

ITV's "Good Morning Britain" breached Ofcom rules by promoting a travel company during an interview

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ITV's "Good Morning Britain" programme has been held in breach of Ofcom's Rules 9.4 and 9.5 owing to an interviewee giving undue prominence to the services of a travel company with whom she had a commercial relationship. ITV Broadcasting Limited (ITV) is responsible for compliance with Ofcom's Code of Conduct on behalf of the licensee, ITV Breakfast Broadcasting Limited.

Rule 9.4 states: "Products, services and trade marks must not be promoted in programming." Rule 9.5 states: "No undue prominence may be given in programming to a product, service or trade mark. Undue prominence may result from: the presence of, or reference to, a product, service or trade mark in programming where there is no editorial justification; or the manner in which a product, service or trade mark is referred to in programming."

On the 30th July 2019 edition of "Good Morning Britain" Judith Chalmers appeared as an interviewee, having for many years presented ITV's travel show "Wish You Were Here". Recently, Chalmers had been voted the nation's all-time leading TV travel icon; the poll had been commissioned by travel company Travel Republic, which had also commissioned a survey in order to identify changing trends in travel. Chalmers had a commercial relationship with Travel Republic.

However, when asked about the survey's findings about changing trends Chalmers started to speak about a video she had presented for Travel Republic and the services offered by the holiday company. The presenter, Ben Shepherd, politely changed the subject, but towards the end of the approximately four-minute interview Chalmers again mentioned her promotional video for Travel Republic - including the alleged advantages of their holiday package. Shepherd quickly concluded the interview.

ITV's representations to Ofcom stated that at all times it had maintained editorial control and that no commercial arrangement existed between it and Travel Republic, and nor had it been agreed that Chalmers would refer to the services offered by Travel Republic. The broadcaster's editorial decision to include Chalmers had been taken because of her considerable experience and reputation as a presenter of travel programmes and to hear her comments on Travel Republic's survey and its findings regarding how people's travelling habits were

changing. It had been intended that any references to Travel Republic would be within the context of the survey – not their services as a holiday company. ITV stated to Ofcom that it had not anticipated that Chalmers would make such detailed references to Travel Republic’s services. ITV did not make clear to Ofcom the extent to which Chalmers had been briefed, prior to going on air, not to use promotional language when referring to Travel Republic.

Furthermore, ITV submitted that Chalmers’s representations about Travel Republic had been brief and that her comments about the travel company’s services had been intended to illustrate the survey’s findings about changing consumer demands.

Ofcom said that the purpose of Section 9 of their Code was to maintain a distinction between programmes and advertising (so that the two would be easily distinguishable by viewers), as well as to restrict the amount of advertising broadcasters could transmit.

Guidance for Rule 9.4 states, “Where a reference to a product or service features in a programme, the extent to which a reference will be considered promotional will be judged by the context in which it appears. In general, products or services should not be referred to using favourable or superlative language and prices and availability should not be discussed.” Chalmers described how Travel Republic’s travel offering included “a hundred sort of holiday hotels, which are for people who now want a slightly quieter time”, and described Travel Republic as a “wonderful company”. Ofcom considered such wording was akin to promotional language and as such had breached Rule 9.4.

Further, Ofcom decided that ITV had been in breach of Rule 9.5, as references to Travel Republic and its services had been unduly prominent. Although Ofcom accepted the editorial justification for including Chalmers and references to Travel Republic within the context of the consumer survey, the programme’s statements about Travel Republic’s products and services had lacked editorial justification and had gone beyond a discussion of the consumer trends survey. A particular remark made by Shepherd – “I’m sure lots of people will go and find it, ‘cause it’s obviously got some great stuff in there as well” – had drawn attention to the online promotional video for Travel Republic, thus increasing the undue prominence given to the company by the programme.

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