[FR] Benedetta film's "12" rating contested

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On 2 September 2020, the Minister of Culture granted approval for Paul Verhoeven's film "Benedetta" to be shown in cinemas to audiences over the age of 12, as recommended by the Film Classification Commission. The Pornostop organisation subsequently asked the minister to review the "12" rating given to the film, but did not receive a reply. It therefore asked the Paris Administrative Court to annul, on the grounds of misuse of power, the decision to reject its request that was implied by the Minister of Culture's lack of response. It also asked the court to order the minister to amend the film's classification to an "18" rating.

The court's role was to examine the proportionality of the minister's decision, especially in view of the classification measures set out in Article R. 211-12 of the *Code du cinéma et de l'image animée* (Cinema and Animated Image Code).

The court noted that the simple presence of sex scenes or a high level of violence did not, in itself, justify an "18" rating. Although the Film Classification Commission had found that the film contained "many violent scenes showing brutal and sadist acts", these scenes had not been filmed in a way that glorified or trivialised violence. Whereas the Commission had also noted that the film contained "a number of sexually explicit scenes" that, although simulated, were undeniably realistic, they had not been filmed in a degrading way. Finally, these scenes fitted coherently into the overall narrative of the film, which was inspired by historical people and events, and aimed to show the passionate nature of a romantic relationship between two young women and the hostility they faced in 17th century Italian society.

In these circumstances, the complainant had been wrong to claim that the film was likely to shock young viewers and that the minister had committed an error of judgement by awarding the film a "12" rating. The requests were therefore rejected.

Cour administrative d'appel, Paris, (6e ch), 15 février 2022, Association Pornostop

https://www.legifrance.gouv.fr/ceta/id/CETATEXT000045184437?init=true&page=1&query=21PA05996&searchField=ALL&tab_selection=all/

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Paris Administrative Appeal Court (6th chamber), 15 February 2022, Pornostop association

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