[GB] Regulator Publishes New Guidance on Protecting the Under-Eighteens in Programmes

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Tony Prosser
University of Bristol Law School

The Office of Communications (Ofcom), the UK communications regulator, has issued a guidance on protecting under-eighteens in programmes. The guidance is non-binding, but clarifies provisions in the binding Broadcasting Code. The guidance includes advice on programmes, which may be viewed by children; for example, on the 9 pm "watershed" for adult viewing, coverage of sexual and other offences, drugs and alcohol abuse, violence and dangerous behaviour. However, the guidance mainly concerns the participation of under-eighteens in programmes. The Broadcasting Code provides that "due care must be taken over the physical and emotional welfare and the dignity" of such participants irrespective of parental consent, and that they must not be caused unnecessary distress or anxiety by their participation.

The guidance states that consideration of the child's welfare should be at the heart of the production. The meaning of "due care" will vary according to the programme format and level of participation involved, as well as the participant's age, maturity and ability to make judgments about participation and its likely consequences.

In the pre-production stage, it is important that production staff have clear guidelines for working with under-eighteens, and background checks should be made on the social, family health and educational circumstances of under-eighteens. Where reasonably possible, appropriately qualified experts should be consulted. Consent should normally be obtained from a parent or guardian, who must be fully informed. The rules apply even if such parental consent is given and broadcasters must make their own judgments on whether participation is appropriate and not rely on assurances of parents. Consent to participate by the child must be fully informed, and no pressure must be put on it to participate; "meaningful, child-friendly information" should be given about any likely positive or negative consequences of participation. Those aged over sixteen can give their own consent, but the recommendations may still apply to them.

During production, all staff must be made fully aware that the physical and emotional welfare and well-being of under-eighteens is a central concern, and it may be sensible to seek advice from an appropriately qualified professional such as a child counsellor. Where practicable, a single consistent point of contact with

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whom the participant can liaise should be provided throughout the production, and the child may benefit from the presence of a familiar person such as a parent, teacher or friend. Springing high-impact surprises on the under-eighteens may cause harm or distress, and in competitions performance anxieties and pressure to succeed may also be issues.

In the post-production phase, the broadcaster may find it beneficial to keep in touch with the participant and monitor after-effects.

Ofcom, "Guidance Notes Section One: Protecting the Under 18s", December 2007

http://www.ofcom.org.uk/tv/ifi/guidance/bguidance/guidance1.pdf

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