[CZ] Supreme Administrative Court Rules on Danger to Minors Caused by Reality Shows

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The Broadcasting Council of the Czech Republic has frequently had to deal with the principles of youth protection on television, particularly in relation to "Big Brother"-type formats and has imposed fines on many occasions.

The programmes concerned are accused of infringing the provisions of the Youth Protection Act. The Broadcasting Council’s main criticisms of the new formats concern the systematic flouting of social standards and the deliberate attempts to encourage participants to break taboos.

As far as common social values are concerned, these programmes are considered particularly problematic for children and young people. Compared to adults, these groups have far less developed personalities and values and are dependent on role models. As well as people from their close social environment (parents, teachers, friends), role models are increasingly being found in the media and have a formative influence on children and young people. The Broadcasting Council has found that television companies have deliberately crossed boundaries in such programmes in order to achieve greater public attention. For example, participants have been subjected to undignified tests of courage and "challenges", placed in situations of extreme fear or stress and made to compete against each other. These programmes often show vulgar behaviour, obscenity and tobacco and alcohol addiction, which have a negative impact on the development of children and young people.

The Broadcasting Council imposed numerous fines for the transmission of such programmes in 2006. The television companies appealed against all of these fines. The Prague Municipal Court rejected some of the broadcasters’ complaints, but quashed many of the Broadcasting Council’s decisions which it considered to be based on insufficient grounds.

The Broadcasting Council lodged an appeal against these rulings of the Prague Municipal Court. The Supreme Administrative Court upheld this appeal, quashed the rulings and referred them back to the Prague Municipal Court for a new procedure, in which the Municipal Court is obliged to follow the legal interpretation of the Supreme Administrative Court. The Court upheld the Broadcasting Council’s argument, concluding that broadcasting such programmes can be harmful to minors and that the Broadcasting Council can fine those

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responsible.

7 Ca 144/2008, 15.05.2008

http://www.rrtv.cz/cz/files/judikaty/6As70-2007.pdf

Ruling of the Supreme Administrative Court of the Czech Republic (case no. 7 Ca 144/2008) of 15 May 2008

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