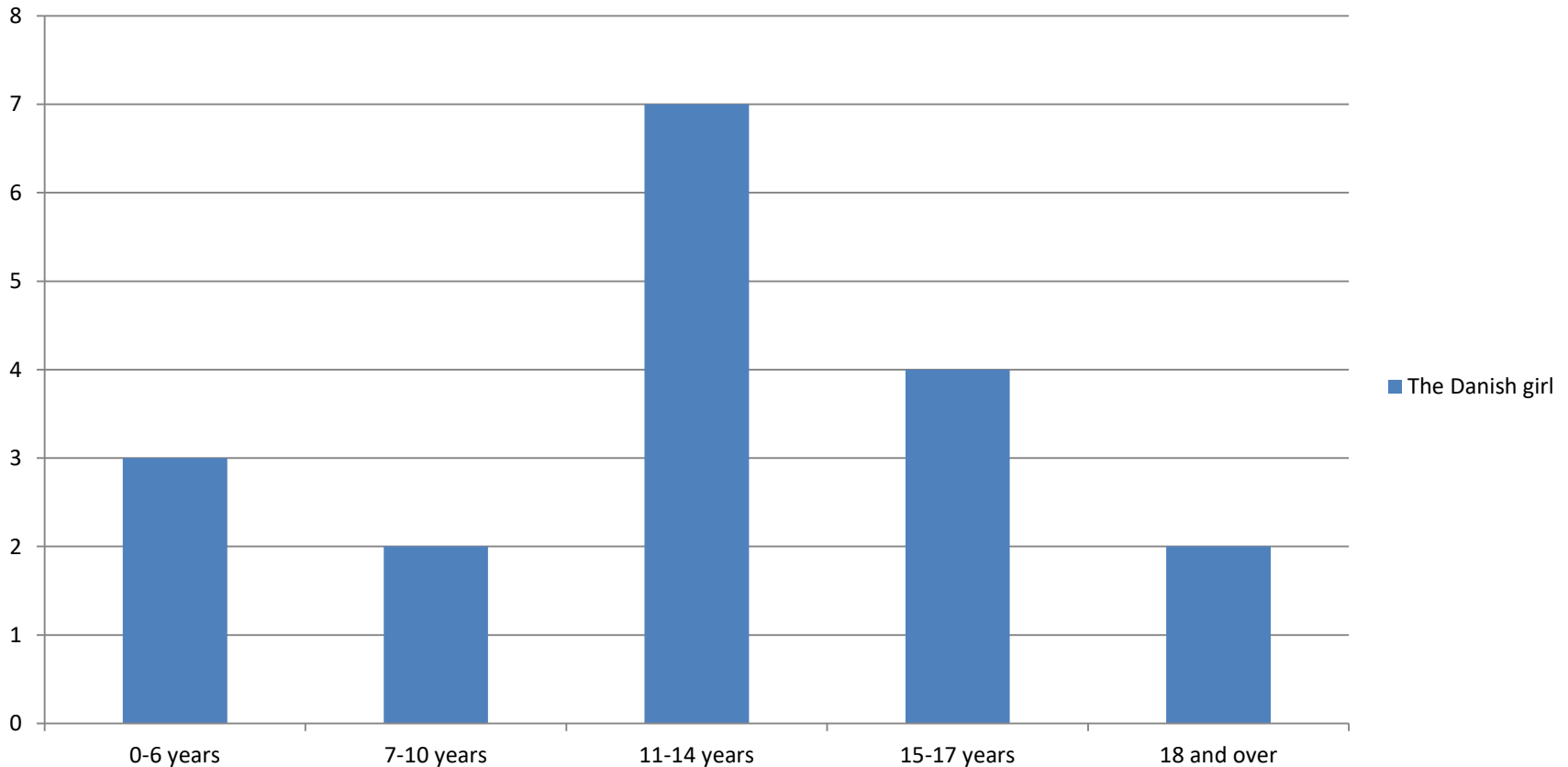
# What age rating did the following films receive from your organisation?

## Aquarius



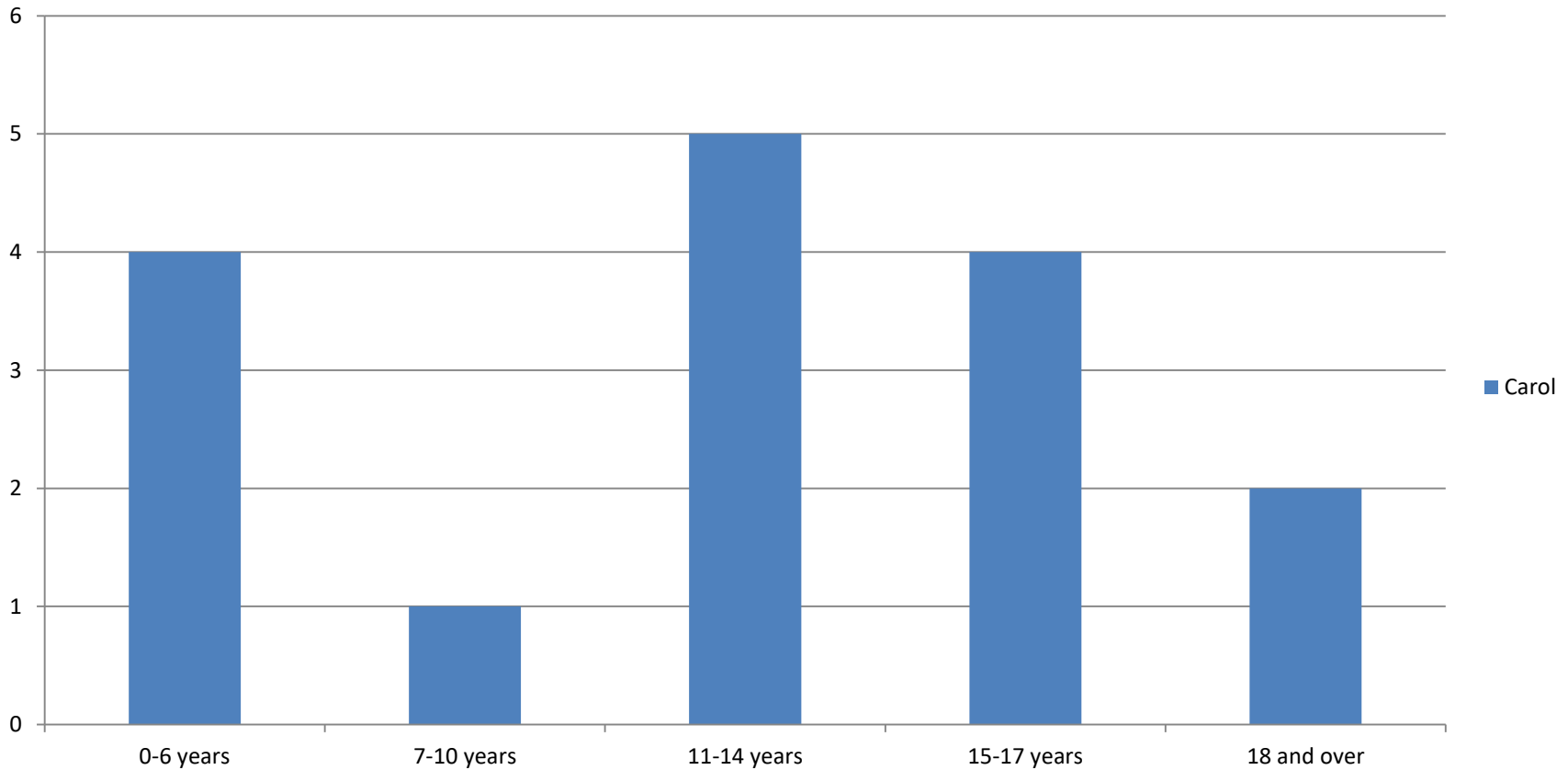
# What age rating did the following films receive from your organisation?

The Danish girl



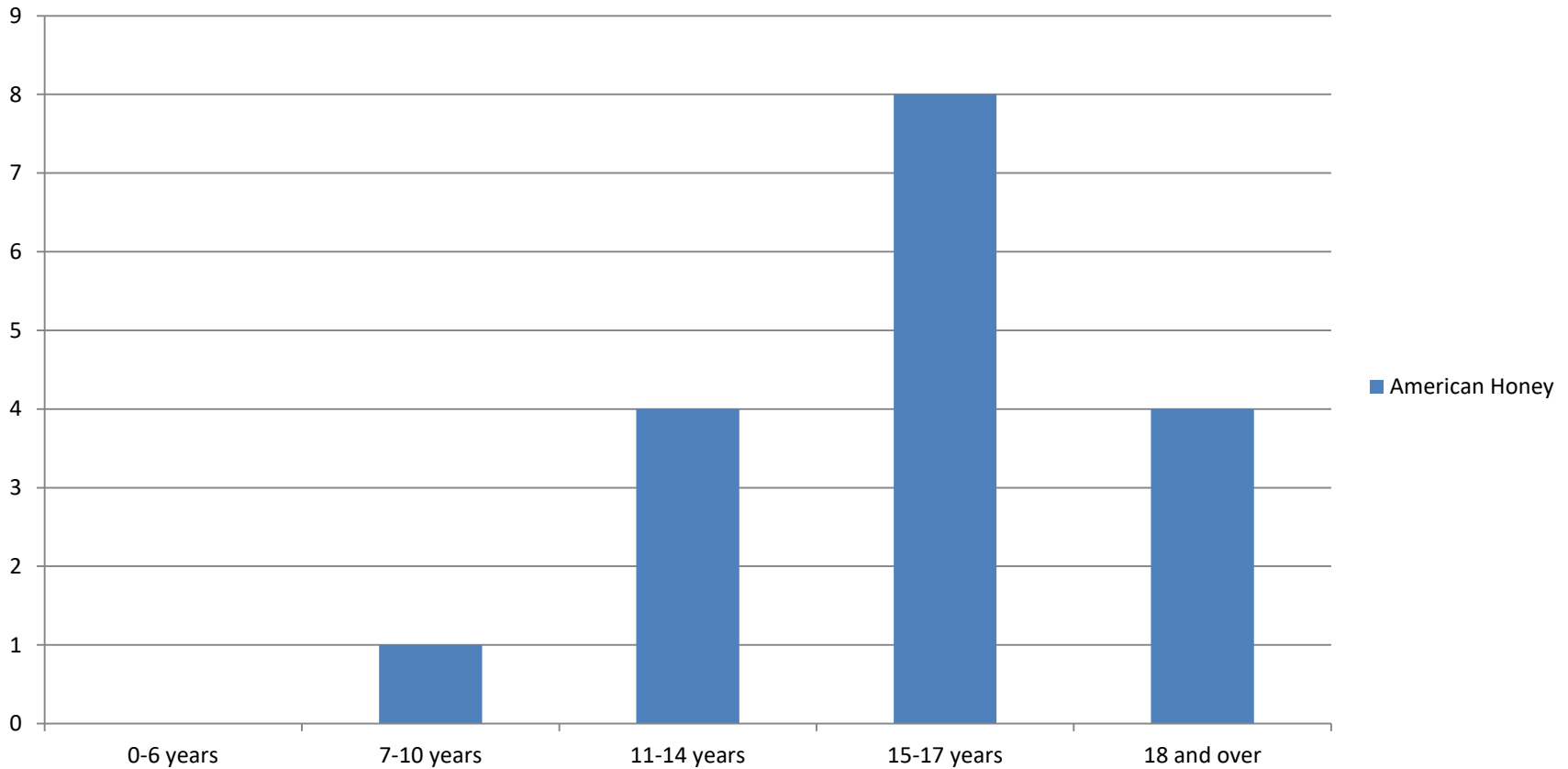
# What age rating did the following films receive from your organisation?

Carol



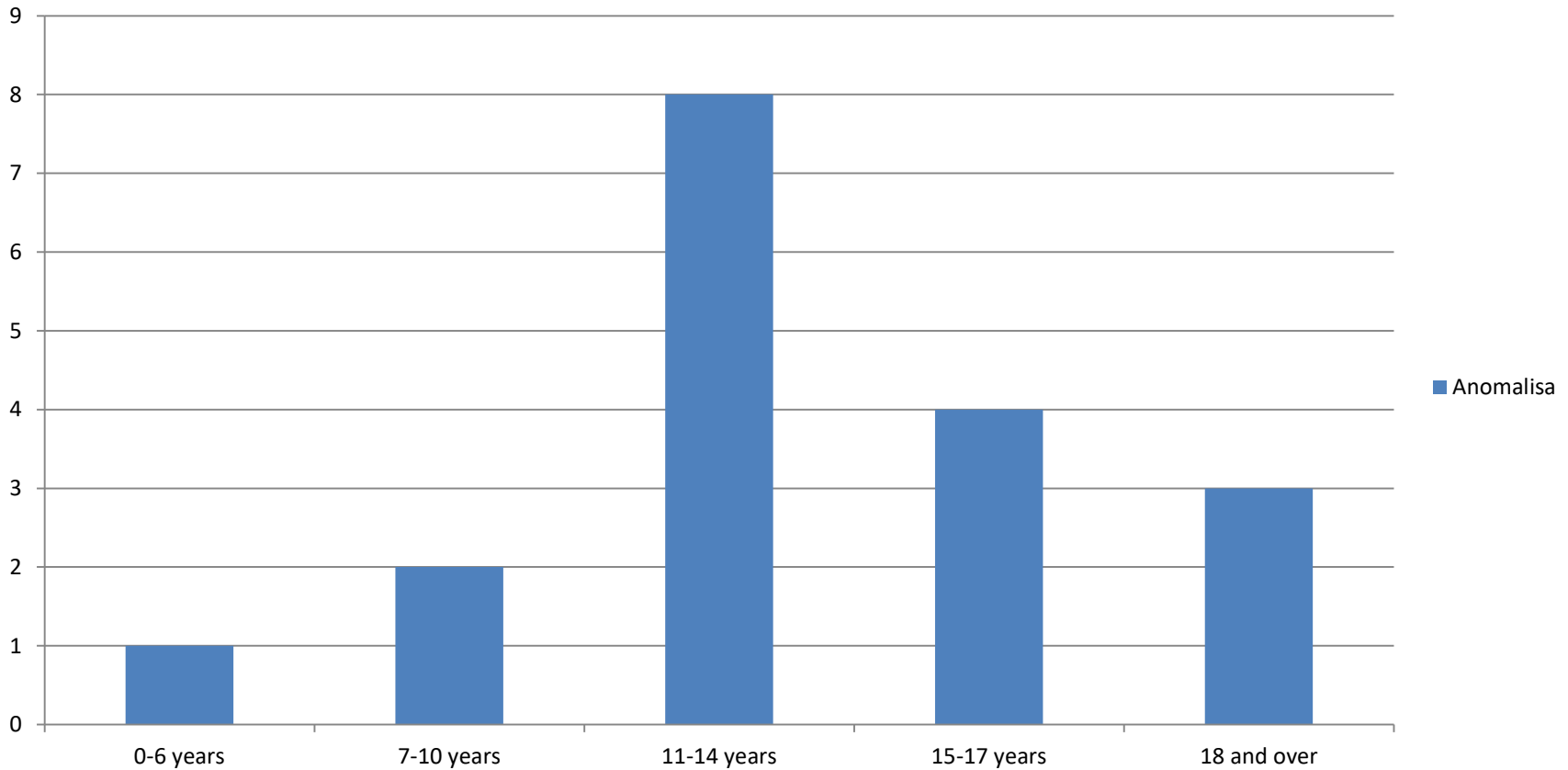
# What age rating did the following films receive from your organisation?

## American Honey



# What age rating did the following films receive from your organisation?

Anomalisa



**Are Swedish Cartoon Genitals OK On TBS? -**  
**CONAN on TBS**

# Concluding reflections

- Almost everyone say they have a well-functioning classifying system!
- "Contextual harmfulness"
- The perfect system for classification...

