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ANNUAL REPORT OF THE DIRECTOR OF FILM CLASSIFICATION 2009

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**Dear Minister,**

I am pleased to present the Annual Report of the Director of Film Classification as prescribed by Section 29 of The Video Recordings Act, 1989.

The year proved to be one of many changes for IFCO. In May the office moved from Harcourt Terrace, where it had been since 1945, to new offices in Smithfield, which you officially opened on July 21st. This relocation occurred to facilitate the sale of Harcourt Terrace as part of the Government's affordable housing initiative.

One advantage of our new location is the opportunity to lease cinema space from the Light House cinema for our screenings. This removed the necessity of building, at very considerable expense, a dedicated cinema for IFCO use only. To date this arrangement is working very successfully.

In tandem with our move we also launched the second and final phase of our integrated IT system upgrade, which, as well as giving greatly enhanced service to our business customers, now provides classification and consumer information on all DVD releases, thereby providing parents/guardians with the same advice which was already available for cinema films.

As mentioned in last year's report, the pace of evolution of the home entertainment market poses challenges for regulators and those who provide advice and guidance as to content.

2010 will mark the advent of much wider availability of "video on demand" and we will be meeting with the various parties involved to clarify the regulatory and/or advisory issues this presents.

In 2009 the total number of DVDs certified was 6,690, down 15.9% on 2008. This drop was due to a number of factors, but primarily due to the completion of studios back catalogue submissions. These works were substantial contributors to the previous three years turnover.

Video games continue to be exempt from classification under the Video Recordings Act, 1989, but are classified under the Pan European Games Information (PEGI) system of which Ireland is a founder member and I believe that as part of

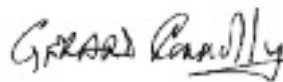
an overall review of the efficacy of the 1989 Act, the PEGI classifications could be incorporated and given the same status as existing video classifications.

The current budgetary constraints again prevented the undertaking of any consumer research or public awareness campaign. While this curtailment is necessary given current conditions, the increasing gap since the last significant such exercise in 2004/5 is a concern.

November marked the retirement of John Kelleher as Director. His tenure was one of constructive innovation in many areas, particularly interaction with the public, especially parents/guardians, and the provision, for the first time, of consumer advice on all cinema releases through the IFCO website.

I would like to express my appreciation of the contribution made by the team of Assistant Classifiers, Office Manager Mary Ita O'Sullivan and my civil service colleagues at IFCO and also to the Corporate Affairs Section of the Department. I would also like to acknowledge the exceptional contribution made by David Power, whose contract as assistant classifier expired in November.

Yours Sincerely,



**Ger Connolly**

Acting Director of Film Classification







# BRAD PITT IS A BASTERD

16

**“Strong, sometimes very grisly violence - trademark Tarantino.  
In a 16/18 classification context, this is borderline 16.”**

(Consumer advice for *Inglourious Basterds* on IFCO's website)

**Inglourious Basterds**

Directed by Quentin Tarantino









**“Contains menace/frightening scenes consistent with Dickens' novel.  
We strongly recommend that younger children be adult accompanied.”**

(Consumer advice for *A Christmas Carol* on IFCO's website)

**A Christmas Carol**

Directed by Robert Zemeckis



## KEY DEVELOPMENTS

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### Operational Activity

The total number of cinema feature films certified during 2009 was **307** an increase of 3.4% on 2008.

The total number of DVDs certified was **6,690** a decrease of 15.9% on 2008. This is a global trend with one of the main reasons being the completion of certification of back catalogues.

### Appeals

The Classification of Films Appeal Board considered 4 separate appeals during 2009.

In February the 18 certificate given to *Watchmen* was appealed by the Distributor (Paramount Pictures). The appeal was upheld and the film certified 16.

In July the 18 certificate given to *Orphan* was appealed by the Distributor (Optimum Releasing). The appeal was upheld and the film certified 16.

In November the 18 certificate given to *Law Abiding Citizen* was appealed by the Distributor (Momentum Pictures). The appeal was upheld and the film certified 16.

In December the 15A certificate given to *The Lovely Bones* was appealed by the Distributor (Paramount Pictures). The appeal was upheld and the film certified 12A.

### Limited Release Films

The number of limited release films certified during 2009 was 111 (2008 - 109).

This initiative continues to be successful from a business point of view and, more importantly, affords the Irish cinemagoer an opportunity to see films which otherwise may not have been viable releases for their Distributors. In 2009 this initiative included such films as *Moon*, *Flame And Citron*, *In The Loop*, *Coco Before Chanel*, *Perrier's Bounty*, *A Prophet*, *Il Divo*, *Katyn*, *Frozen River*, *An Education*, *Sin Nombre* and *The White Ribbon*.

### Limited Release DVDs

2009 saw the first full year of the reduced fee scale for limited release DVDs. There were **1,363** such applications and given the drop off in DVD

submissions, the introduction of this reduced rate was very welcome from both an income and output point of view. Again, this has been warmly welcomed by video distributors, and has increased the diversity of titles released to the Irish market (minority interest, foreign language, etc.).

### IT Developments

Coinciding with the office move from Harcourt Terrace to Smithfield the second phase of the IFCO integrated IT systems upgrade was implemented.

The benefit of this to parents/guardians and the public in general is the provision of classification and consumer information on all DVD releases, giving the same level of information and advice previously only available for cinema films.

For our business customers the enhancements include the facility to make their classification applications online and we are amongst the first in the world to offer this service. Also, once classified, the rating is instantaneously conveyed to the client by email. Distributors also have access to their financial information and can track the progress of their applications through the IFCO system.

This IT advance has been enthusiastically welcomed by all of our clients.

### Video Games

As referred to in my letter, video games continue to be exempt from classification the Video Recordings Act, 1989, although such a game may still be prohibited under Section 3 of the Act. Games are, however, classified using the PEGI (Pan-European Games Information system) of which Ireland is a founder member.

The Acting Director, Ger Connolly, has been a member of the PEGI Advisory Board and Appeals Board since its inauguration in 2003.

The PEGI age rating system was established to help European parents make informed decisions when buying interactive games. Since inception, over eleven thousand video games have been rated by PEGI.

Designed to ensure that minors are not exposed to games unsuitable for their particular age group,



the system is supported by the major console manufacturers, including PlayStation, Xbox and Nintendo, as well as by publishers and developers of interactive games throughout Europe.

The PEGI system rates video games under the following age categories: 3, 7, 12, 16 and 18. Games rated 18 are routinely examined by IFCO prior to release.

IFCO continues to support the PEGI system as a successful initiative which provides a significant aid to parents in determining content suitability for young persons of various ages. If these ratings were incorporated into our legislation it would enable the classifications to be enforced in the same way as those for DVD.

Together with Ireland, PEGI's other founder members were Austria, Belgium, Denmark, Finland, France, Greece, Italy, Luxembourg, Netherlands, Norway, Portugal, Spain, Sweden, Switzerland and the United Kingdom. PEGI is now also used by Bulgaria, Cyprus, the Czech Republic, Estonia, Hungary, Iceland, Latvia, Lithuania, Malta, Poland, Romania, Slovakia and Slovenia.

The PEGI website is [www.pegi.info](http://www.pegi.info)

## Research & Public Awareness

It is 6 years since the survey of parents' and adolescents' attitudes to film classification and 5 years since the last major public awareness campaign.

A 2007 phonebus survey indicated that only 12% of people were aware of the IFCO website. Indeed a significant proportion of correspondents to the office on the subject of classification would have their inquiries resolved by visiting the website.

Given the technological advances in home entertainment as well as 3D cinema experiences, there is an urgent need to consult with the public to obtain their experiences and expectations in the area of classification and have a proactive campaign informing the public of the tools at their disposal.

While understanding the severe budgetary constraints currently in place, the importance of the above in the successful operation of IFCO cannot be overstated.

## Focus Groups

As previously, a series of focus group screenings enabled IFCO to engage with and explore the opinions of parents, young persons, second and third level students, educators, psychologists, etc. The responsibility for coordinating IFCO's focus group screenings/discussions is undertaken by one of our team of Assistant Classifiers, Mark Brennan.

Given the constraints in the area of research referred to above, these sessions assume an even more vital role in informing IFCO of public expectation.

Among films screened with such groups in 2009 were *Gran Torino*, *Fifty Dead Men Walking*, *In The Loop*, *The Damned United*, *Up In The Air* and *Is There Anybody There*.

Among the agencies, representative bodies and others taking part in focus group screenings and discussions during the year were: The Arts Council, the National Parents Council, The Institute of Guidance Counsellors and the National Youth Council. Other participants included many second level students and their teachers as well as students and educators from NUIG, UCD and TCD.

On occasion during the year the Director John Kelleher, Deputy Director Ger Connolly and Assistant Classifier David Power made presentations at various venues around the country.

## Transition Year Module Moving Image Education

The initiative, established in 2005 with the IFI (Irish Film Institute) and the Department of Education, whereby second level students are provided with a platform of screenings and workshops, and engage in discussing classification and censorship issues with IFCO, continued during 2009. Feedback from teachers and students is positive and the IFI regards the initiative as a useful and educational part of this module.







**"Frequent moderate violence involving humans and fantasy characters. Some scenes of stabbing and prolonged fights. Many of the creatures may well be very scary for younger viewers. There is moderate language throughout."**

(Consumer advice for *Avatar* on IFCO's website)

**Avatar**

Directed by James Cameron

## KEY DEVELOPMENTS

### Legislation Compliance

IFCO continues to cooperate with Gardai, Customs etc. in the work of ensuring compliance with the legislation under which IFCO operates. The IFCO inspectorate continues to monitor compliance with the Video Recordings Act and refers alleged breaches to the Gardai for further investigation. We also examine works seized by the authorities and issue certificates relating to the various provisions of the Act.

### IFCO Website: [www.ifco.ie](http://www.ifco.ie)

Visitors to the IFCO website increased by 8% on 2008 (total of 392,990 page loads in 2009). The website currently provides parents and the public with consumer advice on cinema films, and more recently this service has been expanded to cover all DVD/Video/Blu-ray releases. Consumer advice is now available on a total of 3,393 recently classified titles for release on DVD, a number which is increasing significantly on a daily basis. Public response to the consumer advice provided by the site has been very positive by those who use it. However, as stated above, we do need to make many more people aware of its existence.

### Inspector Post

All retail premises are periodically visited by the IFCO Inspectorate and checked for compliance with the provisions of the Video Recordings Act, 1989. While most are found to be compliant, appropriate action is initiated against those in breach of requirements. IFCO continues to liaise with the Gardaí, with some prosecutions taking place during the year and others making their way through the legal system.

### High Court Judicial Review Proceedings

A hearing date is still awaited in respect of the Appeal to the Supreme Court by Jacqueline Byrne against the judgment of Mr. Justice Kevin O'Higgins, which was delivered in the High Court on 21st December 2007, and which was referred to in the 2007 Annual Report.



*Granny O'Grimm's Sleeping Beauty* - PG



*Star Trek* - 12A



*The Hangover* - 16



## Certification For Court Proceedings

Complaints regarding breaches of the provisions of the Censorship of Films Act, 1923, and the Video Recordings Act, 1989, are referred by the Office to the Garda Síochána for investigation.

Under Section 23 of the Video Recordings Act, 1989, the Film Classification Office may issue certificates to provide certain information which is admissible as evidence in court proceedings.

The total number of Certificates issued in 2009 indicating that Supply Certificates were not in force under Sec.14 (3) (b) in respect of certain works was 79.

## Finance

The fees charged by the Office for the certification of cinema films and DVD/videos and for the issuing of licences in 2009 were as follows:

Film	€286,409
DVD/Video	€1,702,670
Licenses	€408,770
<b>Total</b>	<b>€2,397,849</b>

*Total income received in 2009 on behalf of the Accountant, Department of Justice & Law Reform.*

## IFCO WEBSITE - Consumer Advice









**“Some scenes of mild threat may upset very young children.”**

(Consumer advice for *Up* on IFCO’s website)

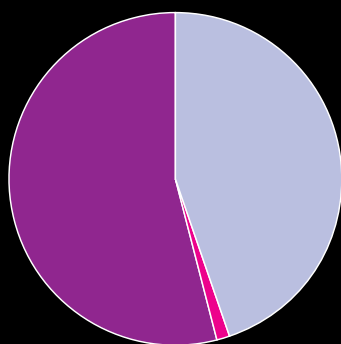
**Up**

Directed by Pete Doctor, Bob Peterson



## CERTIFICATION OF CINEMA FILMS

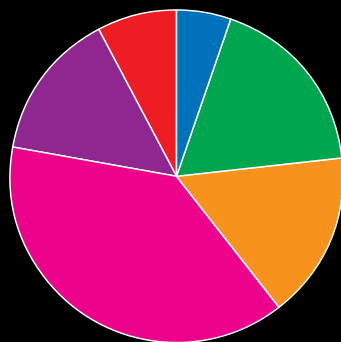
### Cinema Films Certified 2009



Features	307
Shorts	2
Trailers	386
<b>Total</b>	<b>695</b>

	2006	2007	2008	2009
Features	265	284	297	307
Shorts	6	4	10	2
Trailers	366	343	378	386
<b>Total</b>	<b>637</b>	<b>631</b>	<b>685</b>	<b>695</b>

### Certified By Category



<b>G</b>	22
<b>PG</b>	50
<b>12A</b>	56
<b>15A</b>	103
<b>16</b>	57
<b>18</b>	19
<b>Total</b>	<b>307</b>

	2006	2007	2008	2009
<b>G</b>	18	15	21	22
<b>PG</b>	36	51	50	50
<b>12A</b>	53	46	65	56
<b>15A</b>	94	109	86	103
<b>16</b>	42	41	55	57
<b>18</b>	22	22	20	19
<b>Total</b>	<b>265</b>	<b>284</b>	<b>297</b>	<b>307</b>

### Country Of Origin

#### SINGLE COUNTRY

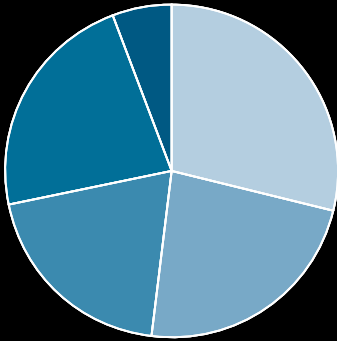
Australia	1
China	1
Denmark	1
France	8
Germany	1
India	20
Ireland	9
Italy	4
Japan	3
Mexico	1
New Zealand	1
Poland	1
South Korea	3
Spain	2
Sweden	1
Thailand	1
UK	37
USA	143
<b>TOTAL</b>	<b>238</b>

#### MULTIPLE COUNTRY OF ORIGIN (i.e. co-productions)

Australia/UK	2
Austria/Germany/France/Italy	1
Canada/Greece	1
Canada/USA	7
Chile/Brazil	1
China/Japan/France	1
Denmark/Germany/France/Sweden/Italy/Poland	1
Sweden/Denmark/Norway/Finland/Germany	1
Denmark/Czech Republic/Germany	1
France/Belgium	1
France/Belgium/Liberia	1
France/Canada	1
France/Canada/Italy	1
France/Canada/UK	1
France/Italy	2
Germany/Russia/UK	1
India/UK	1
India/USA	3
Ireland/Czech Republic	1
Ireland/France	1
Ireland/UK	3
Ireland/USA	1
Kazakhstan/Russia	1
Mexico/USA	2
Romania/France	1
Spain/UK	1
UK/Canada	1
UK/France	1
UK/France/Italy/Belgium	1
UK/Germany	2
UK/USA	9
UK/USA/France	1
USA/Australia	1
USA/France	1
USA/Germany	5
USA/Germany/UK	1
USA/Hong Kong/Japan	1
USA/South Africa	1
USA/Spain	1
USA/United Arab Emirates	1
USA/UK/Australia	1
USA/UK/Canada/Australia	1
USA/UK/New Zealand	1
<b>TOTAL</b>	<b>69</b>



## DVD / Video Works Certified By Category 2009



<b>G</b>	1581
<b>PG</b>	1383
<b>12</b>	1468
<b>15</b>	1839
<b>18</b>	419
<b>Total</b>	6690



*Twilight Saga: New Moon* - 12A

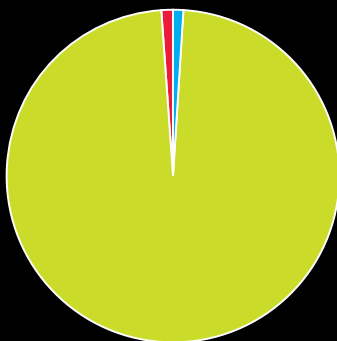
## DVD / Video Works Certified By Category 2006 - 2009

	2006	2007	2008	2009
<b>G</b>	3042	2317	1977	1581
<b>PG</b>	2625	1855	1891	1383
<b>12</b>	1872	1592	1659	1468
<b>15</b>	1955	1806	1915	1839
<b>18</b>	432	463	517	419
<b>Total</b>	<b>9926</b>	<b>8033</b>	<b>7959</b>	<b>6690</b>



*Harry Potter And The Half-Blood Prince* - 12A

## Licenses Issued 2009



<b>WHOLESALE</b>	7
<b>VEHICLE RETAIL</b>	6
<b>RETAIL</b>	1433
<b>Total</b>	1446



*Sherlock Holmes* - 12A

**15A**

**“Contains moderate/strong violence, including scenes of torture and child cruelty.”**

(Consumer advice for *Slumdog Millionaire* on IFCO’s website)

**Slumdog Millionaire**

Directed by Danny Boyle





## ACTING DIRECTOR OF FILM CLASSIFICATION

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### GER CONNOLLY

Ger Connolly was appointed Acting Director in December 2009, having been Deputy Director from 2003. He was born and lives in Kildare town. He graduated from UCD with a B. Comm. Degree. He studied accountancy with Deloitte, Haskins & Sells, and worked in that capacity in the advertising and manufacturing industries.

He represents Ireland at the council of European Film Classifiers and also is a member of both the Advisory and Appeals boards of PEGI, the Pan European Games Information System.





**OLGA BENNETT**  
Lives in Dublin  
Former Public  
Representative  
1 Child  
Appointed 1993



**MAIREAD MARRON**  
Lives in Swords  
Counsellor/  
Psychotherapist  
6 Children  
Appointed 1995



**TOM FITZGERALD**  
Lives in Dingle  
Former Public  
Representative  
3 Children  
Appointed 2002



**MARK BRENNAN**  
Lives in Dublin  
Journalist and  
TV Producer  
2 Children  
Appointed 2004  
Re-appointed 2007



**P. J. SHERIDAN**  
Lives in Clane,  
Co. Kildare  
Former Public Servant  
3 Children  
Appointed 2004  
Re-appointed 2007



**DAVID POWER**  
Lives in Dublin  
Business Executive  
Appointed 2006



**ELIZABETH DAVIDSON**  
Lives in Dublin  
Educationalist  
4 Children  
Appointed 2008



**MARIAN MCGENNIS**  
Lives in Ballybrittas,  
Co. Laois  
Former Public  
Representative  
3 Children  
Appointed 2007



**TONY STAPLETON**  
Lives in Navan  
Former Sales Director  
5 Children  
Appointed 1993



**JOHN KEITH**  
Lives in Nenagh  
Former Public Servant  
3 Children  
Appointed 1993

The Office Manager is Mary Ita O'Sullivan, who supervises a team of Civil Servants.

visit our website [www.ifco.ie](http://www.ifco.ie)

