

CREATING A SPACE FOR CHILDREN

Volume I Children's Film and Television in EU Countries

*By the International Centre of Films for Children
and Young People (CIFEJ)
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CIFEJ is an international non-governmental organization whose goal is to promote quality films, television programs and videos for young people around the world. It has 149 members, from broadcasters to media education groups, in 53 countries worldwide. Below are brief notes, taken from the CIFEJ report *Creating a Space for Children: Children's Film and Television in EU Countries, Volume 1* (1996), on the policies and legislation regarding media violence in 16 Western European countries.

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Austria

Film:

There are no quotas in Austria for the production and distribution of children's films. The rating of films is voluntary, but access to unrated films is restricted to those 18 and over. Distributors seeking to attract younger audiences must therefore apply for a rating. The age-rating categories are: "all ages," "6," "10," "12," "14," "16," (in Vienna) and "17" (or "18") in Austria's other eight provinces. Each province has its own laws and regulations. The legislation of the provinces regarding youth protection applies only to films in theatres, not to films on video and films screened on TV. This means that video store owners cannot sell children videos which "harm the dignity of man or glorify acts of war or which are racially or sexually discriminating."

Television:

Austria's public broadcaster has no quotas for children's programming, but sets aside specific periods to broadcast children's programming: 6.0 hours daily, from Monday to Friday, and 5.20 hours on both Saturday and Sunday. The Austrian Broadcasting Corporation is self-regulating, and applies restrictions on the broadcasting of certain films during the early evening. It also provides printed television guides with advice for parents on the suitability for young viewers.

Belgium**Film:**

In 1990, a new law was signed in Belgium creating the following film classification categories: all ages; suitable for persons under 16 but over 12 and who must be accompanied by an adult; and over 16. Films on video must also be classified under this system. Distributors who fail to clearly show the classification of the film on the jacket of the video cassette are subject to fines.

Television:

A legal provision prohibits the broadcast of programs on French-language radio and television services that attack human dignity or promote hatred based on race, sex, religion or nationality. It also prohibits programs (and their promos) likely to have a negative impact on the development of minors, particularly those containing pornographic scenes or gratuitous violence. Consequently, the code of ethics for French television broadcasters proposes that warnings be aired prior to programs containing violence or erotic images, and that promotions for these shows not include violent scenes. The public broadcaster for the Flemish-speaking community in Belgium is preparing a self-regulating code on the content of programs. Currently in the Flemish-speaking community, there are no quotas for children's programming and no regulations setting aside specific timeslots for children's programming. However, pornography is not shown at times when children normally watch TV.

Denmark**Film:**

The Danish Film Act stipulates that the Danish Film Institute must subsidize the production of films that are particularly suitable for children

and young people. The National Film Board of Denmark also promotes information, education and artistic and cultural activities by producing short films in Danish for children and young people. Film censorship was abolished in 1969 in Denmark, except with respect to the protection of minors. Distributors wishing to get a "for all" designation for their films must submit them to a commission appointed by the Minister of Cultural Affairs. It decides if the films are appropriate for adolescents under 16 and for children under 12.

Television:

Children's programming is not mentioned specifically in the Danish Broadcasting Act, which outlines the responsibilities of television, cable and satellite broadcasters in Denmark. While there are no regulations concerning violence on Danish television, the suitability of material for young viewers is taken into consideration by all departments of the public broadcasting network, especially for programming aired before 9:00 p.m.

Finland

Film:

Feature films are regulated and subsidized by the Finnish Film Foundation.

Television:

The state-owned Finnish Broadcasting Company requires that programs unsuitable for children are not broadcast before 9:00 p.m. Care is taken at all times not to broadcast violent behavioral models. Children are also taken into account with regards to advertising: commercials must not present situations, which if imitated by children, might cause injury to themselves or others.

France

Film:

The National Cinematography Centre, which provides production support for feature film and television production in France, does not set quotas for children's films. The Commission for the Control of Cinematographic Film, which is authorized by the French government, grants certification to all films shown in cinemas on the basis of restrictions to specific audiences: "all ages," "12 and under," and "16 and under." Other films are

restricted to adult audiences. The Commission does not, per se, classify films; it certifies them as appropriate for certain audiences. Films that are certified as inciting violence or as pornographic must be screened in special cinemas. Films on video are not regulated according to these certification categories.

Television:

After several failed attempts in France to protect children from violent or erotic programs, an independent body, the Conseil supérieur de l'audiovisuel (CSA), was created "to provide provisions for the protection of children and adolescents, under the age of 13, in the broadcasting of programmes by all public and private services." The council's regulations are enforced by viewing committees established by each broadcaster within its own organization. Erotic or violent films are not to be broadcast between 6:00 a.m. and 10:30 p.m., and promotions for these films must not be shown before 8:30 p.m. In addition, in the event of the portrayal of violent content that would affect the sensibilities of young people during peak viewing hours, broadcasters are required to provide appropriate signals to warn viewers. An orange visual symbol cautions audiences, while a red one indicates adult-only programming. There are no quotas for children's programming in France.

Germany

Film:

In Germany, a voluntary board of film self-regulation views nearly all films and videos meant for the open market. Films are evaluated in terms of their potential to harm children and juveniles, and are subsequently granted an age-related certificate. Penal laws further prohibit all media that promote violence as well as pornography that involves children, animals or violence. The classifications for films shown in theatres and for videos rented or sold are: "all ages," "6 and over," "12 and over," "16 and over," and "18 and over." Films that are classified "18" cannot be advertised. Video cassettes, CD-ROMs and other audiovisual materials for public use must also comply with this classification system. Videos classified as "18" must not be advertised, rented or sold in shops accessible to juveniles. The Voluntary Board of Film Self-Regulation brings together youth protection authorities for the separate German states. It evaluates films according to principles that prohibit visual materials which impinge on the physical, moral and spiritual well-being of children and juveniles.

Television:

In matters of youth protection in Germany, television is subject to the 1991 State Treaty on Broadcasting, as well as to the Penal Code. For example, programs are prohibited if they "incite to race hatred or depict cruel or otherwise inhuman acts of violence against human beings in a way which glorifies or makes appear harmless such acts...." Films and programs which, under law, are not to be accessible to juveniles under the age of 16 may be shown only between 11:00 p.m. and 6:00 a.m. Every broadcaster appoints a representative of youth protection within its organization, who coordinates self-regulation on issues concerning violence.

Greece**Film:**

Film in Greece is regulated by the Commission for the Supervision and Control of Publications Destined to Children and Adolescents, under the authority of the Minister of Justice. Publications destined for young persons ""must not contain any illustration, article, story, title or insert presenting in a favourable light banditry, lying, thievery, laziness, cowardice, hate, any criminal act, or act that demoralizes children or juveniles...or inspires or instills ethnic prejudice."

Television:

While television advertising in Greece is prohibited from showing minors in dangerous situations, programming content is not subject to regulations.

Ireland**Film:**

Every film or video shown to the Irish public must be certified by the Official Censor, who considers issues of indecent content and public morality. The classification categories for theatrical films are: "general," "parental guidance," "over 12," "over 15," and "over 18." The categories are the same for films on video, except there is no classification "over 12."

Television:

Ireland's Broadcasting Act covers matters relating to youth protection. Films classified "over 15" must not be broadcast before 9:00 p.m.

Regulations also exist for the broadcast of commercials. Advertisers are expected to exercise the utmost care and discrimination with regard to the content of commercials transmitted during breaks in programs designed for children, and they must not unreasonably show children in dangerous situations.

Italy

Film:

Articles in Italy's Constitution, as well as provisions of the Penal Code, recognize the rights of minors. A commission for the Italian government interprets these laws as they relate to films. It evaluates and rates films for their potential to harm young people.

Television:

Matters of youth protection are the responsibility of the regions, under government supervision and control. There are now eight Boards of Censorship to evaluate television broadcasts scheduled for the 7:00 a.m. and 11:00 p.m. timeslot. During this time, films unsuitable for children 14 and under are prohibited. A self-regulatory code on television and children, developed by the members of the Federation of Radio and Television, encourages that programs for children occupy appropriate timeslots. One network channel uses red signals to indicate when a show is not suitable for children. There is also an advertising self-disciplinary code, which aims to protect youth from damaging messages. It states that "particular care must be given to messages which are aimed at children and adolescents or which may be received by them." There are no quotas for children's programming in Italy.

Luxembourg

Film:

In the realm of youth protection in Luxembourg, a law prohibits youth under 17 access to movie houses, except to those showing classified films. The film classification categories are: "for all," "14 and over," and "17 and over." Films that do not go through the classification process are automatically classed as "17 and over," a classification normally reserved for very violent films. There is no corresponding classification system for films on video. However, through self-regulatory measures, video distributors in Luxembourg generally restrict access to pornographic materials to persons over 18.

Television:

Broadcasters in Luxembourg must apply to the government for a broadcast licence, which is granted upon compliance with certain regulations.

Netherlands**Film:**

The 1997 Film-release Act provides a classification system in the Netherlands based on age range, with the following classifications: "all ages," "12 and over," and "16 and over." Although submission to the Board of Censors is voluntary, any film that has not applied for a rating is automatically deemed unsuitable for children under the age of 16. The Board of Censors is made up of ordinary citizens. Video companies are self-regulating, and classify films as: "for all," "12 and over," and "16 and over."

Television:

The amended Media Act (1991), implemented by the government to strengthen the public broadcasting system, does not require quotas for children's programming. It stipulates that films deemed unsuitable for children under the age of 12 or 16 should not begin until 8:00 p.m. or 9:00 p.m., respectively. Also, the over-16 rating given by films censors, or the unsuitability of the program, must be announced prior to the start of the film or program. A non-governmental organization, called the Dutch Children's Television Information Centre, promotes education about children and television.

Norway**Film:**

The Norwegian Film Institute, authorized by the Ministry of Culture, supports and initiates production and promotes and screens films for children. The Norwegian Board of Film Classification is responsible for evaluating the content of films and films on video meant to be shown commercially in public. It applies the following film classifications: "universal"; "7 years" (for children seven and up, and for children from age 4 with an adult); "11 years" (for children 11 and up, and for children from age 8 with an adult); "15 years" (juveniles 15 and up, and children from age 12 with an adult); "18 years" (restricted to persons 18 and over). Penal Code provisions prohibit the sale or rental of pornographic films, as

well as those which portray "out of proportion" violence with the aim of entertaining.

Television:

There are no codified rules or regulations governing children's television broadcasts. The Norwegian public television broadcaster has evolved its own, unwritten rules as to when shows devoted to children are shown.

Portugal

Film:

For the purposes of youth protection, feature films and films on video are viewed by the Board for the Classification of Public Events. They are classified according to the age categories: "4," "6," "12," "16," and "18."

Television:

The two public television broadcasters in Portugal and the two commercial broadcasters are not bound by law to produce children's programming. In the area of youth protection, individual broadcasters are self-regulating. However, the Portuguese TV Law prohibits the broadcast of pornography, the depiction of explicit violence, and the promotion of racism. Warnings prior to broadcast, and the reservation of night broadcasting for mature subject matter, are used to protect young viewers.

Spain

Film:

Feature films shown in theatres are evaluated for their potential to harm children by the Board of Film Classification, which falls under the Ministry of Culture's mandate. Feature films are classified as: "specifically for children," "for all," "not recommended for persons younger than 7 years," "not recommended for persons younger than 13 years," and "not recommended for persons younger than 18 years." But these classifications are merely recommendations and cannot be used to deny persons younger than the classified age entry into cinemas. Other categories such as "X" are more prohibitive. Minors below the age of 18 are not allowed into cinemas showing these films, which depict pornography or extreme violence. They also cannot rent videos with the "X" rating. Recent legislation prohibits the sale or rental of films, video

games and other audiovisual materials to minors that contain violence, delinquency, or pornography.

Television:

According to an act of government, programs which might inhibit the development of children, including X-rated films, are to be broadcast between 10:00 p.m. and 6:00 a.m. In addition, the Spanish Education Ministry and both public and private TV channels have an agreement on self-regulation concerning programs and advertising messages aimed at young people.

Sweden

Film:

The Swedish Film Institute is the central organization in Swedish cinema. It supports the need for production of Swedish films of high merit, including films for children. In the area of youth protection and censorship, the Swedish National Board of Film Censors views all films and classifies them according to the categories: "no limitation," "from 7," "from 11," "adult only," and "prohibited from public showing" (because of extreme violence in connection with sex, or pornography with children). Film on video destined for public screening must also be submitted for classification. In audiences over the age of 15, the only scenes that must be banned are those where "the events are depicted in such a manner and in such a context as to have a brutalizing effect." The assessment takes particular account of whether the film or videogram contains explicit or protracted scenes of severe violence to people or animals, or depicts sexual violence or coercion, or presents children in pornographic situations. A regional supervisory organization which reports to the National Board of Film Censors ensures that unlawful representations of violence disappear from the market.

Television:

Although neither of the two public broadcasters has quotas for children's television, their support for children's programs is comparatively strong, with shows being produced for a daily (Monday to Friday) evening block of children's and adolescent's viewing from 6:15 p.m. to 8:00 p.m.

United Kingdom

Film:

Feature films for children are not dealt with at the policy or regulatory level in Britain. The British Board of Film Classification is responsible for evaluating the content of feature films and films on video. The Cinemas Act requires that local authorities prohibit the admission of children to films classified as unsuitable for them. This mandate was extended to include film on video offered for sale or rent commercially. The UK's voluntary classification system comprises the following categories: "U" (suitable for all ages; a separate category, "Ue," exists for films on video and denotes "particular suitability for younger children"); "PG" (appropriate for a general viewing audience, but some scenes may be unsuitable for younger children due to "mild violence, some nudity...and language"; "12" (for persons 12 years and over, due to strong language, implications of sex and realistic images of violence); "15" (for persons 15 years and over, due to impressionistic sex, mildly graphic violence and horror); "18" (for persons 18 years and over, due to explicit sex scenes, nudity and graphic violence). The rating "18-R" classifies films containing sexual explicitness, for restricted distribution only.

Television:

Standards for programming aimed at children are addressed in the British Broadcasting Act. Although the Act's advisory council has limited regulatory authority, it produces a code of practice on the portrayal of violence, sexual conduct and matters of taste and decency. It also monitors programs and considers complaints. Broadcasters are required to take account of the Act's provisions when preparing their own codes. For example, they should not broadcast programs with violence or other unsuitable material at times when large numbers of children may be watching. This time frame is taken to be between 6:00 a.m. and 9:00 p.m. The Independent Television Commission (ITC) has a mandate to impose penalties, including hefty fines and cancellation of a broadcast licence, on broadcasters who do not fulfil their responsibilities in these areas. Under the Independent Television Commission, advertising directed to children is strictly regulated to avoid harm to children physically, mentally or morally. The code of standards for the BBC, Britain's public service broadcaster, states that violence in circumstances resembling real life is more upsetting to children than violence in a fantasy setting, and should, therefore, be avoided.