



PRESS STATEMENT BY THE KENYA FILM CLASSIFICATION BOARD CHIEF EXECUTIVE OFFICER DR. EZEKIEL MUTUA, MBS

SUBJECT: MEASURES TO CURB OBSCENE CONTENT AND STAGE PERFORMANCES

DATE: 21ST FEBRUARY, 2019

The Kenya Film Classification Board (Board) is a State Corporation established under the Films and Stage Plays Act Cap222 of the Laws of Kenya. The Act was promulgated to regulate the making and exhibition of cinematograph films, for the licensing of stage plays, theatres and cinemas; and for purposes incidental thereto and connected therewith. This is an important function meant to ensure that films and stage performances conform and indeed promote Kenya's culture, national values and aspirations.

The Board has received a myriad complaints from the members of the public on the current wave of oversexualised content and stage performances in public places as well as incidences of glamorisation of sexual content in the name of creativity, on social network sites and in section of the media, which runs counter to the provisions of Cap 222 and other laws governing common decency.

Following the public outcry, the Board has reviewed the conduct of various artistes and performers and find that some of their performances are indeed offensive, unpalatable, inappropriate, and a contravention of the law.

It would be recalled that in November 2016, the Board commissioned a research on the '*Effects of lewd, vulgar, violent and obscene music content on children, the youth and communities in general*'. The idea was to gauge the level of compliance by artistes to the provisions of Cap 222 with regard to public performances and broadcast content aired during the watershed period (5am-10pm). From the findings of the research and the recent instances that have been captured on national and social media, it is clear that there is lewd, vulgar and obscene content

on our airwaves, social media and in public places through exhibitions. This goes against our culture and moral values.

The Board therefore, wishes to state as follows:

1. The Board will solicit the support of the law enforcement agencies to arrest and prosecute artistes who are contravening the provisions of Cap 222 and the Programming Code.
2. While the Board recognizes the Constitutional rights to free expression, we shall not allow art to be used as a vehicle to degrade our culture or to promote indecent behavior.
3. Artistes who perform in public places will not be allowed to engage in obscene activities akin to porn. Those who want to engage in stripping will have to seek licenses as strippers.
4. Proprietors of public entertainment joints will be held liable for the breach of the law and risk having their licenses revoked. It's the duty of such businesses to ensure that their premises are not used for pornographic activities or to undermine public decency. They must ensure that children are not admitted to these performances.
5. TV and radio stations must strictly adhere to the Kenya Programming Code and ensure that no unpalatable content is aired during the watershed period and that content aired is suitable for all family consumption.
6. Although the Board supports creativity, we are deeply concerned about the false belief that only sexualized content appeals to audiences.
7. It is our collective responsibility to promote a society where freedom of expression is carried out responsibly and in line with the law.
8. The Board is disturbed at the extent to which some famous artistes are going to attract audiences and relevance by exposing their private parts in public, gyrating in obscene ways and failure to uphold common decency in their public performances.
9. Offensive stage names, inappropriate lyrics, nudity and suggestive dancing styles will not be permitted in places frequented by children.
10. Shows promoting promiscuity and irresponsible sexual behaviour among young adults will not be licensed.

In view of the foregoing, the Board wishes to highlight the following measures:

1. The Board will not hesitate to ban public performances that dishonour and contravene common decency or those that objectify women.
2. Proprietors of public places, clubs, hotels and discotheques will be held responsible for the breach of the Films and Stage Plays Act for performances staged in their premises.
3. The Board is collaborating with the Ministry of Interior and Coordination of National Government, the Police and other relevant state agencies to ensure that legal action is taken against premises that breach the above Law, particularly those admitting children to adult shows.
4. Going forward, the Board in collaboration with the bodies mentioned above, shall ensure places where such performances take place are regulated and the shows served with new terms and conditions that we shall be announcing in due course.
5. Parents and caregivers found exposing minors to obscene and indecent performances by admitting or tagging them along to such performances shall be in contravention of the Law and will be prosecuted.

Finally, the Board wishes to remind all artists that art is a powerful tool that shapes character and builds values thus artists must carry out their performances responsibly and within the acceptable moral standards or have their concerts cancelled. Moving forward, artistes and performers using inappropriate and offensive stage names, inappropriate lyrics, nudity or suggestive dancing styles that border on sexual innuendos, particularly in public places will face the full force of the law.

Thank you.



Dr. Ezekiel Mutua, MBS

CHIEF EXECUTIVE OFFICER