[FR] Classification of films shown in cinemas and on television: CSA study

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At the end of February 2016, the Chair of the Commission for the Classification of Cinematographic Works, submitted to the Minister for Culture a report on the classification of cinematographic works with regard to minors between 16 and 18 years of age. The report follows on from a number of controversies connected with the courts' suspensions of approval certificates for films including scenes of extreme violence or non-simulated sex. The public authorities are indeed currently reconsidering "the automatic nature of banning showing [such content] to minors, which is the result of current law as appreciated in jurisprudence, so that classification takes better account of the singular nature of works and of their impact on the public". The report outlined particularly the role of the CSA and the coordination of its recommendations for warnings regarding young people and programme classification with the decisions of the Commission for the Classification of Cinematographic Works, as the hearings of professionals seemed to indicate that the CSA has some influence on film classification. The CSA was asked to interview the various parties involved, and subsequently published a report on the hearings at the end of the summer.

The CSA's recommendation of 7 June 2005, amended in 2014, on signing regarding young people and programme classification sets out the framework for the classification of television programmes. Television editors are required to classify the content broadcast by referring to the categories defined in the recommendation, to add a warning to the programme, and to adapt the timing of broadcasting accordingly. Regarding cinematographic works, editors are required to refer to the classification given for screening in cinemas, checking this classification can be transposed unchanged for broadcasting on television and, if appropriate, upgrading it. This is because the conditions for broadcasting on television are not the same as those for the cinema, particularly in terms of access, and make it necessary to provide additional protection for young audiences. The CSA's report indicates that 34 per cent of films classified as being for 'all audiences' by the Film Classification Commission were broadcast with the CSA's stepped-up signing (including 32 per cent as 'not suitable for anyone under 10 years of age'). Similarly, 17 per cent of films not to be shown in cinemas to anyone under 12 years of age received a stepped-up classification on television ('not suitable for anyone under 16 years of age'), and 58 per cent of the films approved on the condition that they were not to be shown to anyone under 12

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years of age and with a warning in cinema theatres were signed as ‘not suitable for anyone under 16 years of age’ when broadcast on television.

After these numbers, the CSA reported in its study on the hearing it held with the professional organisations in the cinema sector (BLIC and BLOC), which felt that broadcasters were too often overly strict in their classification of films. They called for a better coordination of classification for screening in cinemas and broadcasting on television, as they felt the current situation generated serious uncertainty regarding the fate of certain films. The CSA recalled, however, that initial assessment of programme classification lay with the television channels, by virtue of the principle of editorial freedom that went hand in hand with editorial responsibility. The BLOC had made proposals aimed at achieving greater flexibility for the broadcasting of films carrying a restriction on television, but the CSA had felt that the proposals ran counter to the duty to protect young audiences conferred on it by law. For their part, the television channels recalled their attachment to an arrangement for classifying films suited to their audience and the use it made of television. They were generally in favour of greater flexibility, nevertheless. The National Cinema Centre (National Centre du Cinéma) and the Minister for Culture were also consulted.

In summing up this cycle of hearings, the CSA noted that it appeared to be important to retain a degree of independence between the classification of films screened in cinemas and their signing on television, in view of the differences between the two different ways of being able to watch the works. It was generally considered that the arrangement for classifying films shown on television was balanced and achieved the aim of protecting young audiences. The CSA said it was nevertheless attentive to the possible consequences that amendment of the Cinema Code with regard to the classification of cinematographic films might have; an amendment has been announced and is expected.

Contribution du Conseil à la réflexion sur la classification des œuvres cinématographiques

http://www.csa.fr/content/download/222955/595185/file/Contribution%20CSA%20r%C3%A9flexion%20classification%20des%20%C5%93uvres%20OC.pdf

CSA contribution to discussion on the classification of cinematographic works

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