

Thank you for this opportunity to present to the Committee. My name is Michael Perley. Before retiring in September, I was a co-chair of the Ontario Coalition for Smoke-Free Movies.

I'm here today to express serious concerns about the public health impact of the proposed *Film Content Information Act, 2020* (FCIA) contained in Schedule 12 of the government's Budget implementation Bill 229. This new Act is intended to replace the province's Film Classification Act, which required that ratings and film content information be provided to moviegoers.

From years of research¹ by the Ontario Tobacco Research Unit at the University of Toronto, we know that movies are a powerful tool for promoting tobacco use. A substantial body of scientific evidence indicates that exposure to smoking in movies is a cause of smoking initiation and progression to regular smoking among youth.¹

We also know that the tobacco industry has spent millions of dollars to develop and maintain the portrayal of smoking in films. Tobacco companies have paid film producers to feature specific tobacco brands and funded advertising campaigns for film studios' latest films and their top stars.²

The proposed legislation will almost certainly allow more young Ontarians to see more tobacco use, but also more graphic violence, more illegal substance use, and other risky behaviours.

Specific concerns:

Section 4(1)(1): This paragraph appears to state that it is the exhibitor who "***reasonably determines***" what information about the film and its contents would be relevant to persons who may intend to view a film.*[emphasis added]*.

Information about the risks of tobacco use, graphic violence, drug use or other high-risk behaviours may thus be provided but only through a decision by the "exhibitor", rather than by an impartial public health authority with relevant expertise.

This means that movies with smoking, drug use and/or any number of behaviours damaging to public health may be shown with no warnings or qualification.

Further compounding this risk is the use of the word "*reasonably*," which excuses any failure to provide this information.

Section 4(2)(2) only provides "*examples*" of information that could be included in content information. Disclosure of these items is not mandatory: they are offered merely as examples of the kind of information the exhibitor might "*reasonably determine*" is relevant.

Leaving the disclosure of film contents up to the exhibitors and providing no details about content that must be disclosed, will lead to inconsistencies in the information provided about films. There will be no admission limits through ratings, and parents will be unable to rely on film labelling to make informed viewing decisions.

This approach does not serve the public's need and right to know if a film contains imagery that has scientifically been proven to increase the risk of a young person emulating a behaviour or using a product that has serious implications for their health and that may lead to premature death.

Section 4(2)(1): Under the soon-to-be-repealed Ontario Film Classification Act, age classifications were applied to films based on content. For example, excessive use of coarse language would mean a film would not be rated for children or youth.

The age rating system disappears with repeal of the Film Classification Act and implementation of the FCIA. This means that films with adult content - such as tobacco use or graphic violence - will not receive a rating and will not be restricted to adult audiences.

This change eliminates the incentive the film industry has to ensure adult content - like tobacco use - is left out of movies intended for children or youth viewers.

I recommend the government considers the following:

- **That the FCIA be amended to require that at a minimum, film content information be provided to the public consistently, using all the current indicators under the FCA such as coarse language and violence, but also including tobacco product use and vaping;**
- **That the appropriate Ministry immediately convene a group of scientific and public health experts to develop a comprehensive and evidenced-based list of content that would be required to be disclosed to the public about every film; and**
- **That the appropriate Ministry immediately establish a consultation process to evaluate the effectiveness of an age-based rating system for films depicting tobacco use and other high-risk behaviours.**

In summary, there are very large public health implications in repealing the *Film Classification Act, 2005 (FCA)* and replacing it with the *Film Content Information Act, 2020 (FCIA)*.

The public - especially parents - deserve to be consistently and accurately informed about movie content like tobacco use, so they can make informed viewing choices for themselves and their children. Movies are a clear influencer on youth and can lead to dangerous and life-threatening addictions and behaviours.

Thank you.

1. *Youth Exposure to Tobacco in Movies in Ontario, Canada:2002-2018*. Ontario Tobacco Research Unit, Toronto, 2019.

2. World Health Organization; Smoke Free Movies: From Evidence to Action, 2016
http://apps.who.int/iris/bitstream/10665/190165/1/9789241509596_eng.pdf?ua=1