[FR] Court suspends all-audience certificate issued to the film Fifty Shades Freed

IRIS 2018-5:1/16

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On 18 February 2018 an association applied to the administrative court of appeal in Paris under the urgent procedure, calling for the suspension of the Minister for Culture's decision to issue a cinematographic exploitation visa for the film Fifty Shades Freed that authorised its showing to all audiences.

The applicant claimed firstly that the condition of urgency required by Article L. 521-1 of France's Administrative Justice Code had been met, since it was likely that the film shown in cinema theatres would be seen by minors. The Minister for Culture claimed that the application had been lodged more than ten days after the film's release and that no such urgency existed. The court in interlocutory proceedings noted that on the date of the issuance of the Ministry of Culture's decision, the film was still being shown in dozens of cinemas in France. The film includes sex scenes, and although it had been authorised for showing to all audiences the situation was urgent in the light of the need to ensure that children were protected, even though the film had already been appearing in cinemas for five weeks.

The administrative court also noted that the film, which shows the life of a young couple, contains a number of scenes representing sadomasochistic sexual practices. Although these scenes are simulated and account for a relatively small proportion of the film, they are treated complaisantly and could be perceived by very young audiences as describing commonplace practices in a loving relationship. In view of this, although suspending the disputed exploitation visa in toto was not justified, the argument that the Minister for Culture had committed an error of assessment with regard to the requirement to protect children and young people (since she had not placed a restriction on the exploitation visa banning the showing of the film to children under the age of 12) was deemed, at that stage of the investigation, to cast serious doubt on the legality of the decision. The court concluded that the association was justified in requesting the suspension of the execution of the cinematographic exploitation visa for the film Fifty Shades Freed to be suspended only in as much as it did not prohibit the film being shown to minors under 12 years old.

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Cour administrative d'appel de Paris (ord réf.), 15 mars 2018, Association Promouvoir

Administrative court of appeal in Paris (sitting in urgent matters), 15 March 2018, the association Promouvoir

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