[GB] On-Demand Adult Programme Service Censured

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On 1 February 2012, the UK Authority for Television On Demand (ATVOD) published a determination that the web-based on-demand adult programme service Bootybox.tv had breached statutory rules requiring video on demand providers to ensure that under 18s cannot normally access hardcore pornographic content. Bootybox.tv had been notified to the ATVOD as having been available since November 2010. The service provider described its content as "generic and mostly BBFC compliant UK porn available on-line".

On 26 June 2011, a parent complained that a son had used this service and other web based services to access pornographic videos " (…) that have no parental control on and are far too strong to be allowed even under UK law (…)".

The matter is governed by Section 368(E) (2) of the Communications Act 2003. This states that "If an on-demand programme service contains material which might seriously impair the physical, mental or moral development of persons under the age of eighteen, the material must be made available in a manner which secures that such persons will not normally see or hear it." This provision is mirrored in the ATVOD Rules & Guidance, Rule 11.

ATVOD found that "the website broke the statutory rules in two ways. First, it allowed any visitor to the website unrestricted access to a selection of hardcore pornographic video promos/trailers featuring real sex in explicit detail and featured a large still image of explicit sex on the homepage. Secondly, access to the full videos was open to any visitor who paid a fee. As the service accepted payment methods - such as debit cards and prepaid vouchers - that can be used by under 18s, ATVOD ruled that the service had also failed to put in place effective access controls in relation to the full videos".

ATVOD followed up its ruling with an Enforcement Notification, requiring the provider of Bootybox.tv to either remove the hardcore porn content from the service or put it all behind effective access controls that will ensure that only adults can see it.

The service has now ceased operating.

ATVOD, Determination that the provider of the on demand programme service "bootybox.tv" was in breach of rule 11, 1 February 2012

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http://www.atvod.co.uk/uploads/files/Bootybox_tv_Determination_091211.pdf

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