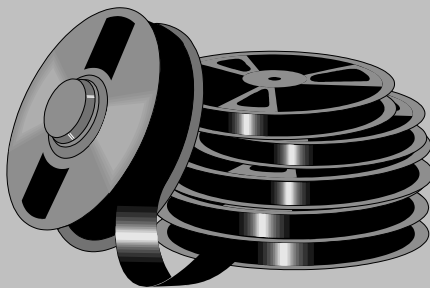


Ontario Film Review Board

Annual Report

2003/2004



www.ofrb.gov.on.ca



May 31, 2004

The Honourable Jim Watson
Minister of Consumer and Business Services
35th Floor
250 Yonge Street
Toronto ON M5B 2N5

Dear Minister Watson:

I am pleased to present the Annual Report of the Ontario Film Review Board for the fiscal year ending March 31, 2004.

The report outlines the duties and responsibilities of the Ontario Film Review Board under the mandate of the *Theatres Act* and the operating results for the fiscal year.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Bill Moody".

Bill Moody, Chair

Ontario Film Review Board

1075 Millwood Road, Toronto ON M4G 1X6

Telephone: (416) 314-3626

Fax: (416) 314-3632

Web site: www.ofrb.gov.on.ca

Table of Contents

Report from the Chair	3
The Board and its Operations	
Our Mission	8
Who We Are	8
Types of Panels	8
How We Classify Films and Videos	9
Why We Classify.....	10
Our Community.....	10
Refusal to Approve	11
 Financial and Operational Information	 12
 Chair and Board Members	 14

Report from the Chair

The 2003/2004 fiscal year reflected a period of change for the Ontario Film Review Board (OFRB). The Board classified 4,793 units in film, video & DVD formats, (involving Mainstream English/French, Mainstream Foreign, Adult Sex-English/French, Adult Sex Foreign Language, and Trailers, English/French and Foreign) reviewing a total of 452,502 minutes of product.

The OFRB continues to hold public screenings, in this way approximately 450 individuals in 24 groups participated in viewing a movie with an official panel thereby learning about how the Board classifies product. In addition, numerous information packages were sent to individuals, students, interest groups, schools, MPP constituency offices and media.

We continue to refine our classification guidelines for both mainstream and adult sex product so that these guidelines are clear, reasonable, rooted in common sense, and reflective of prevailing community standards.

Changes in technology, namely DVDs, have put increasing pressure on the OFRB. A system of “Undertakings” was put into place, allowing distributors to request partial screenings of extra DVD footage for titles that had previously been screened in video format. Mainstream Undertakings accounted for 760 titles while Adult Sex Undertakings, increased from 1,892 in 2002/2003 to 2,281 in 2003/2004. The Board reviews the additional footage and also spot-checks the remainder to ensure that the DVD is properly approvable.

We continue to update the OFRB web site www.ofrb.gov.on.ca to update the information available, increase the versatility of the site, encourage interaction through the search engine and increase the links to related sites.

- An important change for the Board was the move to 2 person Panels in the Video Rooms. The Board will continue to use 3 persons in the 35mm theatre, until June 2004, whereupon the Theatre will also move to 2 person panels.

With the assistance of Board Members, the Chair may consult the following resources to acquire information about the film and to determine the number of classifiers required:

- Internet
- Film reviews
- Trailers
- Advertising content (“hype” associated with a film)
- Filmographies of personnel (director, producer, writer)
- Genre
- Trends/film cycles
- Topical information/news
- Industry information
- Other miscellaneous research

Rationale for the requirement of additional classifiers:

- Potential for public, industry or media outcry over a film’s proposed classification
- Film contains grey area material that does not easily fall into one of the categories
- Film is a sequel to a controversial film
- Ontario Film Review Board receives expressions of concern from the public prior to classification
- Film contains material identified in recent social science research as potentially harmful to its audience (particularly children)

New Classification System Implemented:

Effective April 1st, 2003 the Province of Ontario revised the film classification system to better define a movie suitability for audiences. These classifications provide families with an opportunity to make more informed viewing choices.

The New Classification System:

- **G** General – Suitable for all
- **PG** Parental Guidance – Parental Guidance Advised
- **14A** Persons younger than 14 must be accompanied by an Adult
- **18A** Persons younger than 18 must be accompanied by an Adult
- **R** Restricted – Restricted to persons 18 years of age or over

Size of the Board:

During this fiscal year, the Board, by attrition has reduced in size from 29 to 21 Members. This was required as we moved from 3 person panels to 2 person panels.

Revised Literature:

We have undertaken a complete review of all of our Literature. As a result, the brochure, “Who We Are & What We Do” – has been completely revised and is now registered as: ISBN 0-7794-5714-5. This handout is used particularly during Public Showings, but is also available to the public upon request.

We are currently reviewing and revising our Board Members Reference Manual. It should be completed in the next fiscal year.

Standardized Information Pieces

Some provinces (Ontario) have a legislative mandate to classify home videos that are distributed or exhibited within the province, while other jurisdictions are strictly responsible for classifying films that are theatrically released. Recognizing the need for greater efficiency in the classification of home videos, the Canadian Motion Picture Distributors Association (CMPDA) began partnering with the six English-language classification boards in 1995, to create the Canadian Home Video Rating System (CHVRS). The ratings of the six classification boards are averaged by the CMPDA to come up with a single rating that is displayed on home videos, regardless of the jurisdiction in which it is distributed.

A number of drawbacks have limited the effectiveness of the CHVRS, including discrepancies in the averaging process and in the use of content advisories. To ensure a more coordinated approach to classifying home videos, consultations were undertaken with the CMPDA, and agreement was reached on the implementation of 15 common content advisories or “information pieces”. As a result 35 mm film that is released to home video in the future will have up to three of the 15 information pieces displayed on the back of the home video, using an averaging process similar to what is used to determine the rating for home videos. The Ontario Board has embraced the new advisory system and video tapes will soon appear in the marketplace with the Canadian rating and information pieces in place.

Looking to the future

We will:

- continue to improve the usefulness of our web site;
- continue to work with the industry to have classification and warning labels stickered on videos and DVDs;
- work to better track complaints, both about our ratings and our feedback to the community,
- work with other governments to develop a common approach to Video Game Classification across Canada;
- continue working with other classification boards in Canada to harmonize guidelines and develop a standard classification system across the country; and
- increase communication with boards in the United States, Europe, Australia and New Zealand to adopt “best practices” from these jurisdictions.

The Board and its Operations

Our Mission

The Ontario Film Review Board (OFRB) receives its mandate from the Ontario government through the *Theatres Act* and operates as an arms-length agency reporting to the Minister of Consumer and Business Services.

Subject to a few specific exceptions, if a film (feature/trailer) or video is to be distributed or exhibited in Ontario, it must first be approved and classified by the OFRB.

The Board's objective is to classify films and videos/DVDs and thereby provide the viewing public with sufficient information to make informed viewing choices for themselves and for their children.

Who We Are

The OFRB is a community Board, and its members represent a cross-section of the many diverse communities across Ontario. The Board's members vary in age, gender, vocation, cultural background and sexual orientation.

On the recommendation of the Minister of Consumer and Business Services and the Provincial Cabinet, members are appointed for a three-year renewable term (maximum 6 years), by the Lieutenant Governor through Orders-in-Council.

Members work an eight-hour day, usually three to four times per month, and are paid on a per diem basis.

Types of Panels

There are three types of screening panels and a panel-chair oversees each panel. Each type of panel serves a different purpose as follows:

Normal: This panel consists of two members. Although the members endeavour to agree on the classification, occasionally one may disagree strongly with the classification, and that member may request a cumulative panel.

Cumulative: Three other Board members screen the film or video. The results of both the Normal and Cumulative Panels are tallied, and the majority rules. Since this process is initiated by a member, there is no cost to the distributor.

Appeal: This panel is requested and paid for by a distributor who is dissatisfied with the Board's decision. It consists of five members who have not yet seen the film in question. This panel's decision as to classification is final, but an appeal to Divisional Court respecting approval is available.

By the time a film or video has gone through three panels, 10 different Board Members have viewed the product. Therefore, appeals through the Courts are rare.

How We Classify

The Board members take into account the general character and integrity of each film in its entirety and use the *Theatres Act* and sets of guidelines to determine the film's classification. These guidelines, which are continually reviewed and updated, allow the Board to be objective yet flexible. In this way, the Board is not only able to maintain the integrity of community standards, but also to appreciate and accommodate the film's artistic merit, or social and documentary significance.

While viewing the film, each panel member makes extensive notes on all elements that contribute to the classification. These elements include coarse language, nudity, violence, sexual activity and psychological impact. Following the screening, panel members use these detailed notes in their discussion and to frame their ultimate decision as to the classification of the film or video.

Each element is weighed on the basis of content and treatment and the cumulative effect of those factors on the audience. Members consider style, tone, duration, frequency and the amount of visual and/or verbal detail. How the elements relate to the narrative also contributes to the Board's decision.

Besides the classification, the Board may choose to include information pieces, such as *Nudity*, *Coarse Language* or *Brutal Violence*. These warnings, along with the classification, must

appear on all advertising to help the viewer make informed choices.

Why We Classify

A film classification board helps consumers make informed choices about the films and videos they see. Throughout the developed world, movie viewers have asked for industry-independent information about age-suitability (the classification) and content (advisories such as Coarse Language, Violence, Nudity, etc.) of films. This information assists them in deciding whether a particular movie is appropriate for their children, or for themselves.

Most developed countries, including the United States, Great Britain, Australia, New Zealand, South Africa, France, Germany, Spain, Portugal, Greece, Norway, Denmark, and Sweden have film classification boards.

The OFRB's focus is classification, not censorship. The Board is a valued source of information about movies and videos that help viewers make the right entertainment decisions for themselves and for their children.

Our Community

Community standards are at the forefront whenever the OFRB revises its guidelines. The Board uses many avenues to gauge the needs of the community it serves.

The OFRB is structured specifically to address community standards issues. The public Board consists of ordinary people, from all over the province, who work part-time for the Board. Members are all ages, with diverse work histories, ethnic backgrounds and sexual orientations. There is a nearly equal male-female split in the Board and all classification panels include both male and female members. The OFRB is structured this way so that its decisions will reflect Ontario's diverse communities.

The full Board meets three times a year to discuss any changes in policy, procedure or guidelines. All changes are discussed, debated and voted on by the full Board before any changes are made. The OFRB hears from a wide variety of speakers including child psychologists, members of public interest groups concerned about areas such as media violence and representatives from the movie industry.

We test our perception of community standards in twice-monthly evening screenings where public groups view a movie with the official panel and compare their opinions about how the movie should be classified against the official panel's decision.

We also hear directly from the media, from public interest groups, and from members of the general public via letter, telephone, fax, e-mail and our web site.

Our responsibility is to understand and reflect the community standards of Ontario.

Refusal to Approve

The OFRB is one of many film boards that have the ability to refuse to approve film. Other countries, including Britain, Australia, New Zealand, Denmark, France and Germany, also have this authority. At the federal level, Canada Customs may seize films and videos that contravene guidelines that are very similar to those in place in Ontario.

Most societies have value systems that are created to allow their members to live in relative peace and security. The checks and balances that prevent seriously harmful activities from becoming prevalent and undermining these value systems are usually enshrined in the laws of the land. The ability to limit public exposure to extremely brutal or violent images is one of the safeguards that helps to prevent seriously harmful activities from becoming the normative values of society.

Therefore, the OFRB, through the *Theatres Act*, continues to limit access to films in those areas where there is a potential for harm to society, particularly to those who are most vulnerable.

Financial & Operational Information 2003-2004

Financial Information 2003/2004

Revenue:	Film and Video Classification Fees **	\$2,876,500
	Total Revenue	\$2,876,500
Expenditures***:	Per Diems.....	\$313,800
	Direct Operating Expenses	\$ 82,400
	Administrative & Overhead Expenses	\$361,500
	Total Expenditures **	\$757,700

** For classification of films and videos, distributors pay \$4.20 per minute, foreign language films (except French) pay a flat fee of \$78.75 per item, and there is no fee for Canadian films and videos. There are also fees for classifying trailers, advertisements, and for classifying features by documentation.

*** Note: This figure only includes direct costs attributable to the OFRB. In addition, the Ministry incurs indirect costs in administering the Theatres Act. These include costs relate to activities such as: inspection, investigation, prosecution, legal counsel, , policy development, general management and administration.

Mainstream Films by Classification

	2003/2004	2002/2003	2001/2002
General.....	23.7%	Family 17.0%	15.6%
Parental Guidance.	35.0%	Parental Guidance	29.9%
14A.....	27.6%	Adult Accompaniment.....	39.3%
18A.....	10.5%	Restricted.....	15.0%
Restricted.....	3.2%		

Financial and Operational Information

	2003/2004	2002/2003	2001/2002	2000/2001
Financial:				
Revenue	2,876,500			
Expenditures	757,700			
Operational:				
Titles Processed:				
Mainstream	1,906	1,625	1,348	1,272
Foreign	408	191	248	257
Adult Sex	1,997	2,226	2,386	2,328
Trailers	482	422	439	634
Total Titles:	4,793	4,042	3,982	3,857
Minutes Viewed:				
Mainstream	199,034	150,191	122,902	113,868
Foreign	41,601	21,336	29,064	27,978
Adult Sex	210,668	229,382	235,080	240,116
Trailers	1,199	1,134	1,501	1,736
Total Minutes:	452,502	400,909	387,046	381,962
Panels:				
Number of Panels	431	653	510	551
Average Panel Minutes	745	613	729	684
Number of:				
Appeals – changed	17	16	16	14
Appeals – no change	9	9	14	8
Non-approvals	30	89	95	112
Advertising Pieces	0	547	1,627	2,752
Permits – Film Festivals	346	370	226	174
Permits – Individuals	36	29	80	106
Classifications by Doc'n	214	186	223	136
Undertakings – Mainstream	718	422	360	300
Undertakings – Adult Sex	2,116	1,892	1,091	543
Undertakings – Foreign	207	202	59	43

Chair

Bill Moody

Bill Moody, a graduate of Waterloo Lutheran University (BA) was Head Of Guidance at the Secondary Level with the Wellington County Board of Education. He also served as the Executive Director of Lions-Quest Canada, a charitable foundation that creates curriculum in life skills education and trains teachers in its use. Moody spent some time as Senior Vice President of Quest International, with special responsibility for International Division, where he worked with the 27 Countries involved in Lions-Quest Programs.

Moody has been active in Lions Clubs International, having served on the International Board of Directors for 2 years, representing Canada on the Board. One of his active projects is Canine Vision Canada, a dog guide school for the sight handicapped in Oakville, where he served as Charter Chair.

Vice Chair

Janet Robinson

Janet Robinson is a practicing Registered Nurse, she has worked for the past 24 years in a demanding obstetrical/gynaecological practice. She now has a consulting company that provides home visits to new parents.

Janet is also active in her community where she lives with her husband. They have two grown children and one grandson. When her schedule permits, she loves to pursue her passion for golf with friends and family.

Members of The Ontario Film Review Board:

Tina Bragagnolo Pickering

Ron Burgoyne Kingsville

Jamil Chahbar London.

Roger Clarke Toronto

Winston Clarke North York

Ken Dixon London

Sue Dosso Keswick

Trevor Ellis Toronto

Geoffrey Grossmith Etobicoke

Angela Huynh-Chew Fort Erie

Lorelei Kidd Toronto

Eleanor Kingstone Gananoque

Eva Knies Mississauga

Dr Sam Lau Toronto.

Peter Luchowski Richmond Hill

Micki Moore Toronto

Allan Mugford Markham

Richard Norlock Warkworth

Ramona Pang Niagara Falls

Raj Pannu Mississauga

Rupinder Pannu Malton

Marlene Sklar Thornhill

Shauna Stein Toronto

Les Tapolczai Toronto

John Thompson Toronto

Trudie Villeneuve Toronto

Peter Watts Burlington

Sara Waxman Toronto

Bob Whitley Burlington