

Before the Film and Publication Review Board

In the matter between:

Ster-Kinekor Films (Pty) Ltd

and

The Film and Publication Board

Decision

In re: Appeal against the classification of the film – ***Bolt***

Ms René Smith

- 1) On 13 December 2008, a four-person panel of the Review Board viewed the film *Bolt* in Johannesburg. Arguments from the Film and Publication Board and Ster-Kinekor were heard. The Review Board deliberation was adjourned until a teleconference on 15 December 2008, following a viewing by a fifth member. Hard copies of arguments presented on 13 December 2008 were shared with the fifth panel member.
- 2) The Review Board's decision was communicated on 15 December 2008, indicating that the full reasons for the decision would follow. These are the reasons.

3) The storyline

4.1 The film *Bolt* is a 96-minute animated action comedy. It is a Disney-Pixar production directed by Byron Howard and Chris Williams. The story revolves around the real life adventures of a white dog, Bolt, and

his friends Mittens, a stray cat, and Rhino, an overweight hamster, who join the search for Bolt's owner ('person') Penny, from whom he has become separated.

4.2 Bolt is a character in a television show, 'Bolt: The superdog', which focuses on the adventures of a superdog and child / young woman. Together they outwit and outlast the evil Dr Calico's troops, who wreak havoc and destruction. Bolt's superpowers – his speed and super-bark – are called upon to save the day.

4.3 The real dog has a lightning bolt insignia painted on his side, and spends most of his off-set time in a mobile van on the grounds of the production company. The dog believes that the TV-show chase for the fictitious 'Green-eyed Man' (Dr Calico), who has captured Penny's screen 'father', is actually real. He buys into the taunting of two cats (also characters in the television series), and manages to escape the van in which he is kept to search for Penny, whom he is led to believe has since been captured by the Green-eyed Man.

4.4 In his search for Penny, Bolt ropes in a stray cat, Mittens, who by virtue of her resemblance to the Green-eyed Man's cat, is expected to lead Bolt to Penny's alleged captors. En route, the pair team up with a television-watching hamster, an avid fan of the series, who agrees to join the search for Penny.

4.5 In the course of the unfolding escapades, Bolt realizes that he is fallible, that he indeed has no superpowers, and he is eventually able to distinguish real-life from fiction. Nevertheless, he remains determined to return to his person/owner, Penny, whom he loves.

4.6 The three animals become close friends, together surviving a series of adventures. In the process Bolt learns that superpowers are not a

prerequisite to being a hero. Eventually Bolt and Penny are reunited, and Mittens and Rhino become part of the real-life family.

5. The FPB argument

5.1 A three-person Classification Committee of the Film and Publication Board (FPB) viewed the film on 8 November 2008. Following “extended discussion”, the committee (chaired by Ms Paula Louw) assigned the film a ‘10M’ classification. Detailed examiner reports were augmented by supplementary argument. The FPB examiners argued that the story line is initially difficult to follow and that the story-within-the-story is difficult to understand, especially for younger viewers. The examiners' chief concern was the sense of mild threat and menace, accentuated by the soundtrack and specific action scenes. The FPB argued that the problematic scenes included:

- The prolonged chase scene at the beginning of the film
- Bolt being shut in a dark cardboard box and losing his beloved ‘person’
- His capture by the dog pound
- The cat being suspended from a bridge
- The leap from a bridge on to a moving train
- Jumping off a speeding truck and hurtling down a hill
- The fire scene near the end of the film, which was seen as one of the more menacing and suspenseful.

5.2 The examiners agreed that the outcome of the film was positive, but felt that the story line – the separation of fantasy from reality within the film – was somewhat confusing, and that the cumulative effect of the action scenes was potentially disturbing to very young children. They felt it important that the perceived threat and menace be offset by the reassuring presence of an adult. The FPB appeared particularly concerned about the potential impact of the threat on smaller children

– especially children under seven – who are left alone in a large dark theatre. On this basis, the classification committee assigned a restrictive ‘10M’, which provides that children under the age of 10 are only able to watch the film in the company of an adult.

6. The appellant, Ster-Kinekor

6.1 The distributor, Ster-Kinekor, appealed against the decision, arguing that the film was a Disney animation with low suspense and menace. They argued that their preference for a ‘PG’ rating was more consistent with the film's less restrictive ratings across the world; and with ratings of similar films within the genre. Specific reference was made to *The Incredibles*, *The Wild*, and *Kung Fu Panda*, all of which were rated ‘PG’; and to the ‘A’ (all ages) rating for *Madagascar 1 & 2*. [*Kung Fu Panda* and *Madagascar 2* were both classified in terms of the May 2008 guidelines¹] Ster-Kinekor argued further that *Bolt* did not compare with other animated films that had been assigned a more restrictive ‘10M’ classification, such as *Monster House* and *Igor*. They submitted that, in internal screenings held after the ‘10M’ classification decision, children were found to love the film and appeared not to feel threatened. Further anecdotal evidence was advanced with respect to consumer awareness. The distributor argued that the lack of public awareness on film ratings specified in the Films and Publication Act (No. 65 of 1996) ("the Act") and the gazetted guidelines meant that a ‘10M’ rating was interpreted by consumers as a restrictive ‘10’ rating (which mean that no children under ‘10’ are allowed to see the film). They also highlighted the initial assignment of a ‘PG’ rating by some FPB committee members prior to the ‘10M’ consensus. On the basis of the above, Ster-Kinekor argued that a ‘PG’ classification was more appropriate.

¹ RSA Government Gazette No. 31096, Vol. 515, 28 May 2008, Pretoria.

DETERMINATION

7. The Review Board's determination is made following the viewing of the 35mm film *Bolt* and representations from the FPB and Ster-Kinekor, represented by Ms Paula Louw and Ms Jaqui Jansen Van Rensburg respectively. We are grateful to both parties for their thoughtful and considered representations.
8. During the 15 December 2008 teleconference, the Review Board considered whether or not a 'PG' rating would be sufficient for the classifiable elements, and whether or not the higher '10M' rating would be more appropriate for the levels of suspense and menace.
9. The following scenes appeared to elicit the most concern:
 - The opening sequence, where Penny and Bolt are chased by Dr Calico's motorbike-clad gang (the baddies), with electrocuting devices
 - The dangling of the cat, suspended by Bolt over a bridge
 - The fire scene, where Bolt and Penny are trapped in a burning television studio.
10. The Review Board was of the view that the opening sequence constitutes a fantastical action sequence, and that any sense of threat or menace is mitigated by the fact that the scenes are fantastical and fictitious – indeed, doubly fictitious, as they form part of a sequence from the television series within the film. Critically, the FPB felt that the fire scene, although afflicting the real Bolt and his young owner, is offset by the fact that they are reunited and that Bolt saves the day. Both survive, and all the protagonists ostensibly live happily ever after.
11. Notwithstanding these factors, the Review Board is acutely aware both of the possibility that very young children do view such films alone, and of

the realities of limited consumer education about advisory categories. In considering the impact of the classifiable elements, we concluded that a 'PG' advisory, with an additional advisory strip alerting parents to the fact that some scenes may be upsetting for very young children, would meet our concerns.

12. In juggling competing rights, we are mandated to act in the best interests of children. We therefore implore the stakeholders to ensure ongoing consumer awareness, public information, and education about the classification and consumer advisory categories specified in the Act. We encourage a partnership between the FPB and film distributors to achieve this end. We also recommend an improved enforcement of FPB and Review Board decisions. Publicity material for the film and film reviews must advertise or publicise the correct FPB classification, including any applicable additional advisories.

13. Finally, the Review Board wishes to draw attention to an additional but related matter: that the cinematic version of the film *Bolt* has been released in more than one format. It is common cause that 3D effects provide an added dimension to the viewing experience. We are of the view that, if films are to be released in more than one format, each of the formats should be viewed and classified accordingly. Owing to an administrative error, the film viewed, the examiners' reports, and the heads of argument for the review hearing about the film *Bolt* were not specific to the 3D version. The Review Board believes strongly that we ought to have watched the 3D version. However, following discussions with the FPB and Ster-Kinekor, the classification awarded to the 2D format will apply to the 3D format of the film *Bolt* as well.

CONCLUSION:

14. The film *Bolt* is assigned a 'PG' classification. Additionally, an **advisory strip** containing the following words must appear alongside the FPB classification: "**Some scenes may upset very young children**".

Dated at Johannesburg on 2 January 2009

Concurred by:

Ms Penny Marek

Revd Michael McCoy

Mr Jack Phalane

Mr Andrew Verster