[GB] References to providers of technical information in sports programming

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In general, the Ofcom Broadcasting Code permits “commercial references” in programming; however, section 9.5 cautions against “undue prominence” of a product, service or trademark, be it because there is no editorial justification or because of the manner of the reference.

It is an industry convention, though not explicitly referred to in the Code, that broadcast coverage of sports events may include (as editorially justified) a brief, on-screen acknowledgement of the provider of technical information. Such information might cover lap times, statistics, or a scoreboard.

On 23 January 2017, Ofcom published a Note which sets out general Guidance, without purporting to be exhaustive, regarding the types of technical information concerned, listing factors which the regulator is likely to consider on a case-by-case basis:

First, the technical information should enhance the viewer experience by providing a broader understanding of what is being viewed (for example, match statistics) or information which is integral to the enjoyment and/or understanding of the item being viewed (for example, lap times).

Secondly, the purpose of providing the technical information should not be to promote the information provider - hence credits should be “brief and secondary”.

Generally, information concerning betting odds would not constitute technical information; however, in limited circumstances it may be justifiable (for instance, when there is a close association between an event and betting, as with horseracing). Even so, to avoid undue prominence being given to any one provider, a range of providers’ information or an average from a range of providers should be provided.

It is particularly sensitive where a broadcaster credits a provider of technical information with which it has a commercial arrangement (for example, product placement or sponsorship) for the same programme; in such circumstances it will be “more difficult” to justify that references to services, products or trademarks are editorially justified.

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Ofcom Broadcast and On Demand Bulletin, References to providers of technical information in sports programming on television, 23 January 2017, p. 10

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