



FILM CLASSIFICATION OFFICE
Ministry of Public Safety and Solicitor General

290 – Level 2
800 Hornby Street
Vancouver, BC V6Z 2C5

Telephone: 604-660-6821
Facsimile: 604-660-1110
Website: www.bcfilmclass.com

RECONSIDERATION DECISION

CURSED

ALLIANCE ATLANTIS

February 11, 2005

INTRODUCTION

In accordance with section 12.2(1) of the *Motion Picture Act*, Alliance Atlantis has requested a reconsideration of the BC Film Classification Office's decision for the film *Cursed*. Classification staff classified this film as "18A: gory violence" under section 3 of the *Motion Picture Act Regulations*. The licensee requests that the decision be reconsidered based on arguments contained in its written submission of February 3, 2005.

LICENSEE'S SUBMISSION

The licensee, Alliance Atlantis, submits that the rating of this film is properly classified as "14A" and lists a number of comparative films. In addition, the licensee states:

"We feel that this classification is unwarranted when measured against the classification of comparative films by your agency and, moreover, with the overall general consensus of all other provincial classification boards."

The licensee further states:

"Though many other Wes Craven films have been previously rated 18A, this latest film was purposely crafted to be more tame in its content than its predecessors. As such, most provincial boards have correspondingly classified Cursed allowing it to be more accessible than his previous films in the same genre".

RESPONDENT'S SUBMISSION

The respondent, Film Classification Office, contends:

“The legislation instructs that the distinction between “14A” and “18A” violence is based solely on explicitness. It is the policy of the Film Classification Office that scenes of explicit violence warrant an “18A” rating. Explicit violence is characterized by the depiction of extreme bloodletting, tissue damage and decapitation. Furthermore, gory depictions of frequent murders and graphic focus of bloodletting and tissue damage fits the “18A” criteria of horror.”

The Office further states:

“The public has provided this office with ample feedback on films in the same genre. For example, the BC Motion Picture Appeal Board classified the film Scary Movie as “14A”. This office received a record number of complaints from the public who stated that such a film belongs in the “18A” category.

REASONS AND DECISION

Under section 12.2(2) of the *Motion Picture Act*, I reviewed *Cursed* on February 11, 2005. In my deliberations, I was guided by the criteria contained in the *Motion Picture Act Regulations* which differentiate between “14A” and “18A” as follows:

- (c) **14A** — *Suitable for persons 14 years of age or older. Persons under 14 years of age must view these motion pictures accompanied by an adult. Motion pictures in this category may contain violence, coarse language or sexually suggestive scenes, or any combination of them.*
- (d) **18A** — *Persons under 18 years of age must view these motion pictures accompanied by an adult. Motion pictures in this category will contain horror, explicit violence, frequent coarse language or scenes that are more sexually suggestive than in the 14A category, or any combination of them.*

The use of violence, coarse language and sexually suggestive scenes must be evaluated as part of a progressive scale as one moves through the various classification categories. To ignore the progressive nature of the classification structure, including elements such as theme, context, frequency and intensity, is to ignore the spirit and intent of regulations designed to protect younger viewing audiences. Therefore, when rendering a classification decision ultimately the intended age of the viewer and the general appropriateness of the material for that age group must be the determinative factor.

On the issue of sexually suggestive scenes and/or nudity, I noted one minor instance of nudity.

On the issue of coarse language, I noted moderate use of scatological terms combined with other mild expletives and coarse language.

On the issue of violence, I noted several instances of explicitly portrayed death by violence and other instances of gore and bloodshed.

Overall, I agreed with the Film Classification Office's argument that "frequent depictions of explicit gory violence is determinative" in assigning a rating to this film. Within the narrower context of violence and/or horror, I also considered the impact of this film on viewing audiences over the age of 14 or over the age of 18.

Cursed is a film of the classic horror genre. In comparing this film with others of the same genre, I found this film to be most similar to *Ghost Ship*, *Final Destination 2*, and *Shaun of the Dead*, all of which were rated 18A by the Film Classification Office. In comparing this film with those suggested by the licensee such as *Troy*, *Alexander*, *The Ring* which were rated as 14A, I did not find the same degree of extensive or explicit violence in those films that I found in *Cursed*.

Further, the rating assigned to the film in another jurisdiction is irrelevant to this reconsideration. Other jurisdictions operate under unique legislation and viewing criteria which is not necessarily reflected or equivalent to the legislation in British Columbia.

I conclude that this film, considered as a whole, is not appropriate for viewing by unaccompanied children less than 18 years.

CONCLUSION

This reconsideration request is denied. The film, *Cursed*, is appropriately classified as 18A under section 3 of the *Motion Picture Act Regulations* with an advisory of "gory violence".



Elaine Ivancic,
Director
Film Classification Office

February 18, 2005
Vancouver, British Columbia