

[IE] Psychic Readings Live in Repeated Breaches of Broadcasting Code

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At their September and October 2012 meetings, the Compliance Committee of the Broadcasting Authority of Ireland (BAI) upheld a series of complaints made by viewers of Psychic Readings Live, which is broadcast by TV3. The complaints were made in accordance with section 48 of the Broadcasting Act 2009 and claimed that the broadcasts breached a number of sections of the BAI General Commercial Communications Code (see IRIS 2011-7/29).

Commercial communications for fortune tellers and psychic services are permitted under section 8.10 of the BAI General Commercial Communications Code, provided that the service is clearly identified as an entertainment service (section 8.10.1). Such programmes are prohibited from making claims pertaining to matters of health (section 8.10.4) or claims that presenters make contact with deceased persons (section 8.10.3). Any claims relating to the prediction of future events must be clearly indicated as a matter of opinion and not as a matter of fact (section 8.10.2). Commercial communications of this nature must also be prepared with a sense of responsibility both towards the individual and to society and shall not prejudice the interests of either (section 3.1).

The programme, which takes live calls from members of the public, was aired for the first time in June 2012 and was the subject of six separate complaints relating to seven separate broadcasts during the period from 21 June 2012 to 27 August 2012. The BAI upheld three complaints under section 8.10.4 of the Code relating to claims pertaining to matters of health. These related to broadcasts where:

- the presenter told a caller she was prone to depression;
- the presenter told a caller she would conceive twins and further future pregnancies were also predicted; and
- the presenter addressed a caller's query regarding breast cancer test results she was awaiting by using tarot cards.

The BAI accepts that there exists an entertainment industry that revolves around so-called fortune tellers and psychics. The programme now includes a scrolling text at the bottom of the screen indicating that "all statements are matter of opinion not fact" and it is also identified as an "Entertainment Service" in the top

left corner of the screen. However, in upholding specific complaints under sections 8.10.1 and 8.10.2 of the Code, the Compliance Committee held that where the presenter makes persistent and repeated on-air claims regarding their ability or accuracy in predicting the future, these references, when taken as a whole, undermine and contradict the scrolling text and on-screen identification of the show as an entertainment service and are in breach of the Code.

The Compliance Committee also held that, for four specific broadcasts, the programme failed to meet the requirements of section 3.1 of the code that commercial communications shall be legal, honest, decent and truthful, shall protect the interests of the audience and shall be prepared with a sense of responsibility both to the individual and to society.

Broadcasting Authority of Ireland (BAI), Broadcasting Complaints Decisions (October 2012)

<http://www.bai.ie/wordpress/wp-content/uploads/CC Decisions October2012 vFinal-3.pdf>

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<http://www.bai.ie/wordpress/wp-content/uploads/Broadcasting-Complaints-Decisions-November-2012.pdf>

