

PRODUCERS' GUIDELINES THE BBC'S VALUES AND STANDARDS

Our audiences rightly expect the highest editorial and ethical standards from the BBC. These Guidelines are a public statement of those values and standards and how we expect our programme-makers to achieve them. They detail the BBC's approach to the most difficult editorial issues and provide guidance which programme makers at all levels need to be aware of and to follow.

This fourth edition of the Guidelines contains, for the first time, a succinct summary of the BBC's fundamental editorial values such as impartiality, accuracy, fairness, editorial independence and our commitment to appropriate standards of taste and decency. As the new world of digital media grows and fragments, the significance the BBC attaches to these values will become even more important as we continue to set the standard for broadcasting in all media.

This edition of the Guidelines has been substantially revised to reflect the challenges of the digital age as well as the BBC's increasing role in international television and the growing importance of online. It also contains new advice on ensuring the highest standards in research, on reflecting the diversity of the United Kingdom and on natural history programmes.

The worldwide reputation of the BBC has been established through the dedication to public service broadcasting of generations of programme makers. The Producers' Guidelines codify the good practice which they have helped to establish, and which we expect today's producers and editors, whether working in radio, television or online, to continue.

These Guidelines are a working document for programme teams to enable them to think their way through some of the more difficult dilemmas they may face. Risk-taking is and must remain an essential part of the creative process at the BBC. What the Guidelines can do is to help us to make sensible calculations about those risks by leaning on the experience of others who have been in similar situations.

Our staff, those freelancers working with us, and the independent producers we commission - all need to be familiar with these Guidelines and to apply their underlying principles. This is more than just a moral responsibility; it is also a contractual obligation for everyone who makes programmes for the BBC. Where there is any doubt about the right approach, programme makers must consult their editorial manager. The BBC's Controller of Editorial Policy must be consulted if any departure from the Guidelines, or their underlying principles, is contemplated.

We publish the Producers' Guidelines, firstly so that audiences can read for themselves the editorial standards that we aspire to, and secondly so that they can judge our performance accordingly.

Greg Dyke
Director General

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Appendix 1: Section 5.1 of the Agreement

THE BBC'S EDITORIAL VALUES:

"We aim to be the world's most creative and trusted broadcaster and programme maker, seeking to satisfy all our audiences with services that inform, educate and entertain and enrich their lives in the ways that the market alone will not. We aim to be guided by our public purposes; to encourage the UK's most innovative talents; to act independently of all interests, and to aspire to the highest ethical standards:"

Impartiality...

Due impartiality lies at the heart of the BBC. All BBC programmes and services should be open minded, fair and show a respect for truth. No significant strand of thought should go unreflected or under represented on the BBC (see Chapter 2).

Accuracy...

We must be accurate and must be prepared to check, cross-check and seek advice to ensure this. Wherever possible we should gather information first-hand by being there ourselves or, where that is not possible, by talking to those who were. But accuracy is often more than a question of getting the facts right. All relevant information should be weighed to get at the truth of what is reported or described (see Chapter 2).

Fairness....

BBC programmes should be based on fairness, openness and straight dealing. Contributors should be treated honestly and with respect. They have a right to know what a programme is about, what kind of contribution they are expected to make, whether it will be live or recorded and whether it is to be edited (see Chapter 3).

Giving a Full and Fair View of People and Cultures....

.... in the United Kingdom and across the world. BBC programmes and services should reflect and draw on this diversity to reflect life as it is. By doing so we introduce new talent, perspectives, faces and voices enriching our programmes for our audiences.

When portraying social groups, stereotypes should be avoided (see Chapter 9)

Editorial Integrity and Independence...

Audiences must be able to trust the integrity of BBC programmes. They should be confident that decisions are made only for good editorial reasons, not as a result of improper pressure, be it political, commercial or special interest (see Chapter 24).

The outside activities of programme-makers must not improperly influence BBC programmes (see Chapter 10).

Respect for Privacy....

The BBC should respect the privacy of individuals, recognising that any intrusions have to be justified by serving a greater good. Private behaviour, correspondence

and conversation should not be brought into the public domain unless there is a wider public interest (see Chapter 4).

Respect for Standards of Taste and Decency....

Programme makers should be aware of and respect their audiences' often diverse views on what will and will not cause offence. The right to challenge audience expectations in creative and surprising ways must be safeguarded but audiences should not be needlessly offended by what we broadcast and publish. It is vital to consider the expectations that audiences' have of particular programmes, service and time slots.

BBC television schedules must respect the 9 p.m. Watershed (see Chapter 6).

Avoiding the Imitation of Anti Social and Criminal Behaviour....

Audiences are concerned about the possibility of people imitating behaviour they see or hear on television and radio. We should try to ensure that any life threatening, anti-social, or criminal behaviour portrayed in BBC programmes does not encourage copycat actions (see Chapter 8).

Safeguarding the Welfare of Children...

Programme makers must take care to safeguard the welfare of children who take part in programmes. They should consider carefully the impact of the programme on any child involved - both in the way it is made, and any possible impact it may have when broadcast (see Chapter 14).

Fairness to Interviewees...

BBC interviews should be well mannered and courteous. They may be searching, sharp, sceptical, informed and to the point - but not partial, discourteous or emotionally attached to one side of an argument. They should not be aggressive, hectoring or rude, whatever the provocation. Interviewees should be given a fair chance to set out their full response to the questions (see Chapter 13).

Respect for our Diverse Audiences in the U.K....

BBC programmes and services should be relevant and appropriate for all our audiences in all parts of the United Kingdom (see Chapter 19).

Independence from Commercial Interests...

BBC programmes must never give the impression that they are endorsing or promoting any product, service or company. References to all products and services should be editorially justifiable and there should be no element of plugging (see Chapter 25).

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CHAPTER 1 CONSULTATION AND REFERRAL

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- 2 INDEPENDENT PRODUCTIONS
- 3 WHEN TO REFER
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- 6 THE LAW
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1 GENERAL

The Producers' Guidelines apply to all the BBC's broadcasting, programmes and services for both domestic and international audiences, whether they are television, radio or online, and whether made by a BBC department or by an independent company for the BBC.

The Guidelines help programme makers navigate their way through difficult editorial issues so that distinctive and sometimes controversial programmes can be made which maintain the highest ethical and editorial standards. The consultation and referral system is designed to help BBC people make, and share, decisions about especially difficult editorial issues.

Any proposal to step outside these guidelines needs to be discussed with someone at a senior level and should be referred to Controller, Editorial Policy.

2 INDEPENDENT PRODUCTIONS

Independent productions made for the BBC must observe the same standards as in-house productions and must conform to BBC programme-making policy. Ultimate responsibility for the methods and content of any material commissioned by the BBC rests with the BBC.

Independent producers are expected to observe the Producers' Guidelines and any difficult areas should be identified and discussed at the time of commissioning whenever possible.

All contracts with an independent programme maker or re-broadcaster must include their obligation to observe all relevant sections of the Producers' Guidelines. On certain independent commissions it may also be necessary to include an amendment to the standard contract so that the BBC has an influence in the recruitment of researchers as well as other key editorial staff.

The appropriate point of referral for Independent Producers is the relevant BBC Commissioning Executive.

3 WHEN TO REFER

The earlier a contentious programme can be referred the better. An early discussion can often enable a way to be found round tricky issues and enable a programme to be made without last minute debate and changes. Late referral benefits no one. If in doubt, refer early.

4 WHERE TO REFER

Programme departments carry the main responsibility in the referral system, so programme makers should refer first to their manager or editor. All producers, managers and editors should have a working knowledge of the in the Producers' Guidelines, particularly where they

affect their specific programme areas. Individual departments should be able to deal with, and take responsibility for, most queries in the first instance.

The more important and contentious the issue, the higher up it should be referred. This may lead to the relevant Head Of Department, or Commissioning Executive. The first point of referral is always the Editor or Commissioning Executive. If Editorial Policy needs to be consulted the Editor or Executive should make the call.

Editorial Policy should **always** be consulted in the following cases:

- mandatory referrals to Controller, Editorial Policy and Chief Political Adviser, and Chief Adviser (see Section 5 below).
- queries over how to interpret the Producers' Guidelines
- any proposal to step outside the Producers' Guidelines

5 MANDATORY REFERRALS

The following controversial matters **must** be referred:

All of the following must be referred to Controller, Editorial Policy. All should be referred to Heads of Department or Commissioning Executives first:

- any proposal to interview those directly associated with terrorist acts in the United Kingdom. See Chapter 18
- national security matters, including anything that is the subject of a Defence Advisory Notice. See Chapter 18
- interviews with serious criminals and people sought by the police. See Chapter 16
- payment to criminals or former criminals. See Chapter 15
- any proposal to pay for an interview with a witness in a current or pending criminal trial. See Chapter 15
- any proposal to grant anonymity to anyone trying to evade the law in the United Kingdom. See Chapter 15
- any proposal to record or attend a specific crime. See Chapter 15
- any proposal to enter a prison to conduct an interview with a prisoner for broadcast without the permission from the prison authorities. See Chapter 15
- any proposal to publish the name of a released sex offender who has served their sentence, when that name has not been made public by the Police. See Chapter 15
- using an unattended recording device on private property. See Chapter 5
- broadcasting any surreptitious recording originally made for legal or note taking purposes see Chapter 5

- any proposal to show or feature people in a live broadcast for entertainment purposes using a hidden camera or microphone. See Chapter 5
- broadcasting a recording made secretly by anyone outside the BBC. See Chapter 5
- "doorstepping without prior approach"- confronting an interviewee whilst recording, when there has been no prior approach for an interview, and the interviewee has no expectation of being approached. See Chapter 4
- requests from outside the BBC to see or obtain untransmitted recorded materials. See Chapter 17
- any proposal to feature a real person in a drama where their permission, or the permission of their surviving relatives has not been secured. See Chapter 2

If any of the above have a connection with Northern Ireland they must also be referred to **Controller Northern Ireland** or in the case of News programmes **Head of News and Current Affairs Northern Ireland**.

Both of the following must be referred to the Chief Political Advisor, Editorial Policy:

- commissioning of opinion polls on any political issue or issue of public policy. See Chapter 35
- interviews with the leaders of any UK political party (short news interviews need not be referred). See Chapter 33

Other important issues listed below must also be referred:

- any long term programme intentions about **Northern Ireland**, whether factual or otherwise, should be discussed with Controller Northern Ireland or nominee. Proposals should be discussed at an early stage. Repeated consultations may be necessary with the BBC in Belfast during the making of the programme. See Chapter 19
- **Strong language** - the use of the most offensive four letter words must be approved by the relevant Channel Controller, in the case of the World Service language sections, the Head of Region, and for online services the Director of BBC ONLINE. See Chapter 6
- **Surreptitious recording** – all proposals must be referred to the head of programme department, National Controller, Commissioning Executive or in the World Service, the Head of Region with further reference to Controller Editorial Policy if necessary. See Chapter 5
- any request from programmes outside BBC News for interviews with, or exclusive appearances by, members of the Royal Family must be discussed with the BBC's Royal Liaison Officer
- any proposal to use a tourist visa to enter a country when the intention is to work for the BBC must be referred to the relevant Head of Department. See Chapter 3

- any proposed advertisement to recruit contributors for factual programmes must be referred via Department Heads, Commissioning Executives or their equivalent to the relevant Directorate representative. See Chapter 3

The Controller of the relevant Nation (Scotland, Wales, Northern Ireland) must be informed in advance in writing of:

- plans by producers outside the nation to produce programme material which significantly deals with national issues or themes, or which is based in the relevant nation.
- in the case of Ireland, Controller Northern Ireland should also be alerted to all significant projects involving the Republic of Ireland as well as those about Northern Ireland.

Chief Adviser Editorial Policy (Multimedia and Commercial) must be consulted in advance about:

- Any proposal for outside sponsorship of a BBC event. See Chapter 28
- Any proposal for a BBC magazine to sponsor an established outside event mounted by a non-BBC organisation. See Chapter 28
- Any coverage of a BBC event mounted by BBC Worldwide in conjunction with BBC magazines. See Chapter 28
- Any proposal to mount coverage of a non Sports event sponsored by a tobacco related brand. See Chapter 28

6 THE LAW

Broadcasting is fraught with legal risks, such as defamation or contempt, which can affect any area of programming. Legal problems may arise not just with what we broadcast but with how we make programmes. The BBC has its own team of programme lawyers and they need to be consulted at the earliest possible stage about programmes which may run legal risks.

While lawyers can offer legal advice, the final decision remains an editorial one. If programme makers wish to continue with a programme despite legal advice they must refer upwards to Head of Department, National Controller, or Commissioning Executive (see also Matters Of Law, chapters 37-40 of these guidelines).

7 CONFIDENTIALITY

The protection of confidential sources is a serious matter for any journalist or programme maker and has potential consequences for the Corporation as a whole. In circumstances where legal action might be taken to try and discover a source it will normally be appropriate to refer to a high level before agreeing to maintain confidentiality (see also Chapter 17: Confidentiality and Release of Programme Material).

8 EDITORIAL POLICY UNIT

The Editorial Policy Unit offers advice on specific problems and issues that programme makers may have and how the BBC's editorial policies apply. Heads of Department and

Commissioning Executives who need advice about difficult editorial issues can consult the Unit, which offers a 24 hour service.

The Unit draws up and reviews the Producers' Guidelines, and other editorial policy, and can offer advice on interpreting the Guidelines.

The Producers' Guidelines are also available on the Editorial Policy website on the BBC's Gateway intranet. The site also contains other relevant guidelines (e.g. BBC ONLINE Guidelines), and urgent advice on specific editorial policy issues.

CHAPTER 2 IMPARTIALITY & ACCURACY

CHAPTER 2:

IMPARTIALITY & ACCURACY

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PART ONE

1 OUR JOURNALISTIC VALUES

Accurate, robust, independent, and impartial, journalism is the DNA of the BBC. Audiences should always feel they can trust our words and our deeds. If we live in a more diverse and fragmented society, the BBC must continue to stand out as a place where people feel they are being told openly and honestly about what is happening in the world; where they can rely on

unbiased and impartial reporting and analysis to help them make sense of events; and where a debate can take place in which relevant and significant voices are heard, including those who have uncomfortable questions to ask.

The BBC's journalistic promise is rooted in five basic editorial values set out in the Neil Report (June 2004) on which there can be no compromise. They are:

- Truth and Accuracy
- Serving the Public Interest
- Impartiality and Diversity of Opinion
- Independence
- Accountability

Truth and Accuracy

We will always strive to establish the truth of what has happened as best we can.

We aim for the highest possible levels of accuracy and precision of language. Our journalism will be well sourced, based on sound evidence, and thoroughly tested. It will rely on fact rather than opinion, and be set in context. We will be honest and open about what we don't know and avoid unfounded speculation.

Serving the Public Interest

We seek to report stories of significance, striving to make them interesting and relevant to all our audiences. We will be vigorous in trying to drive to the heart of the story, and well informed when explaining it. Our specialist expertise will bring authority and understanding to the complex world in which we live. We will be robust, but fair and open-minded, in asking searching questions of those who hold public office and in reporting that which it is in the public interest to reveal. Our news and current affairs journalism will never campaign, but pursue journalistically valid issues and stories, without giving undue prominence to any one agenda. We will provide a comprehensive forum for public debate at all levels.

Impartiality and Diversity of Opinion

We report the facts first. Understand and explain their context. Provide professional judgements where appropriate, but never promote our own personal opinions. Openness and independence of mind is at the heart of practising accuracy and impartiality. We will strive to be fair and open minded by reflecting all significant strands of opinion, and by exploring the range and conflict of views. Testing a wide range of views with the evidence is essential if we are to give our audiences the greatest possible opportunity to decide for themselves on the issues of the day.

Independence

The BBC is independent of both state and partisan interest and will strive to be an independent monitor of powerful institutions and individuals. We will make our journalistic judgments for sound editorial reasons, not as the result of improper political or commercial pressure, or personal prejudice. We will always resist undue pressure from all vested interests,

and will jealously protect the independence of our editorial judgments on behalf of our audiences. Whatever groups or individuals may wish us to say or do, we will make all decisions based on the BBC's editorial values.

Accountability

Our first loyalty is to the BBC's audiences to whom we are accountable. Their continuing trust in the BBC's journalism is a crucial part of our contract with them as licence payers. We will act in good faith at all times, by dealing fairly and openly with the audience and contributors to our output. We will be open in admitting mistakes when they are made, unambiguous about apologising for them, and encourage a culture of willingness to learn from them.

These values are the code of conduct for every person who practises journalism in the BBC at whatever level. But editors have a special responsibility as the day-to-day custodians of BBC values. Senior commissioning and programme editors must take an important role of leadership in ensuring that all BBC presenters and journalists embrace these values. The scale of BBC journalism carries risk. An important leadership role of any editor is to realise at what point it is necessary to take senior editorial or legal advice.

2 IMPARTIALITY IN GENERAL

Due impartiality lies at the heart of the BBC. It is a core value and no area of programming is exempt from it. All BBC programmes and services should show open-mindedness, fairness and a respect for truth.

The BBC is committed to providing programmes of great diversity which reflect the full range of audiences' interests, beliefs and perspectives. Representing the whole spectrum is a requirement on all programme genres from arts to news & current affairs, from sport to drama, from comedy to documentaries, from entertainment to education and religion. No significant strand of thought should go unreflected or under represented on the BBC.

In order to achieve that range, the BBC is free to make programmes about any subject it chooses, and to make programmes which explore, or are presented from, a particular point of view.

The BBC applies due impartiality to all its broadcasting and services, both to domestic and international audiences.

In achieving due impartiality the term "due" is to be interpreted as meaning adequate or appropriate to the nature of the subject and the type of programme. There are generally more than two sides to any issue and impartiality in factual programmes may not be achieved simply by mathematical balance in which each view is complemented by an equal and opposing one.

The Agreement accompanying the BBC's Charter specifies that the Corporation should treat controversial subjects with due accuracy and impartiality both in news programmes and other programmes that deal with matters of public policy or of political or industrial controversy. It states that due impartiality does not require absolute neutrality on every issue or detachment from fundamental democratic principles. The BBC is explicitly forbidden from broadcasting its own opinions on current affairs or matters of public policy, except broadcasting issues.

Special considerations, both legal and editorial, may apply during the campaign periods for elections (see Chapter 34: Broadcasting During Elections).

- This Chapter of the Producers' Guidelines constitutes the BBC's code as required by section 5.3 of the Agreement associated with the BBC's Charter, and gives guidance as to the rules to be observed under section 5.1 (c) of the Agreement. The relevant sections of the Agreement appear as an appendix to these Guidelines.

3 FACTUAL PROGRAMMES

3.1 Due impartiality within a programme

A factual programme dealing with controversial public policy or matters of political or industrial controversy will meet its commitment to due impartiality if it is fair, accurate and maintains a proper respect for truth. A programme may choose to explore any subject, at any point on the spectrum of debate, as long as there are good editorial reasons for doing so. It may choose to test or report one side of a particular argument. However, it must do so with fairness and integrity. It should ensure that opposing views are not misrepresented.

There will be times where a wide range of views is appropriate, and times when a narrow range is acceptable. The key is for programme makers to be fair to their subject matter, and to ensure that right of reply obligations are met (see below).

Sometimes it will be necessary to ensure that all main viewpoints are reflected in a programme or in linked programmes, for example, when the issues involved are highly controversial and a defining or decisive moment in the controversy is imminent.

3.2 News programmes

The Agreement specifies that news should be presented with due accuracy and impartiality.

Reporting should be dispassionate, wide-ranging and well-informed. In reporting matters of industrial or political controversy the main differing views should be given due weight in the period during which the controversy is active. News judgements will take account of events as well as arguments, and editorial discretion must determine whether it is appropriate for a range of views to be included within a single programme or item.

News programmes should offer viewers and listeners an intelligent and informed account of issues that enables them to form their own views. A reporter may express a professional, journalistic judgement but not a personal opinion. Judgement must be recognised as perceptive and fair. Audiences should not be able to gauge from BBC programmes the personal views of presenters and reporters on controversial issues of public policy.

3.3 Presenters

Presenters are the public face and voice of the BBC's journalism. The tone and approach that they take to stories has a significant impact on the perceptions of the BBC's impartiality. Their presentation needs at all time to embody the core editorial values of the BBC.

3.4 Where a BBC programme or the BBC is the story

On occasions when a programme broadcast by the BBC, or the BBC itself, becomes the story, we need to ensure that we do not put ourselves in a position where our impartiality is put into question or presenters or reporters are placed in a potential conflict of interest. Our reporting

must remain accurate, impartial and fair even where the BBC is the story. It will be inappropriate to refer to either the BBC or the programme as "we". There should also be clear editorial separation between those reporting the story and those responsible for presenting the BBC's case.

If the programme itself, or an interview by the programme's presenter or presenters is the centre of controversy, consideration should be given by senior editorial figures to whether any follow up interviews on that programme should be undertaken by different presenters. Editorial Policy advice should be sought.

3.5 The series provision

The Agreement provides that in observing due impartiality a series of programmes may be considered as a whole. For this purpose there are two types of series:

- *a number of programmes where each programme is clearly linked to the other(s) and which deal with the same or related issues.*

Programmes may achieve impartiality over an entire series, or over a number of programmes within a series. The intention to achieve impartiality across a number of programmes should be planned in advance and normally made clear to audiences.

- *a number of programmes broadcast under the same title, where widely disparate issues are tackled from one edition to the next.*

In this type of series due impartiality should normally be exercised within each individual programme.

Special considerations apply to "personal view" and "authored" programmes (see below).

Sometimes it may be appropriate, in order to achieve due impartiality, to link a programme or a series with a follow-up discussion programme which looks at the issues raised and allows other views to be put. Audiences should normally be informed of the follow-up programme when the first programme is broadcast. The follow-up programme should closely follow the original programme or be within a reasonable period of time after it having regard to the length of the series.

3.6 Personal view programmes

The BBC has a long tradition of series which allow open access to the airwaves for a wide range of individuals or groups to offer a personal view or advance a contentious argument. These can add significantly to public understanding, especially when they bring forward unusual and rarely heard perspectives on topics that are well-known from orthodox viewpoints. They have a valuable position in the schedules. However, personal view programmes which deal with matters of public policy, or of political or industrial controversy entail special obligations:

- The nature of a personal view programme should be signalled clearly to audiences in advance

- Editors should ensure that these programmes do not seriously misrepresent opposing viewpoints. There should be proper respect for factual accuracy.
- It may be appropriate to provide an opportunity to respond to a programme, for example in a right to reply programme or in a pre-arranged discussion programme.
- It is not appropriate for BBC staff, or for regular BBC presenters or reporters normally associated with news or public policy related programmes, to present personal view programmes on controversial matters.

While a series of personal view programmes which is a long-running fixture in the schedules has no need to give equal time to every relevant point of view on each subject covered, there must be a sufficiently broad range of views from a wide variety of perspectives within a series.

For an occasional series of personal view programmes dealing with different aspects of the same subject matter it will normally be necessary to achieve impartiality within the series.

3.7 Series that present a particular perspective

When a series is "authored" by an individual or a group representing a body of thought, it should maintain a proper respect for facts and truth and should not ignore opposing points of view. Special care is needed if a series takes a particular approach to a controversial issue. This might reflect an original body of thought or research which may not be readily balanced, or the analysis of a respected specialist in a particular field.

In the case of such "authored" series that take a particular approach to matters of political or industrial controversy, care should be taken to ensure that during the year preceding or the year following the series a sufficiently broad range of views and perspectives has been included in a similar type of series or in programming of similar weight.

3.8 "Major matters"

Due impartiality is required in relation to all matters of public policy or industrial controversy. But due impartiality is of special importance in relation to what paragraph 5.4 of the Agreement refers to as "major matters". For networks these would be issues of significance for the whole of the United Kingdom, such as a UK-wide public sector strike, or highly contentious new legislation on the eve of a crucial Commons vote. In the nations and regions, major matters would be issues of comparative importance having considerable impact on the nation or region.

In dealing with major matters of controversy editors should ensure that a full range of significant views and perspectives are heard during the period in which the controversy is active.

3.9 Right of reply

Where a programme reveals evidence of iniquity or incompetence, or where a strong, damaging critique of an individual or institution is laid out, there is a presumption that those criticised be given a fair opportunity to respond. There may be occasions when this is

inappropriate (usually for legal or overriding ethical reasons) in which case the Head of Department should be consulted. It may then be appropriate to consider whether an alternative opportunity should be offered for reply at a subsequent date.

3.10 Reporting in times of National Emergency and Military Action

In times of emergency or when a military action is under way, journalism may be constrained by questions of national security. Such times are particularly testing for journalists, as for others. Matters involving risk to, and loss of, life need handling with the utmost sensitivity to national mood and feeling.

The public has, at the same time, a particular need for fast, trustworthy news and measured assessment. Good journalism will be based on all available facts. The concept of impartiality still applies. All views should be reflected in due proportion to mirror the depth and spread of opinion in the United Kingdom.

3.11 Factual Programmes Not Dealing with Matters of Political or Industrial Controversy

Documentaries, magazine and feature programmes of various kinds often properly concentrate on a narrow area or give an opportunity, for example in an interview, for a single view to be expressed.

Overall, such output seeks to represent reality. There remains an obligation to ensure that a proper range of views and perspectives is aired over a reasonable time. This calls for systematic review and continuing discussion so that the output builds into a complete mosaic.

3.12 Sensitivity to Offence and Outrage

In aiming to record all pertinent opinions programmes will sometimes need to report on or interview people whose views will cause serious offence to many. In such cases programme editors must be convinced, after referral where necessary, that there is a material public interest to be served which outweighs the offence.

Questioning should not be hectoring, but when we interview people whose behaviour or views cause real outrage we need to be sensitive to the opinions of the audience. Questioning must be unmistakably firm, and answers should be challenged robustly and repeatedly if necessary. It would be inappropriate for an interviewer to express personal offence or indignation, but the questioning should recognise the public mood.

On occasion, particular events will greatly raise the level of emotion and it will be harder for an audience to accept an impartial programme. Programme makers should not shy away from tackling difficult issues in such circumstances, but careful consideration should be given to the timing and the tone of the programme.

4. NON FACTUAL AND ARTS PROGRAMMES

4.1 Drama, Arts, Music and Entertainment Programmes

All these areas need to offer artists, writers and entertainers generous scope for individual expression.

Programme executives in drama, arts and entertainment have a responsibility to ensure that the BBC reflects the widest possible range of talent and perspective internationally, nationally and regionally. This is a matter for regular review in the programme areas.

4.2 Drama Portraying Contemporary Situations & Drama-Documentaries

When drama realistically portrays living people or contemporary situations in a controversial fashion, it has an obligation to be accurate - to do justice to the main facts. If the drama strives for a fair, impartial and rounded view of events, no problem arises. If it is an accurate but, nonetheless, partisan and partial portrayal of a controversial issue, the commissioning executive should proceed only if convinced that the insight and excellence of the work justify the platform offered; and that it will be judged honest, thoughtful and stimulating.

A clear distinction should be drawn between plays based broadly on fact or real characters and dramatised documentaries which seek to reconstruct actual events. Audiences should be clear as to whether they are watching fact or fiction.

Any dramatised reconstruction of a controversial current event should observe the standards of fairness which apply to factual programmes dealing with such issues. It is inevitable that the creative realisation of some elements, such as characterisation, dialogue and atmosphere, will introduce a fictional dimension, but this should not be allowed to distort the known facts. (see also section 7: Reconstruction in Part Two of this chapter).

4.3 Portrayal of Real People in Drama

Whenever appropriate, persons portrayed in a drama or their surviving near relatives should be notified in advance and, where possible, their co-operation secured. Where their co-operation or approval is withheld on reasonable grounds the portrayal should not proceed.

However, there may be occasions where the BBC will decide to proceed with such a portrayal without the approval of the individual, where it can be shown that the programme serves a substantial public interest and that the portrayal is fair. In deciding whether such a portrayal should proceed, it will be necessary to take into account the extent to which the portrayal can be shown to be based on a substantial and verifiable body of evidence.

In such instances where it is being proposed that the portrayal should proceed without the approval of the individual portrayed, or their surviving near relatives the matter must be referred to Controller Editorial Policy for approval before a commitment is made to the production (see also Chapter 38, Matters of Law: Defamation).

4.4 History in Drama

Questions of accuracy, impartiality and fairness also arise in historical drama. Drama should normally aim to give a fair account of historical events. But there are differing views about history and producers should be aware of the likely critical reaction when they diverge from received opinion. Portrayals of recent history may be particularly sensitive and controversy often arises when drama questions the British role in an historical event.

If a drama of artistic merit is written from an obviously partial standpoint, the producer must consider how to label and publicise it in order to make its nature clear. When a powerful drama of this kind is likely to prove particularly controversial, the BBC will need to consider whether to offer an alternative viewpoint in other types of programmes.

Problems can arise when drama combines fictional characters with historical figures. Producers should be certain that they are clearly aware of what is established fact and what is fiction and that the public is not confused by the mixture.

4.5 Fact, Fiction and Labelling

Great care must be taken in continuity announcements, trails and promotional material to ensure that the audience is aware of the nature of the drama. Where fact and fiction are mixed the public should be made aware of this. It must be made clear that the drama is only an interpretation of a current or historical situation.

5 PARTY POLITICAL, PARTY ELECTION, and MINISTERIAL BROADCASTS

The content of party political broadcasts, party election broadcasts, and Ministerial broadcasts (together with Opposition replies) is primarily a matter for the originating party or the government and therefore is not required to achieve impartiality. The BBC remains responsible for the broadcasts as publisher, however, and requires the parties to observe proper standards of legality, taste and decency.

All such broadcasts must be clearly labelled, and audiences must be in no doubt that they are hearing the views of a particular party.

The BBC seeks to achieve impartiality in the allocation of such broadcasts (see Chapter 36: Party Broadcasts).

PART TWO: ACCURACY

1 ACHIEVING ACCURACY

The BBC must be accurate. Research for all programmes must be thorough. We must be prepared to check, cross-check and seek advice, to ensure this. Wherever possible we should gather information first-hand by being there ourselves or, where that is not possible, by talking to those who were. Accuracy can be difficult to achieve. It is important to distinguish between first and second-hand sources. An error in one report is often recycled in another. Material already broadcast and newspaper cuttings can get out-of-date quickly or simply be wrong.

Note taking: Accurate and reliable note taking is essential. Failure to take good notes, and keep them safe, can lead to inaccuracy and expensive and lost law suits. Wherever practicable, interviews with sources should be recorded on tape. In circumstances where recording might inhibit the source, full shorthand or longhand notes are the best alternative. Journalists should not rely on memory but refer back to their notes or tape. Writing up a fuller version of an interview from memory afterwards is less reliable than “live” notes. Any key points not found in the notes should be explicitly checked with the source before use.

With serious and major allegations, a full and accurate note of conversations is an essential element in the BBC being confident about the broadcast. If notes give rise to any doubts whatsoever about what was said, then the journalist must check their accuracy with the source before broadcast. In any event, the editor as publisher should be satisfied as to the fullness and accuracy of the note.

Sources: Programmes should be reluctant to rely on a single source. Where an unnamed single source is relied upon, the story itself should be of significant public interest, and the source of proven credibility and reliability, as well as in a position to have sufficient knowledge of the events featured in the story. Granting anonymity to a source should never be done casually or automatically. When the BBC uses an unnamed source we are asking our audiences to trust us even more with the information we are broadcasting. A named on the record source is always to be preferred.

Anonymous sources: However, the BBC will continue to report stories based on a single source where the story is one of significant public interest and the correct procedures have been followed. With an anonymous source, especially a source making serious allegations, the audience should be told why the source is anonymous and, in the BBC's view, credible. If the source of an allegation has to remain anonymous, we must give the audience as much accurate information as is compatible with protecting the identity of the source. We should explain why the source is anonymous, why the programme is confident about using this person as the source, and why we believe that source to be credible.

We should never mislead the audience about the nature of an anonymous source; it is better to explain that we cannot give any information rather than offer speculation. Protection of confidential sources is a fundamental principle of journalism.

We must never exaggerate the importance of an anonymous single source. The credibility of an anonymous single source must be evaluated by the programme editor as the publisher. They must be in a position to establish in detail the pedigree and provenance of the source.

Fair dealing requires that when a source of information demands to remain anonymous as a condition of giving the information, the BBC must agree precisely with that source the way he or she is to be described on air. There is a need to balance a source's desire for confidentiality with the need to ensure that editors are able to reach informed judgements about whether a story should be broadcast.

As a general principle, whenever a story involves an anonymous source, the relevant editor has the right to be told the name of that source. However the editor has the discretion not to exercise that right. The seniority and track record of the correspondent is a relevant consideration. In extreme cases involving serious allegations, the head of the division should also have the right to know the name of a source. Some sources may insist that a reporter does not reveal their identity to any other BBC person. We should resist this. If this happens, the reporter should make clear that information so obtained may not be broadcast

The story itself should be discussed thoroughly within the editorial chain before broadcast.

Anonymous sources and allegations: Where it is proposed to broadcast serious allegations made by an anonymous source or sources about an individual or an organisation, it should be referred first to the relevant editor and then on to his or her output Head. The referral is to establish whether the story meets a public interest test; to probe, as far as is practicable, its accuracy, the credibility of the source, their possible motivation or level of knowledge, and their reliability; what legal issues may arise, and whether the allegations have yet been put to the subject of the story. (See later Fairness section.) Accuracy is more important than speed.

Scripting and two-ways: The report will need to be carefully scripted to flag the nature of the allegation that is being made and be followed carefully. It will normally be appropriate to attribute clearly when the allegation comes from an anonymous source, indicate whether there

has been independent corroboration, and make it clear that the allegation is being made by the source not the BBC.

Live, unscripted two-way exchanges should normally not be used to report allegations of serious wrong doing. The editor must decide whether a live two-way is the appropriate and safest way to break the story. The seniority and track record of the correspondent is a relevant consideration.

When later programmes follow up on the original story, the editors should ensure that they understand the terms in which the allegations are to be reported.

Agency reports: The reliability of news agency reports, especially from overseas, varies according to the agency, the bureau and the reporter. It is good practice not to run a story from one agency unless it can be substantiated by a BBC correspondent or another agency. The World Service newsroom and language services can often advise on agency and bureau reliability, as well as providing context for foreign news stories and advice on pronunciation and geography.

Weighing the facts: Accuracy is often more than a question of getting the facts right. All the relevant facts and information should be weighed to get at the truth of what is reported or described. If an issue is controversial, relevant opinions as well as facts may need to be considered. If an item is legally contentious, its accuracy must be capable of withstanding scrutiny in a court of law.

2 CORRECTING MISTAKES

When a serious factual error does occur it is important to admit it clearly and frankly. Saying what was wrong as well as putting it right can be an important element in making an effective correction.

Inaccuracy may lead to a complaint of unfairness. Where an error is acknowledged, a timely correction may dissuade the aggrieved party from complaining.

Where we may have broadcast a defamatory inaccuracy BBC lawyers should be consulted about the wording of a correction. An appropriate correction may help in our defence of a court action: an inappropriate one could exacerbate the defamation.

3 ACCURATE LANGUAGE

It is not sufficient that we get our facts right. We must use language fairly. That means avoiding exaggeration. We must not use language inadvertently so as to suggest value judgements, commitment or lack of objectivity.

4 REPORTING STATISTICS

Statistics should be used or reported carefully and in context. It is extremely difficult to convey the context of statistical evidence in a few words, so programmes may need to find time to explain perspectives. With regularly published sets of statistics this may mean giving the trend of the figures over a relevant period. Even then statistical evidence should not be accorded more weight than could stand scrutiny. Sources should always be indicated so the audience can form a judgement about the status of the evidence.

5 RECONSTRUCTION

The reconstruction or re-staging of events in factual programmes can be a great help in explaining an issue. It must always be done truthfully with an awareness of what is reliably known. Nothing significant which is not known should be invented without acknowledgement. Reconstructions should not over dramatise events in a misleading or sensationalistic way.

Reconstructions should be identified clearly so that no-one is misled. Repeated labelling may be necessary to achieve this.

When a programme invents a realistic scene based on real cases but without reconstructing any one case this needs to be made clear.

News programmes should not normally stage reconstructions of current events. The risk of confusing the viewer is too high. But reconstructions staged by others (perhaps by the police investigating a crime) may of course be reported in the usual way.

6 STAGING AND RE-STAGING EVENTS

Factual programmes should always present a fair and accurate picture of the situations they portray. Audiences should never be misled by what they see or hear in a programme. However, there are few factual films which do not involve some intervention from the director, even those which are commonly described as "fly on the wall" or observational documentaries.

The use of reconstruction, (see Section 7: Reconstruction), where all events are quite explicitly re-staged for the camera or microphone and where the programme team was never present when the events first happened, is a separate technique and must be labelled as such.

However production methods, especially in television with single camera location shooting, sometimes mean that it is impossible to record all events exactly as they happen. Many of the techniques that are used to overcome this have long been part of the accepted grammar of programme-making. The conventional skills employed to edit sound and picture together are widely understood and accepted by audiences.

Such techniques may sometimes involve a departure from the strict chronology of events. Additional bridging shots known as cut-aways may be edited in to shorten a sequence. Directors may wish to capture a variety of shots from a variety of angles to cover a sequence imaginatively. So long as editing, changes in shot order and, indeed, new juxtapositions of shots do not distort the story told and so mislead viewers, this is part of the normal grammar of film production.

Factual programme-makers may sometimes legitimately ask contributors to do things for the camera twice or to repeat routine things, which they do regularly, but on this particular occasion are doing for the camera. (e.g. the set-up shot for an interview). But all such interventions require carefully balanced judgements. We should never be so embarrassed by the techniques that we use that we cannot share them with our audience.

Commentary must always respect the truth and should never be used to give the audience a dishonest impression of events.

Some types of documentary film are deliberately stylised and the set-up is totally clear to the viewer. For example, in a stylised documentary about front gardens, it would not be

misleading to the audience to ask the owners to stand in front of their garden and stare fixedly at the camera lens.

In judging what is acceptable and unacceptable practice in factual programmes, programme-makers must ensure that:

- programmes truthfully and fairly depict what has happened
- programmes never do anything to mislead audiences
- while it may, on occasions, be legitimate to re-shoot something that is a routine and insignificant action, it is not legitimate to stage or re-stage action which is *significant to the development of the action or narrative*, without clearly signalling this to the audience
- contributors should *not* be asked to re-enact *significant* events, without this being made clear in the film. (This does not preclude programme-makers arranging to record sequences at a particular time to fit in with the timetable of a shoot)
- if significant events have been arranged for the cameras (including the recruitment of contributors) that would not have taken place *at all* without the intervention of the programme-makers, then this must be made clear to the audience
- shots and sequences should never be inter-cut to suggest that they were happening at the same time if the resulting juxtaposition of material leads to a distorted and misleading impression of events

7 USE OF COMPUTER GRAPHICS

Computerised graphics give programmes great scope for the creation of arresting and informative images to aid story-telling, but there are ethical dangers. Viewers must not be misled into believing that they are seeing something which is a "real" document, event or subject when in fact it is a creation of a graphic artist.

Programmes must not lay themselves open to a charge of deception. When composite images are created it should be clear that the graphic is not a simple photographic image. On occasion it may be appropriate to signal, verbally or visually, that what is being depicted is an illustration.

8 USE OF LIBRARY MATERIAL

Library material used to illustrate a current issue or event must be clearly labelled if there is any danger of confusion. Audiences must never be misled about what they are seeing or hearing. It is important not to use library material of one event to illustrate another in such a way as to suggest the audience is witnessing something it is not.

Beware of causing pain or offence through use of inappropriate or outdated material. Try to avoid identifiable shots of people who are incidental to the subject: they may have died since the pictures were taken. Avoid repeated use of the same incident to illustrate a general theme: the same driver being breathalysed repeatedly is unfair and may be defamatory.

Avoid needless repetition of traumatic library material, especially if it features identifiable people. Use of material depicting pain, suffering, violence, grief or death becomes less

defensible as the original event passes into history. It should not be used as wallpaper or to illustrate a general theme and should not normally be used in headline sequences. Library pictures of identifiable grieving or distressed people must be used only after referral to a senior level in the programme department.

Avoid inadvertently perpetuating racial, sexual or other stereotypes by careless use of library pictures.

When non-news programmes want to use news material they should always check with the relevant news library to make sure there are no special considerations.

9 CHECKING RECORDED OR REPEATED PROGRAMMES

Programmes recorded some time before transmission or being repeated must be checked to make sure they have not been overtaken by events, for example the death of a contributor or the charging of an offender. In some cases, a preceding announcement may be appropriate. In others, the alteration or removal of some material may be required. Programme makers know their own material best and are most likely to be sensitive to an event with implications for a programme they have been involved with. It is important for them to inform Heads of Department and not rely on others to make the connection (see also Chapter 21: Re-Use and Reversioning of Television Programmes)

CHAPTER 3:

FAIRNESS AND STRAIGHT DEALING

1 GENERAL

2 FAIR DEALING

3 RESEARCH

4 ADVERTISING FOR CONTRIBUTORS

5 REFUSALS TO TAKE PART

6 FAIRNESS AND INDEPENDENCE

7 EMBARGOES

8 ANONYMITY

9 OBSERVING LOCAL LAW

1 GENERAL

The BBC's commitment to robust, original journalism means that there are times when the BBC will make allegations as a result of conducting its own investigations. But it is a guiding principle of BBC journalism that we are fair to all – fair to those against whom allegations are being made, fair to the audience, and fair to contributors.

The principles outlined in these guidelines should be observed regardless of location. Wherever in the world the BBC operates contributors should be treated with fairness and respect. Producers and reporters working overseas should bear in mind that items they prepare

for broadcast in Britain may be broadcast back to the country concerned as well.

2 FAIR DEALING

Programmes should be based on fairness, openness and straight dealing. This is important to everyone involved. It reflects concern for the interests of the programme, the interests of the people who appear in it and the interests of the audience. All these interests are important, although none of them is automatically more important than the others.

From the start, programme makers should be as clear as they can be about the nature of the programme and its purpose. Unless there are special and legitimate considerations of confidentiality they should be open about their plans, and honest with anyone taking part in a programme.

Fairness to contributors: Contributors may be unfamiliar with broadcasting. Processes and assumptions that a professional may regard as obvious may not be shared by a layperson.

Whether they are public figures or ordinary citizens contributors ought to be able to assume that they will be dealt with in a fair way. They should not feel misled, deceived or misrepresented before, during or after the programme, unless there is a clear public interest, when dealing with criminal or anti social activity. Contributors have a right to know:

- what a programme is about
- what kind of contribution they are expected to make - an interview or a part in a discussion, for example. If invited to take part in a debate or a discussion they should be told in advance about the range of views being represented, and wherever possible, who the other participants will be
- whether their contribution will be live or recorded and whether it will be edited. They should not be given a guarantee that their contribution will be broadcast, but nor should we normally record a substantial contribution unless we expect to use it.

The need for fairness applies equally to people asked for help or advice in the preparation of programmes. They should be told why they were contacted and what the programme is about.

In news and factual programmes, there may be very rare occasions when it is acceptable for programme makers not to reveal the full purpose of the programme to a contributor where there is an overriding public interest such as exposing crime or significant anti social behaviour, exposing misleading claims which could impact on the health, safety, well-being or security of others, revealing incompetence in office, or exposing corruption or injustice.

The deception should be the minimum necessary in proportion to the subject matter. In such rare cases, referral to the departmental head and Controller Editorial Policy is mandatory.

Fairness to those accused: Where serious allegations of wrong doing are to be made, those allegations should normally be put to the persons or organisations concerned by the programme (See also 3.9 Right of Reply under Impartiality) in time for a considered response before transmission. Where a number of individuals, or different organisations, or parts of an organisation are involved, care should be taken to ensure that all key parties have been contacted. The approach should be honest, clear and specific about what is being alleged and open-minded as to the response. It is the responsibility of whoever makes the approach to

make and keep a clear record of the contact, logging the time, the name of the person spoken to and the key elements of the exchange.

Legally and ethically, it is essential that the Editor ensures that the nature of the allegation is described in sufficient detail to enable a response and that the approach is properly noted or logged. The weight and strength of any response should be taken into account in deciding how to report the story. It should be broadcast as part of the first transmission of the story.

However, when the BBC wishes to broadcast an allegation in the public interest which it believes to be true, it may be permissible not to make the approach in order to get the report into the public domain. In these very rare cases, referral to the departmental head and the Controller Editorial Policy is mandatory.

Fairness to the audience: We should give audiences as much information as possible to enable them to form their own view of a story. We should never mislead but explain when we cannot give information rather than offer speculation. Openness and honesty are of the essence.

Contributors to both factual and entertainment programmes should not be patronised or exploited, nor should we be seen to humiliate them (see also Chapter 22: Game Shows and Competitions).

There are separate guidelines covering issues of deception in comedy and light entertainment programmes (see section 9 of Chapter 5: Surreptitious Recording).

Contributors should feel they have been treated decently by the BBC in all our dealings with them, throughout the production process. In programmes that deal with personal trauma or distress continuing contact with contributors may be appropriate to offer them help and reassurance up to the point of transmission and beyond.

Some contributors may ask to see a copy of the finished programme before it is broadcast. The BBC does not usually agree to this, for legal reasons and to maintain editorial independence. However, there may be circumstances under which it is appropriate to allow previews without surrendering editorial control. When we agree to give previews it should be made clear on what terms such a preview will be offered. It is best to do this in writing in advance. Editorial Policy can advise on individual cases. (see also Chapter 17: Confidentiality and Release of Programme Material).

In return for dealing with contributors in a fair way we should expect them to be honest and truthful with the BBC. Our own research should be rigorous and accurate enough to screen out contributors who may be less than honest (see also Section 3 Research). It may also be appropriate to remind contributors of the importance of straightforward and truthful contributions, both verbally, through studio announcements, and in any contractual arrangements. But a contractual commitment cannot be a substitute for thorough research.

3 RESEARCH

Research for all programmes must be thorough and accurate. Facts must be checked and crosschecked. Particularly when dealing with members of the public, contributors' credentials may need to be checked and corroborated several times. Documentary evidence may be

needed to validate both stories and contributors identities. It will usually be appropriate to seek corroboration from sources other than those suggested by the contributor.

It is helpful if clear and contemporaneous notes are made of all conversations and other relevant details. Members of the public who make a significant contribution should usually be spoken to, and checked, by more than one member of the programme team before their participation.

Researchers should not rely on outside bodies to do programme research about contributors. When finding contributors news agencies and other specialist agencies can sometimes be a useful source. But any information or contact supplied must be carefully crosschecked and verified. Agencies who deal with actors and performers should not be used to find people to talk about experiences outside their specific profession. When agencies are used to recruit specialist contributors all appropriate checks should still be made.

4 ADVERTISING FOR CONTRIBUTORS

On occasion, advertising for contributors to factual programmes can be an appropriate way of finding contributors or information that cannot be obtained in any other way. But adverts must be used sparingly, and very much as a last resort.

Any advertising for contributors must be based on solid prior research. It should come at the end of the research process not at the beginning. Any social trends or developments which the programme highlights must be based on prior research not just on the fact that sufficient participants have answered an advert.

We should be aware of the dangers of recruiting contributors through advertisements and on air appeals. These can encourage exaggeration and “serial guests”. Anyone recruited through an advert should be checked extremely thoroughly.

The wording of any advert must be carefully phrased. Any advert must not bring the BBC into disrepute.

It may be appropriate for entertainment programmes to advertise for contestants and audiences. Even then all appropriate checks should be made to screen out unsuitable or untruthful contributors.

All proposed advertisements and their wording should be referred via Department Heads, Commissioning Executives or their equivalent to the relevant Directorate representative. In Broadcast these are the Controllers of Scotland, Wales, Northern Ireland and the English Regions, and the Head of the Independent Commissioning Group, in Production the Head of Editorial Compliance, in News, the Deputy Chief Executive, in the World Service the Director of English Programmes, and in Worldwide the Head of Programming, International Networks.

5 REFUSALS TO TAKE PART

The refusal of an organisation or an individual to take part in a programme should not be allowed to act as a veto. It may have that effect in a few cases i.e. candidates during election periods (see Chapter 34: Broadcasting During Elections), but there are usually ways of overcoming it (see Chapter 33: Politics, and Politicians).

Anyone has a right to refuse, but when the audience might otherwise wonder why a contributor or organisation is missing the reasons for their absence should be explained. This should be done in terms that are fair to the absentee. The programme editor should consider whether it is possible to give a good idea of the views of the missing contributor based on what is already known. It is rarely acceptable to exclude the missing view altogether.

6 FAIRNESS AND INDEPENDENCE

Some interviewees, often public figures, may try to intimidate programme-makers before or after making a contribution. Programme makers who have been fair are justified in giving a tough response - and they will be supported by the BBC. No one who has willingly taken part in a programme or recording has the right to prevent the contribution being used, but we should always listen carefully to anyone who raises reasonable objections.

7 EMBARGOES

When programmes accept material under embargo, BBC policy is to observe it. Sometimes it may be possible to persuade an organisation to lift or vary its embargo. If embargoes are broken by other media or by the originator of the embargo the BBC may be justified in doing so as well. This will depend on the extent of the breach: the more widespread the breach, the more unreasonable it is for the BBC to be bound by the original embargo.

8 ANONYMITY

There is no absolute obligation to name all programme contributors, though in most cases both contributors and audiences would expect it, if their contribution is significant. However, a deliberate decision to withhold or disguise the identity of a significant contributor raises difficult issues.

The authority of programmes can be undermined by the use of anonymous contributors whose status the audience cannot judge. But there are times when anonymity is appropriate, for example:

- for reasons of safety
- to avoid undue embarrassment
- for legal reasons

Anonymity should not normally be granted to anyone trying to evade the law in the United Kingdom. There may be some exceptional cases, but Controller Editorial Policy must be consulted, in advance.

Where contributors make anonymity a condition of taking part in a programme, it is important to establish the degree of anonymity sought. It may be sufficient simply to ensure that contributors are not readily recognisable to the general public, or it may be necessary to ensure that they cannot be identified even by friends or family. Such matters should be resolved in advance.

Where anonymity is necessary producers must make it effective. Both picture and voice may need to be disguised. A "voice-over" by another person is usually better than technically induced distortion which can be reversed. In such cases, audiences must be told what they are hearing.

Great care needs to be taken over pictures. Blurring rather than "pixilation" (which can be reversed) is the best way of ensuring anonymity in pictures. If absolute anonymity is essential, programme makers must ensure there is no evidence of the contributors' identity even on the original recording or in any documentation. Editorial Policy can offer advice on this.

Our international services often rebroadcast material originally recorded for the BBC's domestic services. If this material might compromise the safety of contributors when it is rebroadcast, it may be appropriate to disguise the identity of those concerned.

Producers should check with the contributor when anonymity is being discussed whether there are any additional factors that need to be taken into account with international transmission.

For guidance on confidentiality see section 1 of Chapter 17: Confidentiality and Release of Programme Material.

9 OBSERVING LOCAL LAW

When working abroad local laws should be observed. If an aspect of local law appears inimical to fundamental freedoms or democratic principles or represents a serious impediment to responsible programme-making, the relevant Head of Department or Commissioning Executive must be consulted about the appropriate way to proceed. Heads of Department or Commissioning Executives should consult Controller, Editorial Policy, if necessary.

If there is any proposal to act in a way which is contrary to local law it will always be necessary to consider the possible impact on individuals - including BBC people not involved in the programme concerned - and on the BBC's wider reputation.

When entering countries to work for the BBC people should normally be open about their purposes. **Any proposal to use a tourist visa in a way which would avoid visa restrictions, when the intention is to carry out work for the BBC should be referred to Heads of Department or Commissioning Executive who may also consult Controller, Editorial Policy.** When such a proposal is approved, the News Editor in Newsgathering should also be informed.

Where our coverage has been distorted or censored by local laws, this must be made clear to audiences.

CHAPTER 4 PRIVACY

- 1 BASIC PRINCIPLES
- 2 PRIVATE LIVES AND PUBLIC ISSUES
- 3 OPERATING ON PRIVATE PROPERTY
- 4 DOORSTEPPING
- 5 MEDIA SCRUMS
- 6 CCTV FOOTAGE
- 7 MISSING PEOPLE

1 BASIC PRINCIPLES

The BBC should respect the privacy of individuals, recognising that any intrusions have to be justified by serving a greater good. The right to privacy is qualified by:

- **The Public Interest**
People are less entitled to privacy when protection of privacy means concealing matters which are against the public interest
- **Behaviour**
People are less entitled to privacy where their behaviour is criminal or seriously anti social.
- **Location**
The right to privacy is clearly much greater in a place such as a private home than it is in public places

Private behaviour, correspondence and conversation should not be brought into the public domain unless there is a clear public interest. It is essential that we operate within a framework which respects people's right to privacy, treats them fairly, yet allows us to investigate and establish matters which it is in the public interest to know about.

We should respect people's privacy wherever in the world we are operating. While there is no law of privacy as such in the United Kingdom, the Government has enacted the European Convention on Human Rights which includes the right to privacy as well as the right to freedom of expression. Privacy laws do exist in other parts of the world including continental Europe and should be respected. In countries where exposing corruption, injustice or other matters of public concern may bring the BBC into conflict with local laws, we should not proceed without consultation with heads of department, lawyers and, if necessary, Controller, Editorial Policy.

The BBC's guidelines on use of hidden microphones and cameras are contained in Chapter 5: Surreptitious Recording.

2 PRIVATE LIVES AND PUBLIC ISSUES

Public figures are in a special position, but they retain their rights to a private life. The public should be given the facts that bear upon the ability or the suitability of public figures to attain or hold office or to perform their duties, but there is no general entitlement to know about their private behaviour provided that it is legal and does not raise important wider issues.

As a general principle, BBC programmes should not report the private legal behaviour of public figures unless broader public issues are raised either by the behaviour itself or by the consequences of its becoming widely known. The mere fact that other parts of the media have reported private behaviour, and that in that sense it is "in the public domain" (i.e. that someone else has reported it), is not of itself sufficient to justify the BBC reporting it too. As a result, where there are no broader public interest issues and the behaviour itself is within the law, there may be occasions where the BBC does not report stories which are being covered by the rest of the media

Even when the personal affairs of public figures become the proper subject of enquiry they do not forfeit all rights to privacy. BBC programmes should confine themselves to relevant facts and avoid gossip. The information we broadcast should be important as well as true. It is not

enough to say that it is interesting. Having established the relevant facts, programmes should concentrate on any publicly important issues arising. If a person's private life is the proper subject of a running story we should report it when there are significant developments and ignore it when there are not.

3 OPERATING ON PRIVATE PROPERTY

On most occasions programme makers will seek permission before operating on private property. But there will be instances when it is acceptable for programme makers to operate on private property without seeking permission. For example it may be acceptable to film or record in a public shopping precinct or a railway station, places where the public has general access. Or it may be acceptable in more restricted places where serious criminal or antisocial activity is being exposed.

Sometimes going onto private land without authority can constitute a civil offence (in which the police have no jurisdiction). Sometimes, however, there is a risk of committing criminal trespass. It is important for programme makers to understand the laws of trespass in detail (see section 5 of Chapter 37: Matters of Law: General) and to seek advice if they are in doubt about how to proceed

When we are on private property and are asked by the legal occupier to leave, we should normally do so promptly.

4 DOORSTEPPING

This is the term used in broadcasting to mean occasions on which a reporter confronts and records a potential interviewee without prior arrangement, either in public or sometimes on private property.

People who are currently in the news must expect to be questioned and recorded by the media. Questions asked by reporters as public figures come and go from buildings are usually part of legitimate newsgathering, even if the questions are sometimes unwelcome, and the rules on doorstepping are not intended to prevent this.

In all other cases doorstepping should generally be a last resort. **It needs to be approved in advance by the Head of Department who should do so only if:**

- **the investigation involves crime or serious anti-social behaviour, and**
- **the subject of the doorstep has failed to respond to a repeated request to be interviewed, refused an interview on unreasonable grounds, or if they have a history of such failure or refusal**

Doorstepping should not be used merely to add drama to a factual report.

Controller, Editorial Policy must approve in advance any proposal to doorstep where there has been no prior approach to the interviewee. CEP will usually grant permission only if there is clear evidence of crime or significant wrong-doing, and if there is reason to suspect that a prior approach will result in the individual evading questioning altogether.

5 MEDIA SCRUMS

When a person suddenly features in a news event it may be proper for representatives of many media organisations to go to a private home to try to secure pictures or interviews. This can result in large numbers of media people gathered in the street outside.

In such cases, it is important that the combined effect of legitimate newsgathering by a number of organisations does not become intimidating or unreasonably intrusive. We must not harass people unfairly with repeated telephone calls, or repeated knocks at the door, or by obstructing them as they come and go (this could amount to a criminal offence of aggravated trespass if it takes place on private property). It may be possible or appropriate for pooling arrangements to be reached, or for the BBC to withdraw altogether if it is clear that the subject does not intend to appear. BBC teams on the spot who are asked by the subject to leave should refer to editors for guidance. The appropriate decision will depend upon the precise circumstances, but considerations to bear in mind are:

- is the subject a private citizen or a public figure?
- is the subject victim, villain, or merely interested party?
- has the subject expressed a clear intention or wish not to appear or give interviews?

There will be cases when the BBC judges it proper to withdraw and we therefore miss material which other organisations gather and publish.

Prominent public figures must expect media attention when they become the subject of news stories, but the open use of cameras or other equipment on public property aimed at recording them on private property must be appropriate to the importance of the story. Any use of such equipment must respect the rights of public figures to a proper level of privacy.

6 CCTV FOOTAGE

When dealing with Close Circuit Television (CCTV) video or recordings provided by the emergency services or other bodies or individuals, special care must be taken over issues such as privacy, anonymity and defamation. Our ignorance of the circumstances surrounding the recording increases the risk in using it, and we must apply the same ethical, editorial considerations we would to material we record ourselves. The principles in this chapter and Chapter 5: Surreptitious Recording should apply. If illegal or anti-social activity is shown there may be real risks of defamation or contempt. If in doubt seek legal advice.

7 MISSING PEOPLE

BBC programmes sometimes broadcast details of missing people sent in by relatives and friends. While helping to trace people may be a useful public service, care must be exercised when deciding what details to broadcast for fear of causing embarrassment or distress to the person who is the subject of the message. Programme makers should bear in mind the fact that not all missing people wish to be traced and should exercise caution in accepting everything the family or friends say at face value. Before broadcasting, programme makers should consider whether to hold back information the missing person might regard as being personal and private and which they might wish to keep secret.

CHAPTER 5 SURREPTITIOUS RECORDING

- 1 GENERAL PRINCIPLES
- 2 APPROVAL OF SURREPTITIOUS RECORDING
- 3 SURREPTITIOUS RECORDING IN PUBLIC PLACES
- 4 GRIEF AND DISTRESS
- 5 INVESTIGATING CRIME AND ANTI SOCIAL ACTIVITY
 - 5.1 "Fishing expeditions" and "bugging"
 - 5.2 Disguising identities
- 6 SOCIAL RESEARCH
- 7 RECORDING TELEPHONE CALLS
- 8 SECRET RECORDINGS MADE BY OTHERS
- 9 COMEDY AND ENTERTAINMENT

1 GENERAL PRINCIPLES

The BBC's use of hidden cameras and microphones are governed by the principles set out in Chapter 4: Privacy. We should operate within a framework which respects people's right to privacy, treats them fairly, yet allows us to investigate and establish matters which it is in the public interest to know about.

Surreptitious recording should not be used as a routine production tool, nor should it be used simply to add drama to a report.

The BBC will normally only allow the use of surreptitious recording for broadcasting for one of the following purposes;

- As an investigative tool to explore matters which raise issues of serious anti social or criminal behaviour, where there is reasonable prior evidence of such behaviour (see Section 5 below)
- To gather material, which could not be gathered openly, in countries where the local law appears inimical to fundamental freedoms or democratic principles or represents a serious impediment to responsible programme-making (see section 9, Observing Local Law, in Chapter 3 Fairness and Straight Dealing)
- As a method of social research where no other methods could reasonably capture the behaviour under scrutiny. In such cases it will be usual practice to disguise the identities of the individuals concerned (see Section 6 below)
- For purely entertainment purposes where the secret recording and any deception involved are an intrinsic part of the entertainment. In these cases it will always be necessary to obtain the consent of the individual recorded afterwards (see Section 9 below)

The use of long lenses can be a legitimate technique which may sometimes have the effect of recording people who do not know the camera is present. The deliberate use of such lenses, or of small video cameras, to conceal the camera from targeted individuals being photographed counts as surreptitious recording and is subject to these guidelines.

Many ordinary people now carry video cameras (or DVCs). Where the BBC uses people or equipment, including DVCs, to give the impression of recording for purposes other than broadcasting, that recording is regarded as being carried out surreptitiously, and is subject to these guidelines.

Occasionally recording for broadcasting can be performed openly but without declaring its end purpose. This may be preferable to recording which is entirely concealed. This qualifies as surreptitious recording and is subject to these guidelines.

2 APPROVAL OF SURREPTITIOUS RECORDING

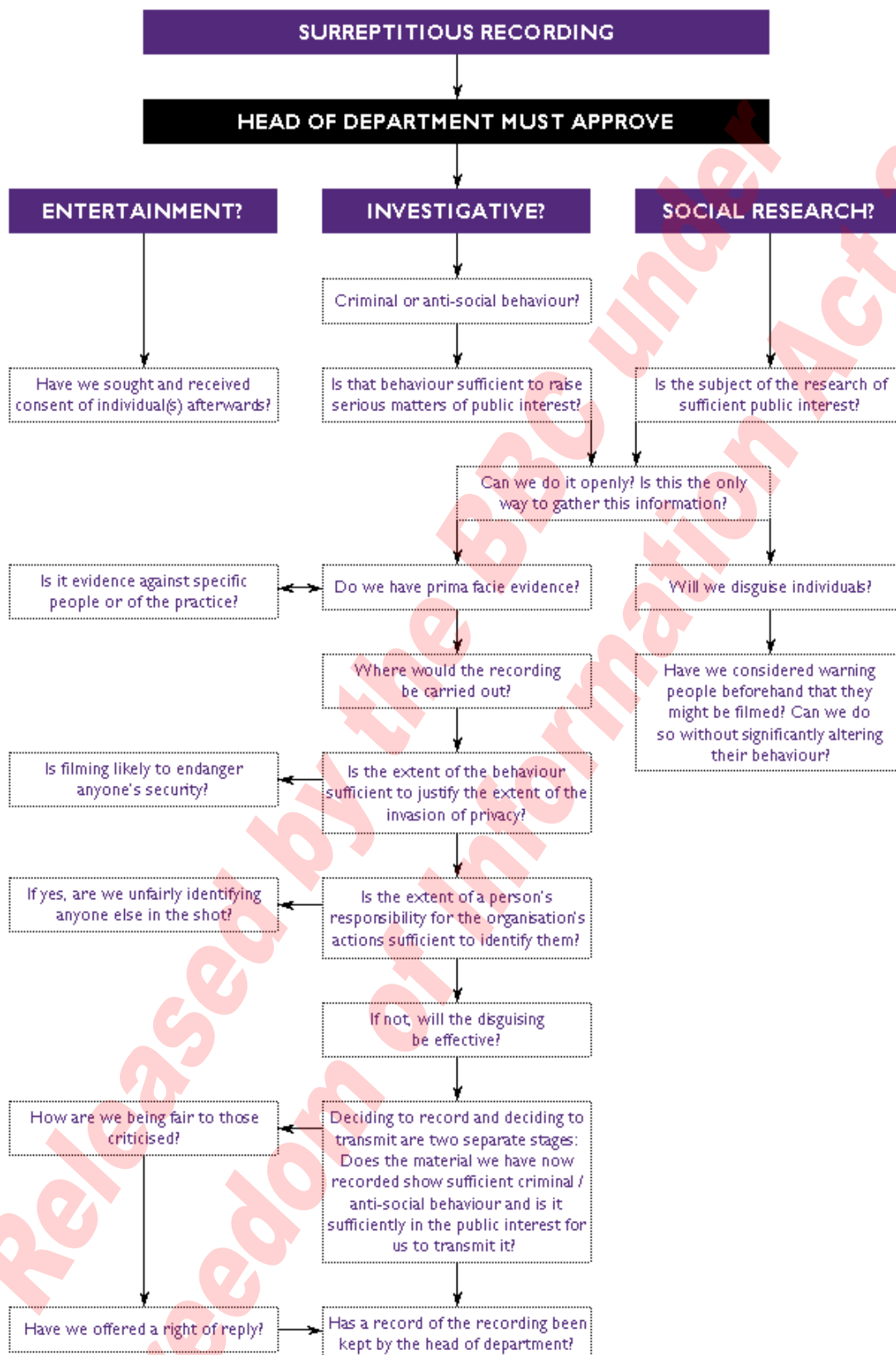
Whenever surreptitious recording is carried out by BBC programme makers it must be approved in advance by the relevant Head of Department, National or Commissioning Executive or in the World Service, head of Region. Where necessary Controller, Editorial Policy should be consulted.

On each occasion secret recording is carried out, whatever the purpose, the department concerned must keep a full record of how the recording satisfied the requirements of this Chapter, who authorised it, and brief details of who and what was recorded. This record must be made regardless of whether the material gathered is broadcast. Each directorate is responsible for maintaining these records to enable the BBC to monitor and review the use of such techniques throughout its output.

Wherever approval is required from Head of Department or from CEP for surreptitious recording of any sort, it may be decided to consider the proposal in two separate stages, first for recording and subsequently for transmission.

The diagram below illustrates some of the questions which should be considered by programme makers when they propose to use surreptitious recording.

Released by the BBC under Act 2000
the Freedom of Information Act 2000



3 SURREPTITIOUS RECORDING IN PUBLIC PLACES

People in a public place cannot expect the same degree of privacy as in their own homes. They can be seen by anyone, and that means they may be spotted by cameras or recorded by microphones. In general, we should operate openly in public where we can see and be seen. But sometimes it will be necessary for the safety of our staff or for the style or content of the programme that we record surreptitiously in public places.

Programmes intending to do so must get approval in advance from the relevant Head of Department, National Controller, or Commissioning Executive, who can refer particularly sensitive situations to Controller Editorial Policy.

Although we cannot guarantee that the broadcasting of recordings made in public will not cause individuals embarrassment, we should not intend this unless they are engaged in clearly anti-social activity.

Some "public" places like railways stations, public transport or shops are actually private property to which the public has ready access. When considering secret recording in such places programme makers should be aware of the laws regarding trespass (see also section 3 "Operating on Private Property" in Chapter 4: Privacy, and section 5 "Trespass" in Chapter 37: Matters of Law: General).

4 GRIEF AND DISTRESS

Surreptitious recording of identifiable people in grief or under extremes of stress (for instance in hospitals) requires further special consideration. Use of such material will usually be justified only if permission has been granted by the individuals concerned or by someone acting on their behalf. Heads of Department must be consulted. (see also Chapter 12: Reporting Suffering and Distress).

5 INVESTIGATING CRIME AND ANTI SOCIAL ACTIVITY

In investigating the above, the BBC will generally use hidden cameras or microphones on private property only where

- prime facie evidence exists of crime or of significant anti-social behaviour by those to be recorded
- the programme maker can show why an open approach would be unlikely to succeed

If the recording is to take place in a private place, where the public do not have access, the justification for any surreptitious recording will have to be greater.

Programme makers will need to show why the material is necessary in programme terms and the public interest in showing such material. Each case must be approved in advance by Heads of Department or equivalent who may refer to Controller Editorial Policy as necessary.

There may be occasions where there is prime facie evidence against a group of people but not necessarily against known individuals in that group - for instance, the overcharging of foreigners by some people in tourist service industries, or the exploitation of old people by some home repair workers, where surreptitious recording may be justified. Where surreptitious recording is carried out in this way the results should be represented fairly so as not to give a distorted picture of the incidence of certain activity.

Deciding to record and to transmit are two separate stages. Once the material has been obtained the Heads of Department or equivalent must be satisfied it still meets the criteria for secret recording before transmission.

5.1 "Fishing expeditions" and "bugging"

BBC journalists and programme makers will not go on what are known as "fishing expeditions". That is, we will not record secretly on private property in search of crime or anti social behaviour by identifiable individuals or group if there is no prime facie evidence against them. This also applies when secret recording takes place on public property but is directed towards subjects who are on private property.

The BBC will never plant an unattended recording device on private property (otherwise known as "bugging") without permission of the owner, occupier, or their agent **unless** for the purpose of gaining evidence of serious crime. **Controller Editorial Policy must always agree in advance and will require clear evidence that the crime has been committed by those who are to be the subject of the recording.**

5.2 Disguising identities

There will be circumstances where a programme may legitimately secretly record anti social or criminal behaviour but decide the individuals are not sufficiently culpable or responsible for their actions to be individually identified. In such cases where we are seeking to expose the practice but not the individuals to disguise the identity of the individuals. In all cases where innocent but clearly recognisable bystanders are caught on camera, whether in a public or private place, they should be disguised.

6 SOCIAL RESEARCH

There may be a legitimate case for the use of surreptitious recording in a narrow range of cases where there is no prime facie evidence of wrong-doing by the people concerned. Such cases are limited to social research items where it is in the essence of the programme to capture attitudes or behaviour which would not be captured naturally if the subject were aware of their being recorded - for instance how people react when passing a beggar in the street. As in all instances of surreptitious recording, there needs to be a public interest in showing such behaviour.

Programme proposals in this category must be approved in advance by Heads of Department. If approved, any individual who is clearly identifiable in the recording - unless merely incidental to it - must give permission for use of the material, and if permission is denied the individual's identity must be effectively obscured. Any proposal for an exception should be referred by Heads of Department to Controller Editorial Policy.

Where surreptitious recording is carried out in this way the results should be represented fairly so as not to give a distorted picture of the incidence of certain activity.

7 RECORDING TELEPHONE CALLS

The BBC never records telephone conversations for broadcasting purposes without the permission of at least one of the parties involved in the call. This is illegal in the United Kingdom.

If BBC people wish to record a telephone call they make or receive for possible broadcasting, they should normally seek the permission of the other party in advance. **If they wish to record a telephone call without doing so they must consult their Head of Department who should consult Controller, Editorial Policy. Recording will be authorised only if:**

- **there is prime facie evidence of crime or serious wrong doing**
- **the programme maker can show why an open approach would be unlikely to succeed**

If, during a phone call, programme makers take someone by surprise by saying, without warning, that they are recording a call for broadcasting purposes, or broadcasting the call live this is the equivalent of "doorstepping". Heads of department must approve this approach in advance and may do so only if:

- the investigation involves crime or serious anti-social behaviour, and
- the subject has failed to respond to a repeated request to be interviewed, has refused an interview on unreasonable grounds, or has a history of such failure or refusal

Controller, Editorial Policy must approve in advance any proposal to conduct a telephone "doorstep" where there has been no prior approach to the interviewee.

It is permissible without prior referral for programme makers to record their own telephone conversations for note-taking purposes, or to gather evidence to defend the BBC against possible legal action. **Such recordings should not be broadcast. Only Controller Editorial Policy can give retrospective permission to broadcast material recorded in this way, and permission will be given only in exceptional circumstances.**

Note that different rules apply when programmes intend to make and record phone calls for the purposes of light entertainment or comedy. In such cases the permission of the individual must be obtained before broadcast. See also section 9 of this chapter.

8 SECRET RECORDINGS MADE BY OTHERS

When the BBC is offered material secretly recorded by others the test is whether, under similar circumstances, the BBC would have felt it appropriate to conduct the recording.

If the material appears to have been obtained in a way which was not consistent with BBC guidelines, it will normally be appropriate to reject it, or to report the content of the material without actually broadcasting the material itself. **If there is a strong public interest in broadcasting the material irrespective of how it was obtained, programmes should refer to the relevant Head of Department who should consult Controller, Editorial Policy.**

For guidance on use of Close Circuit Television material see Section 6 of Chapter 4: Privacy.

9 COMEDY AND ENTERTAINMENT

The specific guidelines prohibiting the planting of unattended recording devices and the illegal recording of telephone conversations, also apply to comedy and light entertainment programmes. However the other guidelines on secret recording are not intended to prevent recording for purposes of comedy or light-entertainment. Here, different principles apply:

- People who feature prominently in the recordings should be asked to give their permission before the material is broadcast
- The purpose should not be to expose people to hurtful ridicule or to exploit them
- We should respect the wishes of individuals who become aware of the recording and ask for it to stop
- We should give assurances about the destruction of any material recorded if asked for them
- If permission has been obtained we must disguise any other recognisable bystanders caught on camera whose permission has not been obtained, and if the broadcasting of the recording might cause embarrassment

Any proposal to show or feature people live without them being aware they are being broadcast for entertainment purposes must be referred via Head of Department to Controller Editorial Policy.

CHAPTER 6 TASTE AND DECENCY

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1 GENERAL

The BBC is required in the Agreement associated with its Charter not to broadcast programmes which "include anything which offends against good taste or decency or is likely to encourage or incite to crime or lead to disorder, or be offensive to public feeling". The BBC seeks to apply this requirement to all its broadcasting, programmes and services, whether for domestic or international audiences.

The BBC's responsibility is to remain in touch with the views of its diverse audiences. These views will differ both domestically and internationally. People of different ages, convictions and cultures may have sharply differing expectations.

The right to challenge audience expectations in surprising and innovative ways, when circumstances justify, must also be safeguarded. Comedy, drama, and the arts will sometimes seek to question existing assumptions about taste. Programmes which question these assumptions should seek to tell the truth about the human experience, including its darker side, but should not set out to demean, brutalise or celebrate cruelty.

The same principles of taste and decency apply to the BBC's international broadcasting. As domestically, the key test will always be avoiding needless offence to the audience. Programme makers should not offend thoughtlessly or through ignorance, the different sensibilities that operate in different parts of the world.

But avoiding offence to audiences in different parts of the world should not be confused with compromising or altering other key BBC values, such as impartiality, accuracy and respect for the truth, which the BBC will seek to apply equally to all parts of the world (see Section 5 International Audiences and Section 9 Religious Sensibilities).

In the United Kingdom, research suggests that while people have become more relaxed in recent years about the portrayal of sex and sexual humour they remain concerned about the depiction of violence (see Chapter 7: Violence). The use of strong language also divides audiences and can be a particular source of offence on the internet.

Parents with children in the home are likely to be particularly concerned about what appears on television. This applies especially when families are watching before the Watershed. Most people expect to be given clear signals about what they will see and hear, especially when new series or formats appear.

An item which might be interpreted by some viewers or listeners as being in bad taste should only be broadcast after careful consideration, not carelessly or by mistake. It must be justified by its purpose, and by the overall quality of the programme.

Context is everything: scheduling can be vital to audiences accepting difficult material. It is vital to consider the expectations that audiences have of particular programmes and timeslots.

The widespread availability of material in other media, or on other broadcasters is not reason enough to judge it acceptable. What is commonplace in cinema, video, computer programs or on the Internet will not necessarily be appropriate for BBC television, radio, or online services.

Programme makers should remember they are a minority, but one with considerable influence; they should be aware of and respect their audiences' diverse views on what causes offence

2 TELEVISION: The Watershed

The BBC has a well-established policy of making 9pm the pivotal point of the evening's television, a Watershed before which, except in exceptional circumstances, all programmes on

our domestic channels should be suitable for a general audience including children. The earlier in the evening a programme is placed, the more suitable it is likely to be for children to watch on their own.

However, the BBC expects parents to share the responsibility for assessing whether or not individual programmes should be seen by younger viewers.

The Watershed reminds broadcasters that particular care should be taken over inclusion of explicit scenes of sex and violence, and the use of strong language.

However, seventy per cent of homes do not contain children and many viewers expect a full range of subject matter throughout the day. On the other hand, many children may still be watching after 9pm, particularly at holiday times or weekends or if a programme of special appeal to young people has been scheduled. This is particularly true at Christmas, when family audiences may be watching after the Watershed. Producers should be aware that dates of school holidays differ across the United Kingdom.

Particular care should be taken in the period immediately after the Watershed. There should be a gradual transition towards more adult material and sudden changes in tone should be avoided but, where unavoidable, they must be clearly signposted. Adult material should never be positioned close to the Watershed simply to attract audiences in a sensationalist way. Material which is particularly adult in tone should be scheduled at an appropriate time, where necessary sometime after the Watershed. The post Watershed period runs from 9.00pm until 5.30am the following morning.

The Watershed is a commonly held convention in British television, and all BBC public service and commercial television services aimed primarily at the United Kingdom should observe it. Although the Watershed is a British convention it is an important element in the BBC's approach to services aimed at international audiences. International television services broadcasting to specific regions of the world should aim to apply a Watershed policy as fully as possible but these services may serve many different time zones and so a flexible interpretation of the Watershed may be needed. All international television services should observe Guidelines on the use of distressing, violent or sexual images and schedule appropriately. We should not cause offence by using images gratuitously or casually, or through ignorance of the sensitivities of different audiences (see also Chapter 21: Re-Use and Reversioning of Television Programmes).

Scheduling can be vital to public acceptance of challenging material. Whether or not scenes of violence, sex, great distress or strong language cause offence to an audience can depend not just on editorial or dramatic context, but on sensitive scheduling decisions. A good rule of thumb is to avoid taking the audience by surprise. Announcements and warnings can play an important part in this.

Material within programmes has to be judged in relation to its place in the schedule and the likely expectation of the audience at that time of day or night. Producers who feel that a programme is wrongly placed or labelled should consult their Head of Department. Trails are subject to the same judgements.

At the point of commissioning programme makers should be informed by commissioning executives whether their programme will be scheduled before or after the Watershed, so that

judgements can be made about the appropriateness of content.

3 RADIO

Radio is used differently from television. Children listen, and sometimes in considerable numbers, to Radio 1 and sport on Radio 5 Live. But they are less in evidence elsewhere in radio and therefore a general Watershed is inappropriate.

However, scheduling considerations do apply as do considerations of taste and decency. These should be relevant to the expectations of each network's audience. As with television, warnings and announcements before programmes can help to prevent audiences being taken by surprise.

All BBC Radio output is characterised by the broadcasting of a large number of "live" programmes and producers must be aware of the possibility of contributors, phone-in guests and sometimes presenters themselves causing offence in matters of taste, decency or language or even breaking the law. To minimise the risk producers should anticipate any potential problems and brief participants before they go on air. Presenters of live programmes should be aware of how best to deal with a difficult situation and producers should inform the press office of any particularly sensitive problems that occur during a live broadcast (see also Chapter 32: Phone-Ins and Telephone Services in Programmes).

On Radio 1, the daytime is mainstream and for a wide audience. At breakfast time and until schools have begun, children are likely to be listening to the network in family groups. Programme material which may meet with approval from younger adults can be inappropriate for the youngest in the listening audience. DJs share with parents a special responsibility when live broadcasting is listened to by audiences with a high proportion of young people or children.

Daring and lively music and speech are part of the mix, but songs which feature strong language or explicit content dealing with drugs, violence and sex will normally be inappropriate. If a radio version exists we will play it, and where appropriate, make clear it is a radio version. We will also edit to create our own version for radio.

DJs are expected to use wit but take care over innuendo and the choice of subject and language. They will also be expected to respect their listeners and not take advantage of their power to lead people where they might not otherwise have gone.

At night and in specialist music programmes, an audience can be assumed to be capable of making informed choices about its listening, supported by adequate sign posting. Here the full versions of records may find their place if they pass the quality test and are a genuine expression of popular culture. Even so, the most offensive language will not normally be acceptable.

On speech services such as Radio 4, Radio 5 Live and national and local stations, various programme strands scheduled during the day have established a reputation with their audience for dealing frankly with adult topics. Given the great predominance of adults in these audiences, Radio operates with more latitude than Television.

Other programmes on Radio have a lighter or less challenging tone. However, discretion and care need to be exercised during school holidays over what topics are tackled when, including

the timing of repeats of evening transmissions. Producers should be aware that dates of school holidays differ across the United Kingdom.

These considerations also apply to national regional and local radio, who should be aware of the sensitivities of their audiences. World Service will also take them into account in its programme making and scheduling. As within Television, Controllers and Heads rely on programme editors and Presentation teams to give warnings about sensitive material to ensure correct scheduling and signposting.

4 SIGNPOSTS

The BBC has a responsibility to ensure that audiences have enough information on which to judge if a programme is likely to be one they want to watch or listen to, or if it is suitable for their children to watch and see. The Watershed is one clear and widely understood indicator for Television, but there are instances when additional information is necessary.

Whenever a programme contains material that might be offensive to significant numbers of viewers or listeners, consideration should be given to specific signposting for the material or broadcasting a warning. Such presentation announcements are often useful and sometimes vital. Such signposts should be clear and factual, not an instruction to turn off. On television, the content should not be inappropriately graphic.

Signposts of this type should not usually be required for most pre-watershed programmes. However, when there is a risk that the audience may be taken by surprise, they should be alerted - for example, about a particularly graphic news report. Advice can be sought from the relevant Presentation Department. Programme billings in *Radio Times*, Ceefax and other publicity material are useful as an additional means of signposting.

Channel Controllers and departments responsible for scheduling or presentation need to be kept informed about potentially sensitive programmes to ensure they are correctly scheduled and signposted.

The European Council Television Without Frontiers Directive 1997 Article 22.1, Protection of Minors, requires Broadcasters in Member States to take “appropriate measures to ensure that television broadcasts ... do not include any programmes which might seriously impair the physical, mental or moral development of minors, in particular programmes that involve pornography or gratuitous violence”. The BBC must comply with the terms of the Directive.

The Directive also requires Broadcasters to use “acoustic” or visual warnings to alert viewers to any programmes “which are likely to impair the physical mental or moral development of minors”. The BBC’s policy is that an “acoustic warning” in the form of a presentation announcement is the absolute minimum requirement. **It should be clear from the Producers Guidelines that it is inconceivable that the BBC would wish to broadcast a programme that might impair, seriously or otherwise, the physical, mental or moral development of minors.** Any programme maker who is in any doubt at all about whether material they are dealing with might do this should seek urgent advice from their line management, who must consult Editorial Policy.

See also section 8 of Chapter 37: Matters of Law: General.

4.1 Trails on television and radio

The Guidelines also apply to trails on both media. Care should be taken over scheduling trails of programmes that are unsuitable for children. For example, television programmes may be appropriately scheduled after the Watershed; the related trails, on the other hand, may well be broadcast earlier, when children may be watching. In such circumstances the content of the trail should be appropriate for children or family-viewing. However, such a trail should clearly signpost the nature of the programme.

No trail for a post- Watershed programme should be scheduled next to a programme specifically targeted at children.

5 INTERNATIONAL AUDIENCES

The BBC's international services, in particular the World Service, have extensive experience of dealing sensitively with different expectations of taste that operate in cultures across the world. As the BBC's role as a global broadcaster grows, particularly on television, this will become increasingly important for all BBC programme makers. We should not offend thoughtlessly or through ignorance, the different sensibilities, and sometimes different taboos, that operate in different parts of the world on matters of taste and decency.

Religion, culture, politics and the law are bound together in different ways across the world. Programme makers should make every effort to understand how the inherent philosophy of a country's people dictates their way of life. Particular care may need to be taken when dealing with religious beliefs which form a central part of a society's culture or its political or legal system. Producers should be aware of the distinction that exists between the cultural interpretation of religious beliefs, often through local customs, and the beliefs themselves (see also section 9 Religious Sensibilities and Chapter 21: Re-Use and Reversioning of Television Programmes).

When programmes originally made for a domestic audience are rebroadcast on international channels it is important to consider whether any material might offend the sensibilities of the international audience. But sensitivity to such issues should not compromise or alter programme making in a way that damages core BBC values such as impartiality and accuracy. Although audiences overseas may not share the same knowledge, assumptions or values as those in the UK this should not prevent the expression of contentious views. Sometimes additional context, explanation or opportunities for foreign viewers or listeners to discuss the views set out in a particular programme may be needed. Producers may consider using an additional introduction from a presenter or a phone-in or a discussion following the programme's broadcast to give extra context.

6 ONLINE

The BBC should never put anything on the Internet which it would not be prepared to broadcast.

Web producers should be aware of what may offend the likely audience of any Web site or its associated programme, and respect those views.

Pages carrying material linked to any broadcast programme must be appropriate to the programme and its likely audience; no Web site linked to a specific programme should contain material considered unsuitable for broadcasting in the associated programme

Those planning Web pages should be clear about whether they are likely to appeal to a high proportion of children or young people and choose material accordingly

We should not hotlink from a site whose 'parent' radio or television programme is designed to attract a child audience to one whose 'parent' radio or television programme contains material which is clearly unsuitable for children.

Strong language can give rise to widespread offence. The use of certain, mainly four letter, words in text on the Internet may be more offensive than using them on radio or television. Such words may be used only in the most exceptional circumstances and express approval must be obtained. **Any proposal to use such a word on online services must be referred in advance to the Director of BBC ONLINE. For BBC News Online express prior approval must be obtained from the Project Director, Continuous News Multimedia.**

Some web pages are specifically designed for an international audience, and careful thought should be given as to whether pages linked to our domestic services are particularly likely to attract a significant number of visitors from other countries. Producers of pages should be aware that cultural sensitivities vary and that audiences in other parts of the world may take great offence at something which would be unexceptional to a domestic audience. Advice on the sensitivities of international audiences may be obtained from the relevant Heads of Region, BBC World Service and from the Head of Online, World Service

Particular care should be taken when putting material on the Web which has been gathered for radio or television programmes but not broadcast. Careful judgements may need to be made about legal, contractual and other editorial issues, for example anonymity.

Programme makers should also refer to the BBC ONLINE Guidelines.

7 DEALING WITH TRAGIC EVENTS

The aftermath of a tragic event calls for considerable sensitivity and may require scheduling changes. Every effort must be made to ensure that nothing broadcast on radio and television, or posted online that might cause widespread offence goes unscrutinised. This includes acquired programmes such as feature films, repeated programmes and individual episodes of series and serials as well as new programmes. Pre-recorded programmes should always be checked before first or repeat transmission, in case the content has been affected by intervening events. This includes comedy shows where a joke or situation may have become tasteless due to some subsequent development. Web pages may need to be removed or altered. Anniversaries of tragic events may also raise similar considerations.

The more direct the impact of a tragedy, the greater the sensitivity needed in taking decisions of this kind; it is better to err on the side of caution than to compound distress through insensitivity (see also Chapter 12: Reporting Suffering and Distress).

8 LANGUAGE

Strong language is a subject of deep concern to many people and is one of the most frequent causes of complaint. Offence is more likely to be caused if audiences are taken by surprise when strong language occurs without warning, is contrary to the expectations of the

programme's audience or feels gratuitous. In the right context strong language may cause little offence and in some situations it may be wholly justified in the interests of authenticity.

It is more difficult to make judgements about the use of strong language in a pre-Watershed family serial or soap opera, seen or heard by large audiences composed of people from different ages and backgrounds. Strong language might sometimes be used, for example when characters are experiencing great stress. This must be justified by the expectations created for both individual characters and the series as a whole.

Common sense should enable producers to identify which words are questionable and when the use of them might be warranted. Programme makers should be aware that terms of racist abuse are now considered to be offensive by all sections of the audience. Sexual swearwords and abusive names relating to disabilities can also cause great offence. They should ask themselves constantly whether the use of strong language will simply alienate a large part of the audience.

Offence is often caused by the casual use of names considered holy by believers, for example the use of 'Jesus Christ' or 'God', or of the names held holy by other faiths. In particular, the use of these names as expletives in drama or light entertainment causes distress far beyond their dramatic or humorous value. While there is a wide range of attitudes to the use of these words, it is important for programme makers to be satisfied that their inclusion can be justified despite the distress that may be caused.

The inclusion of strong language is a matter for judgement by individual producers, in consultation with Heads of Department or Commissioning Executives when necessary. The most offensive language should not be used on television before 9pm, and if used thereafter it should be only after due consideration.

The practice on radio is different. The speech channels, overwhelmingly the preserve of adult audiences, include challenging drama, comedy and factual programmes throughout the day. . The inclusion of sensitive topics and strong language depend less on time of day than on editorial merits and clear signposting of programme contents. On the music networks - and elsewhere - when substantial numbers of young people and families are listening, care is needed with language and topic matter.

Certain, mainly four-letter, words must not be used on television, radio or online without advance reference to and approval from Channel and Network Controllers of the domestic services, in the World Service the relevant Regional Head, or in Worldwide Television, the Director of Broadcasting. On online services referral must be made to the Director of BBC ONLINE. For BBC News Online pages prior approval must be obtained from the Project Director, Continuous News Multimedia.

9 RELIGIOUS SENSIBILITIES

Programme makers dealing with religious themes should be aware of what may cause offence. Programme makers and schedulers of international services should consider carefully the varying sensitivities of audiences in different parts of the world. What may be unexceptional in a U.K. programme may raise strong feelings elsewhere. Advice can often be given by the departments dealing with religious programmes in both domestic and international services, or by the relevant World Service language sections.

Deep offence will also be caused by profane references or disrespect, whether verbal or visual, directed at deities, scriptures, holy days and rituals which are at the heart of various religions - for example, the Crucifixion, the Gospels, the Koran and the Jewish Sabbath. It is against the Muslim religion to represent the Prophet Mohammed in any shape or form. Language must be used sensitively and accurately and be consistent in our description of different religions. Use of a term such as "Islamic Fundamentalist" has to pass the test of whether we would talk about Christian or Hindu Fundamentalism.

Particular care should be taken with programmes to be broadcast on the principal holy days of the main religions to ensure that unnecessary offence is not caused by material that might be more acceptable at other times.

What constitutes blasphemy and how seriously it is viewed, varies within and between different religions and cultures. Blasphemy is a criminal offence in the UK and advice should be sought, through Heads of Department or Commissioning Executives, from Editorial Policy and lawyers in any instance where the possibility of blasphemy may arise.

10 SEX

The portrayal and depiction of sex will always be a part of both drama and factual programmes because of the important part it plays in most people's emotions and experience. In this, as in most areas of taste, public attitudes have shifted over time. Broadly, audiences in the United Kingdom have become more liberal in their acceptance of sexually explicit material while attitudes around the world are mixed. Even so programme-makers broadcasting to diverse audiences in their homes, are not as free as film-makers, theatre dramatists and novelists whose audiences are self-selected.

Adults who accept frank portrayal of sex and sexuality in other formats or on television in the later evening often demand different standards at other times. Those watching with children before 9pm expect programme makers to observe the Watershed by exercising appropriate restraint. Context, the intention of the production, the expectations of the audience, the Watershed and signposting are all vital.

When sexual subjects feature in news, documentaries and discussion programmes, programme makers must observe the need for careful scheduling, labelling and signposting. Sensitive handling can help prevent the most delicate of subjects from causing widespread offence. Sensationalism should be avoided and extremes of sexual behaviour should not be presented as though they are the norm.

Some drama series, factual and discussion programmes have shown that they are able to deal with difficult material and adult storylines in a way that is acceptable to a pre Watershed audience. However, sensationalism in choice of subject and explicitness in the treatment of sexual themes should be avoided.

We use the Watershed to try to ensure that adults view what is intended for adults. Sexual activity is linked to moral decisions, therefore its portrayal should not be separated from an acknowledgement of the moral process.

Drama and factual programmes have a part to play in illuminating the darker side of human nature. Sometimes themes and images are explored which may shock. The tests to apply are intention, (are we illuminating?), and judgement (does our portrayal demean or degrade?). We

must draw the line well short of anything that might be labelled obscene or pornographic. For example, real, as opposed to simulated, sexual intercourse should not be shown.

We try to operate by certain basic rules that apply to all programmes that deal with sexual activity:

- **programmes should be adequately and clearly signposted**
- **scenes should have a clear and legitimate editorial purpose and not be gratuitous**
- **sexually explicit material will not appear before the Watershed, nor at inappropriate times too close to the Watershed**
- **there are limits to explicit portrayal at any time**
- **material involving sexual violence or sadism will be treated with particular care and circumspection.**

Sexual scenes that will disturb or shock should occur only for good dramatic reasons. In particular, viewers remain concerned about the depiction of sexual violence against women and sadistic sexual material. Such material demands careful consultation within departments and with Channel Controllers or, at their request, Chief Adviser Editorial Policy.

Care should also be taken not to reflect in an unthinking way stereotypes of either male or female behaviour or apply different standards to male or female nudity. Sexuality is a universal human attribute: depiction of sex should not be linked solely or inevitably to the physical attractiveness of the characters involved.

Attitudes to homosexuality differ both domestically and internationally. Research suggests that in Britain audiences are becoming more tolerant of the portrayal and discussion of homosexuality, and while some international audiences are more liberal, some are more conservative. Nevertheless programme makers should be mindful that a significant part of the audience is critical of any depiction of homosexual acts.

10.1 Sexual innuendo

Sexual innuendo can be verbal or visual. Although what is said or acted out is implied rather than explicit, the producer's obligation to make judgements about taste and decency remain. Material should be appropriate to the programme's place in the schedule and judgements should be sensitive to the listening or viewing audience.

10.2 Children

Explicit sexual conduct between adults and children should not be depicted. The Protection of Children Act 1978 makes it an offence to take an indecent photograph of a child under the age of sixteen or to involve a child below that age in a photograph which is itself indecent even if the child's role is not.

11 COMEDY AND ENTERTAINMENT

Comedy enjoys special licence. It flourishes on departures from the norm, and exploiting people's misfortunes. Even so it must be well judged, not gratuitous, unnecessarily cruel or designed to harm or humiliate a person or group. General relaxation about sexual matters does not justify crudity.

When jokes are made about physical or mental disability, there is a danger of causing great distress to some and offence to a wider audience. Even where no malice is intended, this type of joke may seem like using humiliation as a form of entertainment. Remember too that jokes about real-life tragedy may be extremely painful for people close to the event and might offend a wider audience.

11.1 Stereotypes

There is also a need for sensitivity over jokes based upon race, religion, age, disability or sex. Remember that groups of people who are the targets of such jokes might be hurt by them. Stereotyping needs judging with care. Irish jokes and Jewish jokes, for example, have the potential to injure as well as upset when told by an outsider. When told by an Jewish or Irish person they can reveal insight and affection as well as an awareness of the weaknesses and strengths of the community in question. It's a matter of tone and context.

If comedy conveys a sense of superiority or prejudice it has gone too far. Minorities are by definition vulnerable. The raw power of words can sometimes be more harmful than many people realise.

11.2 Religion

The issues raised in section 9 (Religious Sensibilities) apply with full force in comedy.

On religious sensibilities, Editorial Policy should be consulted if clarification is needed. Producers in the international services should be aware of attitudes in the countries and regions to which their programmes are broadcast.

11.3 Light Entertainment and Game shows,

Game shows, people shows and light entertainment can be both popular and enjoyable without breaching standards on taste and decency. Crudeness is unacceptable; language and sexual innuendo have to be judged according to the scheduling and the likely audience at home. Be careful not to promote sexual, racial or other stereotypes.

Game shows and People shows are the points where the BBC most evidently comes into contact with its mass audience. It is important that these programmes set the standard for the way the BBC treats people. We must not patronise them or exploit them, nor be seen to humiliate them (see also Chapter 22: Game Shows and Competitions).

12 ACQUIRED PROGRAMMES

The principles of this chapter and of Chapter 7: Violence apply equally to acquired programmes. The content of films or drama not originally commissioned by the BBC cannot be controlled in the same way, but nonetheless it must conform to BBC editorial standards.

Some feature films, whether made in Britain or abroad, are suitable only for adult audiences. The British Board of Film Classification categorises every film for cinema or video release in

the UK. While these classifications offer some guidance to their suitability for showing on BBC Television, they cannot be accepted without question. Tastes change and films once regarded as wholly unsuitable may become acceptable; but some films may never be acceptable on television. Special care must be taken over the acquisition of films which have an '18' certificate.

Acquired programmes need to be double checked in detail prior to transmission to identify any need to edit, to place the programme after the Watershed, or to issue a warning in the billings, and/or on air.

Some viewers object strongly to any editing of feature films. The BBC will try to ensure that any editing interferes as little as possible with the original intentions of the film maker. In addition, after the Watershed on BBC TWO, films which have received a certification for showing in cinemas or on home video will normally be shown unedited.

Programme makers who need further advice on taste and decency issues should consult their Head of Department or Commissioning Executive, who can seek further guidance and support from Chief Adviser, Editorial Policy.

CHAPTER 7 VIOLENCE

- 1 GENERAL
- 2 REAL-LIFE VIOLENCE
 - 2.1 Violence in the News
 - 2.2 Violence in Factual Programmes
 - 2.3 Violence Involving Animals
- 3 VIOLENCE IN FICTION
 - 3.1 Adult Drama
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 - 3.3 Children and Violence
 - 3.4 Violence Against Women
- 4 SCHEDULING, WARNINGS AND THE WATERSHED

1 GENERAL

It is clear that screen violence does upset many people and, in excess, it can be accused of desensitising viewers. Audiences remain concerned about the portrayal of violence, especially violence they perceive as realistic and therefore true to life or violence that is close to their own experience.

Most audiences expect any violent scenes in news, factual programmes and television drama to serve a moral or a social point. In feature films and occasionally in comedy, there is some acceptance that certain types of stylised screen violence can be entertaining.

Consideration should be given to the time of day when any violent sequences are shown. Particular care must be taken to ensure the suitability of scenes of violence shown before the 9.00 p.m. Watershed and excessive violence should be avoided altogether. Trails shown before the Watershed should not include unsuitable material. See also section 2 of Chapter 6: Taste and Decency.

Editors and producers can become very involved in the material they work with and it is always necessary to step back and think about its impact. It is important, for example, to consider:

- whether a violent incident is appropriate within its context
- the impact of violent episodes on the viewer at home seeing them for the first time
- the cumulative effect if programmes containing violence are scheduled close together, or the programme is to be repeated frequently.

2 REAL-LIFE VIOLENCE

2.1 Violence in the News

Television's ability to show events throughout the world almost instantaneously brings responsibilities. The volume of harrowing and distressing material now available to newsrooms could dominate news programmes if not well handled. A bulletin needs to be considered as a whole, for its total impact on the audience, and not simply as a series of isolated stories.

There is a balance to be struck between the demands of truth and the danger of desensitising people. With some news stories a sense of shock is part of a full understanding of what has happened. However, the more often viewers are shocked, the more it will take to shock them. Some of this material will involve images of the aftermath of violent acts, rather than the act itself (see section 2 "Depicting Trauma" in Chapter 12: Reporting Suffering and Distress).

In reporting real life events involving violence, the use of earlier recordings of similar incidents, (as, for instance, in reporting the latest outrage by a terrorist group), or as "wallpaper", should be considered with great caution and must always be strictly relevant.

Particular care needs to be exercised in the editing of pictures for bulletins likely to be seen by vulnerable groups such as children. Care should also be applied to decisions about the frequency with which scenes of violence are repeated in succeeding bulletins, particularly in daytime hours, when children could be watching.

2.2 Violence in Factual Programmes

Most of the principles applying to violence in the news apply to other factual programmes. The same considerations about transmission times apply. When using library material, producers should avoid routine use of images that have become stereotypes. Scenes containing excessive violence may only cause revulsion and diminish the overall effectiveness of a sequence.

2.3 Violence Involving Animals

Audiences may be sensitive to violence involving animals. Such violent scenes must have a justified editorial purpose.

However, there is a distinction in the animal world between aggressive behaviour among the same species and predatory attacks, by one species on a different species. Both types of

violence are fundamental to animal behaviour. The evidence is that audiences have less objection to displays of aggression between animals of the same species, such as conflicts between males for dominance. Scenes of predatory behaviour that are likely to cause distress need to be handled with care and without unnecessary detail.

Particular care must be taken in dealing with scenes in which humans appear to inflict violence on animals. It may sometimes be helpful to consider an on air announcement to make it clear that no harm was done.

The law governs the use of animals in programmes. In the United Kingdom, bull-fighting, dog-fighting and cock-fighting are illegal. Broadcasting such scenes, whether recorded here or overseas, will rarely be justified and must be referred to the head of department (see also Chapter 20: Recording The Natural World)

When broadcasting for an international audience we should also be aware of the religious importance of some animals, and that offence can be caused by appearing to ridicule or otherwise demean them.

3 VIOLENCE IN FICTION

3.1 Adult Drama

Drama must be able to explore important issues truthfully, and violence is part of both nature and society. However, where a theme is likely to involve scenes of strong violence, they should be identified in advance by the producer and director so that potential problems can be resolved at the script stage. There should be consultations within departments, and if necessary with channel Controllers or, at their request, Chief Adviser Editorial Policy.

Programme makers should ask whether the violent incident and the detail shown are essential to the story or whether it has been included simply for its own sake. The use of violence should never be gratuitous.

The degree and type of violence, and the detail that can be shown, depends upon context. Audiences are sometimes willing to view disturbing material so long as it has a clear moral context. This is not because they enjoy it but because they recognise it as being true to life. For example, serious drama demands more of audiences; they in turn respect the challenge of a violent or distressing scene if they are convinced of its dramatic purpose.

However, audiences may enjoy a good deal of violence in action-packed thrillers, but expect its nature and style to be as far removed from reality as the story. Similarly in comedy, audiences may enjoy stylised violence (e.g. slapstick) as long as the humorous context is clear.

When programme makers are required to make judgements about the portrayal of violence they should be aware that viewers judge the strength of screen violence on the basis of a variety of factors. When one or more of these factors are combined the scene will be perceived as being more violent.

Programme makers should take particular care when violence involves one or more of the following:

- situations close to the audiences own experience, or which they perceive as being true to life
- domestic and sexual violence
- scenes where women and children are portrayed as victims
- scenes of extreme or sustained violence of any sort
- the context appearing to encourage approval of violence
- suicide or attempted suicide.

Programme makers should be aware of the sophisticated understanding viewers have of different production techniques used in the portrayal of screen violence. When graphic close ups, strong language, sound effects atmospheric music, and reactions from onlookers are used together the cumulative effect should be considered carefully.

The *consequences* of violent acts should not be overlooked, otherwise there is danger of seeming to sanitise them. For example, a blow to the head must not, in a realistic setting, be seen as a trivial matter without serious consequences.

It is important to take particular care when dealing with weapons that might encourage imitation, especially the use of easily accessible weapons such as knives, hammers or pokers, or methods that might suggest how violence can be made more effective (see also Chapter 8: Imitative and Anti Social Behaviour).

Violence is not always physical. Verbal aggression can be profoundly disturbing, particularly when the words used have sexual power. Care must be taken to ensure suitability for the intended time of transmission, particularly if audiences are likely to include children.

3.2 Acquired Programmes

Many of the general points made about BBC drama apply to acquired programmes. The content of films or drama not originally commissioned by the BBC cannot be controlled in the same way, but nonetheless it must conform to BBC editorial standards. For detailed guidance see section 12 “Acquired Programmes” in Chapter 6: Taste and Decency.

3.3 Children and Violence

There is evidence that violence in circumstances resembling real life is more upsetting than violence in a fantasy setting. Children may feel particularly distressed when violence occurs in a familiar setting or between familiar figures. For instance, violence in the home between characters resembling their parents, or towards characters or pets, with which the child can sympathise, should be avoided. Children can also be particularly distressed by violence involving animals.

The dangers of imitation are particularly real among children. Extra care should be taken, for example, over karate chops or the use of weapons that are easily accessible such as ropes or knives or bottles. Criminal acts, if shown, should not become lessons in "how to do it ". It is also important not to conceal the consequences of real-life violence.

3.4 Violence Against Women

Violence against women in drama should not encourage the notion that women are to be exploited or degraded through violence or are, other than exceptionally, willing victims of violence. Rape is nothing but a tragedy for its victim and it would be wrong to suggest otherwise.

Violence against women should not be portrayed as an erotic experience. Where in rare cases, a link between violence and sexual gratification is explored as a serious theme in drama, any depiction must be justified by its context and not simply designed to arouse.

Similar sensitivities apply to violence against children.

4 SCHEDULING, WARNINGS AND THE WATERSHED

When factual programmes or drama are to include violent scenes, consider issuing warnings to prevent the audience from being taken unawares. This is a key to avoiding widespread offence. Remember that the nature of the programme may be signposted through trails, publicity, promotional material and listings. These are not however, a substitute for clear and unambiguous on-air warnings. If a programme is tough to watch, viewers should be told. Programme departments should alert the channel controllers and presentation departments in advance when they judge a warning is required so that the overall amount of violence in the schedule can be kept under review.

On television, the Watershed is the pivotal point in the evening schedule. Particular care should therefore be given to avoid the depiction of unsuitable violence in the early evening including trails for post Watershed programmes.

Programme makers should also refer to the section 2: Television : The Watershed, in Chapter 6 Taste and Decency and to Chapter 12: Reporting Suffering and Distress.

International services should aim to apply a Watershed policy as fully as possible but these services may serve many different time zones and so a flexible interpretation of the Watershed may be needed. Programmes should observe the general principles the BBC maintains on the use of distressing and violent images.

Chief Advisor Editorial Policy is available to offer advice to Heads of Department and Commissioning Executives on the portrayal of violence.

CHAPTER 8 IMITATIVE AND ANTI SOCIAL BEHAVIOUR

- 1 GENERAL
- 2 CRIME AND VANDALISM
- 3 IMITATION AND CHILDREN
- 4 SUICIDE
- 5 DRUGS
- 6 SOCIAL AND ANTI-SOCIAL BEHAVIOUR
- 7 SEAT BELTS
- 8 HYPNOTISM

- 1 GENERAL

Audiences are concerned about the possibility of people imitating behaviour they see or hear on television and radio. We should try to ensure that any life threatening, anti-social, or criminal behaviour portrayed in BBC programmes does not encourage copycat actions.

2 CRIME AND VANDALISM

Particular care should be taken when dealing with vandalism, the use of weapons or criminal techniques. It is important to avoid revealing too much detail or ways in which such activity can be made more effective.

3 IMITATION AND CHILDREN

Children's play is often influenced by what they see on television. In programmes made for children or likely to be popular with them, we need to avoid showing actions or techniques which could lead to dangerous imitation.

Smoking and drinking in children's programmes should generally be avoided. It is advisable to discourage smoking and drinking by pop stars, actors and others who are admired by children when they appear in interviews for television.

Hanging scenes are not suitable for children's output. Any decision to show a hanging scene before the Watershed should be referred to the Department Head. Care should also be taken about the amount of detail shown in any hanging scene, even if it is to be shown later in the evening.

Inventive and unusual methods of inflicting pain and injury, particularly when capable of easy imitation with objects readily available in the home, such as knives or hammers, should not appear in children's programmes. Also, remember the danger of suffocation from plastic bags.

Where hazardous activities such as climbing or motorcycling are portrayed in programmes aimed at children, warnings should be given of the dangers of imitation without expert supervision.

4 SUICIDE

In drama, unnecessary concentration on suicide methods should be avoided. Particular care should be taken in making editorial judgements about any drama that seems to exploit or glorify suicidal behaviour and actions or to overemphasise the "positive" results of a person's suicide.

Suicide is a legitimate subject for news reporting but the factual reporting of suicides may encourage others. Reports should avoid glamorising the story, providing simplistic explanations, or imposing on the grief of those affected. They should also usually avoid graphic or technical details of a suicide method particularly when the method is unusual. Sensitive use of language is also important. Suicide was decriminalised in 1961 and since then the use of the term "commit suicide" is considered offensive by some people. "Take one's life" or "die by suicide" are preferable alternatives.

When suicide features as a subject in factual programmes it should be treated in an informed and sensitive way.

It may be the case that both factual and drama programmes that feature suicide have a profound effect on the audience. In this case, programme makers should think about

providing a helpline or some other form of support material (see also Chapter 32: Phone Ins and Telephone Services in Programmes and Chapter 31: Support Services and Support Material).

The Chief Executive of the Samaritans is happy to be consulted by producers who want advice on the depiction of suicide.

5 DRUGS

Attitudes to drug use vary within the UK and internationally. Factual programmes wishing to investigate the use of drugs will often need to address issues of anonymity, the protection of children and how the drug use is portrayed. It may be necessary to make clear the legal and social context for a full understanding of the story. It should be remembered that filming contributors using illegal substances e.g. smoking cannabis could result in a criminal investigation.

6 SOCIAL AND ANTI-SOCIAL BEHAVIOUR

The acceptability of common forms of social behaviour like smoking or drinking tends to alter over time. There is a difficult balance to be struck by programme makers between the danger of encouraging potentially damaging habits, particularly amongst the young, and the need to reflect the range of public attitudes and behaviour realistically.

In both drama and factual programmes there are cases where smoking is essential to a character or story. But in general programmes, such as a studio debate, smoking is likely to be objectionable. Contributors can be reminded of such issues before recording begins.

Similar judgements have to be made about the portrayal of drinking. Factual programmes should deal accurately and fully with all aspects of the issues involved. Fiction should offer a realistic reflection of the place of alcohol in social life. Producers must be sensitive to the anti-social aspects of excessive consumption.

Producers may need to be aware of religious sensitivities about smoking and drinking, particularly when making a programme for international broadcast. For example, associating a person who may be perceived to be a Muslim with tobacco or alcohol, may take on added significance for the audience.

7 SEAT BELTS

The law normally requires drivers and passengers, in the front and back seats, to wear seat belts. We should show the law being observed unless there are good reasons for not doing so. Similar considerations apply to the use of mobile phones while driving.

8 HYPNOTISM

The main danger to be avoided is doing any harm to people at home. Demonstrations of hypnotism for public entertainment are regulated by the Hypnotism Act 1952. The Act requires such demonstrations to be licensed and prohibits their being carried out on anyone under the age of 18. The provisions of the Act are relevant to any televised demonstration of hypnotism at, or in connection with, an entertainment to which the public are admitted.

Any producer considering a demonstration of hypnosis should consult the Head of Department. Hypnotism acts in variety shows should be treated with care. Even those

designed to ridicule the subject could conceivably harm people at home, quite apart from the questions of taste involved. Any risk of hypnosis being induced in susceptible viewers should be minimised. In particular, a hypnotist should not be shown performing straight to camera.

Chief Advisor, Editorial Policy is available to offer advice to Heads of Department and Commissioning Executives on issues involving imitative and anti-social behaviour.

CHAPTER 9 PORTRAYAL

- 1 GENERAL
- 2 COMMON CONCERNS
 - 2.1 Under-representation on air
 - 2.2 Hurtful or inaccurate stereotypes
- 3 WOMEN
- 4 ETHNIC MINORITIES
 - 4.1 Terminology
 - 4.2 Misleading images
- 5 DISABILITIES
 - 5.1 Terminology
 - 5.2 Common concerns
 - 5.3 Interviewing people who are blind or visually impaired
- 6 PORTRAYAL OF RELIGIOUS GROUPS
- 7 SEXUAL ORIENTATION
 - 7.1 Stereotyping
 - 7.2 Acknowledging sexuality
 - 7.3 Terminology
- 8 OLDER PEOPLE

1 GENERAL

The BBC has a responsibility to serve all sections of society in the United Kingdom. Its domestic services should aim to reflect and represent the composition of the nation. Globally we should apply the principles of fair portrayal to all our international services, which should strive to present balanced pictures of the people and countries covered.

We should try and give a full and fair view of people and culture in the United Kingdom and across the world. BBC programmes and services should reflect and draw on this diversity to reflect life as it is. By doing so we introduce new talent, perspectives, faces and voices enriching our programmes for our audiences.

When portraying social groups, stereotypes should be avoided. But we must also beware the danger of depicting a society that does not exist. The BBC is not in the business of social engineering. Where prejudice and disadvantage exist we need to report and reflect them in our programmes. But we should do nothing to perpetuate them.

When describing different groups a good rule of thumb is to ask how people describe themselves: there have to be good reasons for calling them something different.

For further advice on portrayal of the different nations that make up the United Kingdom see Chapter 19: Reporting The United Kingdom.

2 COMMON CONCERNS

Some concerns are common to all groups who feel under represented and inadequately portrayed in programmes.

2.1 Under-representation on air

People from all groups should be represented in the full range of our programmes. Programmes should draw their participants or casts from a broad range, and not concentrate unreasonably on able-bodied white men. The BBC has specialist programmes, programme departments and the BBC Diversity Database on which programme makers can draw to widen the range of people represented. The Broadcast Equality Unit can be consulted for further advice.

2.2 Hurtful or inaccurate stereotypes

People should appear in the full range of roles that reflect reality. BBC programmes should not categorise black people as criminals, women as housewives, disabled people as victims, gay people as ineffectual, old people as incapable, or people of any particular profession, vocation or walk of life as inevitable figures of fun.

3 WOMEN

Women form the majority of the population in the UK. In spite of laws and changing attitudes women are still discriminated against in some respects and are often under-represented in programmes. Older women are particularly under-represented in programmes and their portrayal is often limited.

Use of non-sexist language is one way to avoid perpetuating the impression that certain activities are the preserve of one sex only.

For many words which refer to a time when women were barred from many types of work (firemen, policemen, taxmen, newsmen, manning) there are comfortable alternatives which are not sexist (firefighters, police officers, tax inspectors, journalists, staffing).

Some people are uncomfortable at the use of some non-sexist terms. It is always possible to re-write a sentence to avoid both sexism and political correctness. However, we should respect people's wishes about how we refer to them. If someone calls himself or herself the "Chair" of an organisation it is not for us to make them Chairman or Chairwoman or vice versa.

4 ETHNIC MINORITIES

It is narrow-minded to identify people only by ethnic origin or colour when they have a host of other characteristics. Colour should be mentioned only when it is relevant. Ask yourself each time: would you say "white" in similar circumstances?

4.1 Terminology

The phrase "ethnic minority" is not a universal shorthand for "black". White people can also be ethnic minorities

Geographic or ethnic origin is often more relevant than colour of skin...' Bangladeshi', 'Jamaican', 'West Indian', 'Nigerian' and so on

'Black' should not normally be used to include Asians. Refer to 'black and Asian people' or 'Asian, African and Caribbean people'. Just as we do not say 'Non-blacks' we avoid 'Non-whites'.

Many people in Britain of African and Caribbean origin prefer to be called "black British". Use the term 'black people' rather than 'blacks'.

A good rule of thumb is to ask how people describe themselves: there have to be good reasons for calling them something different.

4.2 Misleading images

Most ethnic minority people living in Britain are British nationals. A large and growing proportion was born here. They are an integral part of British society.

Black and Asian people suffer considerably from negative stereotyping. Programmes must not allow offensive assumptions or generalisations in scripted material, and interviewees who express them need to be challenged wherever possible.

5 DISABILITIES

Consideration of the representation and portrayal of people with disabilities is a complex subject not least because what constitutes a disability is extremely wide. 1 in 4 of the UK population either has a disability or is related to or cares for a disabled person. Disability is even more prevalent in the developing world. People with disabilities are consistently under represented in programmes.

Programmes can be sensitive to the rights and dignities of disabled people without losing editorial integrity or strength. People with disabilities should not be patronised. Stereotyped thinking that characterises people with disabilities as either 'brave heroes' or 'pitiable victims' often causes offence.

Programme makers should be aware of BBC policies on subtitling, guidelines for visually impaired television viewers and any other relevant BBC guidance that deals with the BBC's obligations under the Disability Discrimination Act 1995.

5.1 Terminology

Euphemisms are not necessary. Plain, matter-of-fact language is appreciated.

- 'The disabled' can be perceived as offensive. It defines people as a problem group and denies individuality. 'Disabled people' is acceptable to some, but others prefer 'people with disabilities'. BBC programmes use both
- Never refer to 'the handicapped'. Words like 'invalid', 'spastic', 'retarded' or 'defective' cause widespread offence
- Terms such as 'the blind' or 'the deaf' are often disliked. 'Crippled with', 'victim of', 'suffering from', 'afflicted by' should be avoided. 'People who have' or 'a person with' will usually be clear, factual, and inoffensive

- However some people with disabilities will describe themselves bluntly as ‘blind’, ‘deaf’ or ‘crippled’. We should respect their right to call themselves what they wish, while trying to avoid offence
- People with an intellectual disability are now normally described as 'people with learning difficulties'. 'Mental handicap' is acceptable to some people, but others dislike it because they believe it carries a stigma
- 'Learning difficulties' should not be confused with 'mental illness'
- Try to be precise about deafness. Use 'deaf/partially deaf/deafened/hard of hearing'. 'Deaf and dumb' is not acceptable
- Some people who use wheelchairs often dislike the terms 'confined to a wheelchair' or 'wheelchair-bound' on the grounds that wheelchairs provide mobility, not confinement. A person who 'uses a wheelchair' or 'is in a wheelchair' is preferable.

5.2 *Common concerns*

Disability is an everyday phenomenon, though it may not always be apparent. The BBC should reflect that in its fictional and factual output. People with disabilities should be able to take part in entertainment programmes without, of course, our needing to make reference to the fact on air. People should be described in terms of their disability only when it is relevant.

5.3 *Interviewing people who are blind or visually impaired*

During interviews, be sensitive to the difficulties that may be experienced by people who are blind or have very poor vision. In television, help visually impaired interviewees to present themselves as they would wish. Explain where any items of equipment are that could be a safety hazard.

6 PORTRAYAL OF RELIGIOUS GROUPS

People and countries should not be defined by their religions unless it is strictly relevant. Particular religious groups or factions should not be portrayed as speaking for their faith as a whole. Thoughtless portrayal can be offensive, especially if it implies that a particular faith is hostile or alien to all outside it. For example, footage of chanting crowds of Islamic activists should not be used to illustrate the whole Muslim world.

Words such as “fundamentalist”, and “militant” should be used with great care. What may be a fair description of one group may not be true of all similar groups. Use of a term such as “Islamic Fundamentalist” has to pass the test of whether we would talk about Christian or Hindu Fundamentalism (see also section 5 International Audiences and section 9 Religious Sensibilities of Chapter 6: Taste and Decency).

7 SEXUAL ORIENTATION

BBC programmes must not be vehicles for prejudice. Lesbians and gay men can be particularly subject to thoughtless and offensive stereotyping.

Gay and lesbian people, and those who are bi-sexual, make up a significant minority entitled to be served and treated fairly by the BBC. Programme makers should remember that homosexuals play a full range of roles in society. They have the same right as others to see

that range truthfully portrayed.

7.1 Stereotyping

Stereotyping is a particular danger if the gay characters we portray are present only because of their sexuality or if their sexuality is their main distinguishing characteristic. Remember that sexual orientation may be an incidental characteristic. We must not confuse homosexuality with transvestism or trans-sexualism, neither of which relates specifically to a person's sexuality.

Programmes must not allow offensive assumptions or generalisations in scripted material, and interviewees who express them need to be challenged with vigour.

7.2 Acknowledging sexuality

When relevant, there should be straightforward reference to the publicly- acknowledged homosexuality of well-known people and their acknowledged partners. This might occur, for example, in profiles, obituaries and other contexts where it is strictly relevant or where heterosexual relationships would be considered similarly relevant. However, it is not for the BBC to force matters of sexuality into the open. We have a strong regard for privacy in this as in other matters.

7.3 Terminology

Be sensitive to the effect of language. 'Homosexual' has wide currency. 'Gay and lesbian' is often preferred and is certainly acceptable. There is no place in factual programmes for our use of words like 'queer', 'dyke', 'fairy' or 'poof': when contributors use them in a pejorative way they should be challenged wherever possible.

When they are used by characters in drama programmes they are just as sensitive as racial abuse and should be considered accordingly.

8 OLDER PEOPLE

Many old people lead vigorous and fulfilling lives. Images that concentrate on them as living on the margin, dependent, frail, sexually inactive and passive, ignore the reality that people past the usual age of paid employment and family-rearing are often busy, active and useful.

Reference to age does not necessarily tell us anything about ability, interests, state of mind or health. It should be included only when it is relevant. The BBC places no general upper age limit on participation in programmes, whether in the audience or as contestants, competitors or artistes. The only criterion should be ability to do what is required.

Chief Adviser, Editorial Policy is available to offer advice and support to Heads of Department and Commissioning Executives on the whole range of issues involved in portrayal.

CONFLICTS OF INTEREST (Revised 20th January 2004)

- 1 GENERAL
- 2 MAINTAINING IMPARTIALITY
- 3 ACCEPTABILITY OF OUTSIDE COMMITMENTS
- 4 POLITICAL ACTIVITIES
- 5 COMMERCIAL, BUSINESS AND FINANCIAL INTERESTS
- 6 PERSONAL BENEFITS
- 7 ON-AIR TALENT AND COMMERCIAL ADVERTISING

8 TALENT/AGENT OWNED INDEPENDENT PRODUCTION COMPANIES

1 GENERAL

The BBC's reputation for impartiality and objectivity is crucial. The public must be able to trust the integrity of BBC programmes and services. Our audiences need to be confident that the outside activities of our programme makers or presenters do not undermine the BBC's impartiality and that editorial decisions are not influenced by any commercial or personal interests.

Conflicts of interest can arise for anyone who appears on air or has responsibility for the content of a programme or service or associated activity. Presenters, reporters, producers, editors and researchers are all affected. There may be particular sensitivities concerning on-air talent. For editorial staff the greater the level of responsibility the greater the need to avoid any possible conflict of interest. Each programme department or team will need to identify its area of vulnerability.

The BBC should be satisfied that everyone involved in editorial decisions and programme making is free from inappropriate outside commitments. The principles apply equally to freelances or staff. It is also important that independent producers should not have any interests which could undermine the integrity and impartiality of the programmes or websites which they produce for the BBC.

It may also be appropriate to consider whether the position of families and close personal contacts presents a likely conflict of interest.

When drawing up contracts for presenters, freelances and production staff, the provisions of these guidelines should be taken into account.

BBC production and editorial staff are required to declare any personal interest which may affect their work with the BBC. These interests will be registered with Human Resources and copied to the relevant manager or Head of Department. Interests should be declared on a Declaration of Personal Interest Form. The staff handbook "Conflict of Interest" available on gateway or from Human Resources Departments gives further details. Production and editorial staff will be asked to up date their declarations on a regular basis.

Freelance presenters, reporters, producers and researchers will be required to declare any personal interests which may affect their work with the BBC.

2 MAINTAINING IMPARTIALITY

2.1 News and Current Affairs

News, and current affairs programmes may deal with any issue, cause, organisation or individual. People who work on these programmes should have no outside interests or commitments which could damage the BBC's reputation for impartiality, fairness and integrity.

Presenters and reporters primarily associated with the BBC

Those known to the public primarily as presenters of, or reporters on, BBC news programmes or programmes about current affairs, must be seen to be impartial. It is important that no off-air activity, including writing, the giving of interviews or the making of speeches, leads to any doubt about their objectivity on-air. If such presenters or reporters publicly express personal views off-air on controversial issues, then their on-air role may be severely compromised. It is crucial that in both their BBC work and in non BBC activities such as writing, speaking or giving interviews, they do not:-

- state how they vote or express support for any political party
- express views for or against any policy which is a matter of current party political debate
- advocate any particular position on an issue of current public controversy or debate
- exhort a change in high profile public policy.

If, in an exceptional case, such a presenter or reporter writes or speaks off-air in favour of one position on an issue of current public controversy, this could give rise to concerns about impartiality. The relevant Director or Head of Department should give very careful consideration as to whether there is an actual conflict of interest and whether they should declare their interest on-air or not present items or conduct interviews on the issue.

Permission must be sought from the relevant Director, Head of Department or their nominee before outside writing or speaking commitments are undertaken about current affairs or matters of current public controversy or debate. (See [section 3](#) below).

When making judgements about what off-air activities are acceptable, the Director or Head of Department should take into account the degree to which a news or current affairs reporter or presenter is directly identified with the BBC and therefore how far their views are likely to be construed to be the views of the BBC. There may be particular constraints on those who bear titles such as “BBC...Editor” or “BBC...correspondent”.

Occasional presenters whose primary identity is not the presentation of News and Current affairs programmes

In some cases, the BBC may employ as presenters people whose primary occupation or identity is not the presentation of broadcast news or current affairs. These presenters may be newspaper editors, newspaper correspondents, columnists, writers or academics and in some cases they will be known to hold specific views on current topics. Use of such freelance presenters should not undermine the BBC’s reputation for impartiality and it may be advisable in some cases to state on air what their main occupation is or the position which they hold. If relevant it should be made clear that they hold partial views on a particular topic. Such presenters should not be used to present news bulletins, nor would they normally be used as presenters of major daily current affairs programmes.

Editors, producers and researchers

These concerns and restraints about off-air activities also apply to editors, producers and researchers on news and current affairs programmes. It is important that they do not make public statements or write articles about public policy issues in a way that could undermine the perceived impartiality of their role or the programmes they produce. They must seek the permission of their Head of Department or Director before undertaking any non-BBC activity of this kind.

2.2 Serious factual programmes

In general the same constraints apply as for news and current affairs. The objectivity of the programme, programme maker or presenter must not be undermined by any outside commitment or activity. However, if a programme maker, editor or reporter only works in one area, such as science, then it may be acceptable for them to express an opinion publicly on a totally unrelated area such as the arts. Heads of Department must judge what is appropriate.

2.3 Consumer and Lifestyle Programmes

People working on these programmes, either as presenters or producers, must have no commercial or other links which could appear to influence their attitude towards any product, service or company. (see section 5 below Commercial Interests.) Any non-BBC activity undertaken by presenters, such as writing or advertising should not undermine their integrity, in particular they should not promote or advertise any product they might review on air (see section 7 below on Commercial Advertising.)

2.4 Other programming

In all other areas it is essential that programme makers and on-air talent do not undermine their own integrity and the integrity of their programmes by off-air involvement in inappropriate activities or commercial interests.

2.5 Presenters of Factual Programmes Appearing in Drama

Presenters of factual programmes should be aware that simulating their normal role in drama or comedy might carry risks for their own credibility and the credibility of the programmes in which they usually appear. Any proposal to use a current BBC news presenter to present a fictional bulletin must be approved by the head of the relevant news department who should also specifically read and clear the script. It is important that there is no danger of the audience confusing fiction with reality.

3 ACCEPTABILITY OF OUTSIDE COMMITMENTS

3.1 Writing Commitments

Programme makers, editorial staff, reporters and presenters may all wish to undertake journalistic work or write books. Any such activity should not bring the BBC into disrepute or undermine the integrity or impartiality of BBC programmes or presenters.

Programme makers and editorial staff

No BBC staff journalist can write a regular newspaper or magazine column dealing with current affairs or matters of current public policy debate or political or industrial controversy. The only circumstances in which BBC staff journalists may write such an article will be in the context of BBC marketing for one of its programmes, or in support of the BBC or its interests, where the article has been submitted in good time to a divisional manager responsible for vetting such articles, and sent in for publication by the BBC Press Office or syndication after publication by BBC News Online.

Non-controversial columns, covering such matters as restaurant or cultural reviews may be agreed, subject to the vetting procedure set out above.

Presenters and freelance reporters

The same rules apply to news and current affairs freelance presenters and reporters in News, Global News and Nations and Regions, except where the relevant divisional Director has agreed in advance and that the individual does not derive their main external status from their work for the BBC.

In other programme areas, the relevant Director or Head of Department should normally ask to see articles about subject matter which could give rise to a conflict of interest.

In some cases, with permission from the relevant Director or Head of Department, presenters or reporters may write a book about a current topic provided it is not likely to compromise the integrity or impartiality of the BBC. In such cases, if the viewpoint expressed turns out to be controversial or one-sided, editors should consider whether to allow the presenter to cover on-air the issue which they have written about. If there is any possibility of a conflict of interest, the relevant Director or Head of Department should give very careful consideration as to whether there is an actual conflict and whether they should declare that interest on air or not present items or conduct interviews on the issue.

Letters to the press

Programme makers, editorial staff, reporters and presenters primarily associated with the BBC should also clear with Heads of Department any letters to the press if they deal with the subject matter of the programmes, any political, public policy or controversial issue, or relate to the BBC or broadcasting. Even presenters who only occasionally present programmes for the BBC should normally clear letters relevant to the subject matter of their programmes if they are to be published around the time of transmission.

3.2 Public speaking and other public appearances

Programme makers, those with editorial responsibility and any other BBC employees should seek permission from their Head of Department before undertaking outside public appearances or public speaking commitments. It is important that no such commitment should be seen to undermine the objectivity or integrity of the BBC or its programmes. Public appearances which are promotional for a particular commercial concern are unlikely to be acceptable.

Presenters

Presenters of BBC programmes may well gain a significant proportion of their income from off-air public appearances. However, presenters in all genres must guard against appearances which undermine their on-air role. Promotional appearances have to be considered very carefully and must not imply BBC endorsement. Presenters should consult the relevant Heads of Department about any appearance connected with the subject matter of their programme.

Presenters of News and Current Affairs programmes

In the case of those known to the public primarily as presenters of, or reporters on, BBC news programmes and programmes about current affairs, there is a greater possibility of conflict of interest. Care must be taken to ensure that they remain impartial when speaking publicly (see section 2.1 above) and do not promote any political party, campaigning organisation or lobby group which may jeopardise their status as an impartial broadcaster. The chairing of conferences may well be acceptable, but it is essential that the conference is not a promotional exercise or one-sided on an issue of public controversy. They should consult the relevant Head of Department about the suitability of public appearances and conference work. The onus is on the presenters and reporters to inform the relevant Head of Department about the range of public appearances which they undertake.

3.3 References to the BBC

BBC people, freelancers or presenters clearly associated with BBC programmes should not speak or write publicly about the BBC without specific, prior approval from the relevant Head of Department or Director. BBC people should also clear any references to the broadcasting industry.

As well as concerns about bringing the BBC into disrepute, it should be borne in mind that the BBC cannot be seen to endorse outside organisations and it is essential that no promotional use is made of the BBC's name or brand.

3.4 Media Training

It may be appropriate for BBC presenters, editorial people or programme makers to speak publicly at conferences or to interested bodies about broadcasting.

However, there are considerable dangers of a conflict of interest if BBC people train individuals or organisations in how to present themselves on television, radio or online. Producers, editors and journalistic staff must obtain permission from their manager before undertaking any outside training work. Presenters, producers and editors should not train people they are likely to interview or who are likely to appear on the programmes for which they are responsible. We should ask freelance presenters about their commitments in this area to ensure there is no conflict of interest.

Presenters involved in News, Current Affairs, topical programmes or consumer programmes should not interview anyone they have trained and it is very unlikely that it will be acceptable for producers or editorial people in these areas to undertake any outside coaching on how to appear on air.

3.5 Charities and campaigning organisations

Any work undertaken for a charity should not imply BBC endorsement for a particular cause, or endorsement of one charity over another. There are particular difficulties if the charity deals with matters of controversial public policy and is a campaigning organisation. Programme people in all areas should be careful of involving themselves in lobbying campaigns.

Presenters and editorial people in news, current affairs, topical and consumer programmes should take particular care and they should not normally associate themselves with any campaigning body, particularly if it backs one viewpoint in a controversial area of policy. It

is unlikely to be appropriate for a news presenter to front a campaign for a charity or campaigning body as this could undermine the BBC's reputation for impartiality.

Heads of Department should be consulted about any work for charities and campaigning groups and advice may be sought from Editorial Policy. For further guidance see Chapter 30: Social Action Programming, Campaigning Groups and Charities. There are separate guidelines for the BBC Children in Need Appeal.

4 POLITICAL ACTIVITIES

Some individuals wish to become involved in political activity and they will be free to do so when it is consistent with the nature of their work for the BBC and the BBC's public service obligations. Political activity is not acceptable if it is likely to compromise the BBC's impartiality or undermine public confidence in the BBC. Judgements about what is acceptable will reflect individual circumstances and advance discussion with managers is vital.

Staff should declare any active political involvement on the Declaration of Personal Interest form. In some cases it will also be appropriate to declare the political activities of close family members.

The Chief Political Adviser is responsible for providing advice to individuals and to Divisions in order to ensure fairness and consistency in dealing with these matters.

4.1 Levels of Political Involvement

Anyone is entitled to be a member of a political party or organisation.

However, active political involvement and commitments can give rise to conflicts of interest for people who are involved in programme making or have any editorial responsibilities in any BBC service, particularly if they deal with political or public policy issues.

Active political involvement can give rise to questions about the impartiality of the individual, the impartiality of the area in which they work and the impartiality of the BBC. Individuals should inform their manager about any political involvement so that it can be fully considered in the light of the guidance below. If individuals or managers have any doubts they can seek advice from the Chief Political Adviser.

There are three general considerations:

- the level of political involvement
- the nature and level of the individual's job
- the extent of involvement in editorial decisions, programme making and/or BBC policy

In any individual case it will be necessary to consider:

- whether they are known to the public or whether their contribution is acknowledged on-air or on-line during the course of a programme or through beginning or end credits
- the level of the individual's political involvement at national or local level:
 - being publicly identified as a candidate or prospective candidate for a parliamentary assembly or local authority election; no matter that the date of the election is not confirmed;

- holding office in a party political organisation which impacts on party politics as it affects elected bodies;
- speaking in public on matters of political controversy and matters of controversial public policy;
- expressing views on matters of political controversy and matters of controversial public policy in books, articles, leaflets and letters in the press;
- canvassing on behalf of a political party or candidate for election
- promoting a partisan view on an issue put to local or national referendum
- The nature and level of their work. In some cases, if they wish to maintain their level of political activity, it may be necessary to move them to a less sensitive position
- The type of programme. News and current affairs programmes for international, national, regional and local output are subject to the most stringent tests of impartiality. For more general output considerations will be less stringent but the managers will consider the implications for those in more senior editorial roles, those involved in presentation and those who are or might become known to the public.

4.2 Elections

Anyone who intends to seek nomination as a candidate for election at national or local level should notify their manager at the earliest opportunity so that the implications can be discussed. They may not be able to undertake high level or high profile programme responsibilities whilst seeking nomination as a candidate.

When an individual has been selected to stand for election at national or local level and becomes a prospective candidate, he or she may not engage in programme work which could be linked to political issues, even if the date for the election has not been confirmed. Prospective candidates campaign actively to obtain support, and as such become the focus of public attention.

An individual who has been selected as a candidate must notify their manager, who will inform the Chief Political Adviser. A list of all BBC prospective candidates will be maintained. Individuals who currently hold an elected position in Local Government at any level must ensure that their manager is notified. The manager will inform the Chief Political Adviser.

When BBC employees stand for election for the European Parliament, the UK Parliament, the Scottish Parliament, Welsh Assembly or the Northern Ireland Assembly unpaid leave of up to six weeks is granted for the period to the election date. The leave is unpaid in order to avoid any suggestion that the BBC is subsidising the individuals' election campaign.

Individuals may stand for local government elections provided there is not a conflict of interest with their programme duties. They will be expected to conduct their campaign activity in their own time and ensure that there is no conflict with their BBC duties. Polling day itself should be taken as unpaid leave.

Presenters and regular contributors who are candidates for elections should not appear in any programmes in their normal programme roles during election campaigns or when elections they are involved in are imminent. This avoids unfair publicity for them at a critical time. They may of course appear as candidates under the usual election rules (see The BBC Election Guidelines which are available on gateway.)

Outside election periods, the BBC will not discriminate against politically active people on the grounds that they gain publicity from working for the BBC. The appropriateness of a role will be dependent solely on whether there is a conflict of interest with programme making or policy making responsibilities. When an individual is seeking nomination or has been selected as a candidate, but prior to the election campaign, it may be necessary to transfer the person immediately to less sensitive activities. In these circumstances the individual must be placed in gainful employment and not sent home on paid leave. In addition it will be the responsibility of the Director of the relevant Division or their nominee to ensure a suitable alternative substantive job is found within four weeks of the individual being moved to less sensitive work.

If individuals are unsuccessful in seeking nomination or decide not to pursue their candidacy, they may return to their original substantive job. However if an individual's actions in pursuing nomination as a candidate have been such that the BBC's reputation for impartiality could be undermined should they return to their original job, they would continue in a suitable alternative job.

If an individual is elected to the European Parliament, UK Parliament, the Scottish Parliament, Welsh Assembly or Northern Ireland Assembly he / she will be required to resign from the BBC immediately.

If an individual is not elected he/she may return to work immediately but there may have to be an appropriate gap in time before resuming the original substantive job. However if the actions of the individual in seeking election have been such that the BBC's reputation for impartiality could be undermined should they return to their original substantive job, the person may be placed in a less sensitive job (at the same grade and salary). In the event of such a decision becoming necessary there will be full discussion of the issues with the individual concerned and the advice of the Chief Political Adviser will be sought to ensure consistency.

If a family member or close personal contact is standing for election, it is acceptable for an individual to express personal support, but there should be no use of the BBC's name and where support extends to political support the considerations outlined above apply.

4.3 Non-political voluntary public office

This may be acceptable even for editorial people in news programmes. This includes school governorships and being a magistrate. Programme people should be very careful about involving themselves in controversial matters of public policy related to organisations which campaign on political or public policy issues.

5 COMMERCIAL, BUSINESS AND FINANCIAL INTERESTS

It is essential that the integrity of BBC programmes or other editorial output is not undermined by the commercial, business or financial interests of any programme makers, journalists, or presenters. There must never be any suggestion that commercial or financial interests have influenced BBC coverage or the subject matter of programmes or the choice of items.

The onus is on the journalist, programme maker or presenter to let the BBC know if they have any interests which could be perceived as a conflict of interest.

BBC production and editorial staff are required to declare any personal interest which may affect their employment with the BBC. These interests should be declared on a Declaration of Personal Interest Form (see section 1) and further advice is given in the staff handbook "Conflicts of Interest".

Declarations should include

- any directorships or any consultancy work for outside organisations
- any significant shareholdings, loans (other than private mortgages) or financial interests which they, their partners or dependant relatives have and which may in any way constitute a conflict of interest or affect the impartiality or perceived impartiality of their work
- any holding whatsoever of shares, debentures or securities held for investment purposes when the holding exceeds 5% of the company
- any shareholding, securities or debentures in media related companies Very senior BBC people (for instance those at Controller level and above) may be required to sell any financial interest in other broadcasting or related organisations.

Freelances, are also asked to declare any commercial interests which may impinge on their work with the BBC. Independent producers should make a declaration at the time of commissioning.

Significant shareholdings should be declared by all programme people if they are in any way connected with the area in which they work or the subject matter which they cover. Some people working in news, current affairs and factual programming may be involved in investigations about a wide range of topics and may be required to declare any significant holding in any organisation. Managers will give specific advice about the detail and range of the declarations required for those working in their area.

The area of most sensitivity is financial journalism where additional rules apply. Anyone who is working on an edition of a current affairs programme or factual programme which is dealing with finance or business is in effect involved in financial journalism and should follow the specific guidance in section 5.3 below. On no account must early information acquired in the course of BBC programme work be used to trade ahead of the markets. It is illegal and unethical.

Heads of Department will be aware of other particular sensitivities in their areas and will ask for particular detailed information concerning some financial or commercial interests (see section 5.2 below on music production).

Although efforts should be made to declare any interests well in advance, in some cases people will be asked to work on stories or programmes at relatively short notice and may find that they have some financial connection with the area to be covered. It is essential that presenters, reporters and production teams should have no significant connection with products, businesses or companies featured in the programmes they make or the stories they are covering. If they have any financial, commercial or business interest which might involve a conflict of interest or might be perceived to involve a conflict of interest they must inform their editor or Head of Department as soon as possible. If the editor or Head of

Department considers that there could be a real or perceived conflict of interest, they should deploy another journalist or programme maker.

5.1 Presenters

In some cases the commercial activities or interests of presenters could lead to a conflict of interest. To avoid this, when contracts are negotiated, presenters should be asked to declare any commercial interests which may impinge on their on-air role or which are connected with the subject matter of the programme they present. Such information is kept entirely confidential by the BBC. In some cases, particularly for presenters of journalistic or factual programmes, commercial interests may be deemed incompatible with their on-air role.

5.2 Popular Music

In popular music programming, some key presenters have links with the record industry and particular care needs to be taken with regard to commercial interests. A range of safeguards are in place in BBC Radio music networks and in BBC Television and Online to ensure that those working in these areas declare all relevant outside interests, and do not allow those interests to influence their choice of music. In BBC Radio 1 tracks with which a DJ has any commercial connection are clearly highlighted in advance to the Editor of Music Policy.

5.3 Financial Journalism

There are additional constraints on financial journalists. People working in financial programmes for the BBC should register all their shareholdings and other financial interests or dealings. Clear advice on this is given in the BBC Guidelines for Financial Journalism which are on gateway (see BBC Guidelines for Financial Journalism) and available from the Editor, Economics and Business Centre.

These additional guidelines for financial journalists protect the integrity of the BBC's output in this area. It is also important to remember that there are particular legal constraints which affect financial journalism. As stated earlier, it is illegal to use financial information acquired in advance to trade ahead of the markets.

It is also illegal to promote financial services without proper authorisation from the relevant regulatory authorities. It is vital that no BBC financial journalist ever calls their integrity into question by appearing to promote any financial product or investment, especially if they or members of their immediate family have a financial interest in that product or investment.

6 PERSONAL BENEFITS

Individuals must not accept personal benefits or benefits for themselves, their family or close personal relations from organisations or people with whom they might have dealings on the BBC's behalf. Unacceptable personal benefits would include goods, discounts, services, cash, loans, gratuities, or entertainment outside the normal scope of business hospitality. Accepting significant hospitality from individuals or organisations outside the BBC could lead to a conflict of interest. Anyone working for the BBC should consult their Head of Department before accepting such hospitality.

Strict rules apply to the acceptance of free or reduced cost facilities by programmes: see Chapter 25: Product Prominence and the Use of Free and Reduced Cost Facilities.

7 ON-AIR TALENT AND COMMERCIAL ADVERTISING

Increasingly advertisers and manufacturers are seeking to employ presenters to endorse products. Although the BBC does not seek to place unnecessary constraints on talent, it is essential that promotional activities do not constitute a conflict of interest and do not undermine the editorial integrity of presenters or the programmes they present.

This section outlines what outside promotional work may be undertaken by those who “front”, “anchor” or present BBC radio or television programmes in any genre. It applies to the whole range of presenters from news presenters to those who host entertainment programmes, but the nature of the presenter’s on-air role will affect what is appropriate and section 7.2 below outlines what is acceptable for presenters in each genre.

Any presenter who appears on-air in a journalistic capacity will have considerable restrictions on what, if any, promotional activities they may undertake. There will be fewer restrictions on entertainment presenters or lifestyle presenters providing their integrity and the integrity of the programme they present is not undermined.

- **Contractual arrangements**

The guidance in this section should be reflected in contractual arrangements for regular presenters or presenters of a series of programmes. On-air talent should be made aware of these guidelines and presenters who work for the BBC other than on an occasional basis should be required to consult the BBC before undertaking any outside advertising work. Some existing contracts may not reflect the principles of these guidelines, but renewed contractual arrangements should conform to them.

7.1 Basic Principles for non-BBC Promotional Work by Presenters in all Genres

- No advertising campaign or advertisement should give the public reason to doubt the objectivity of BBC presenters
- there should be no conflict of interest between the presenter’s on-air activities and the promotion of a particular product or service
- the product or service they promote must not be shown, featured, reviewed or discussed in the programmes they present
- no presenter should replicate their on-air role to endorse a product or service either in traditional advertising or on any personal or third party website
- no promotional activity should undermine the values of the BBC brand
- some key presenters who are on long term contract or who have long standing associations with the BBC may be subject to particular restrictions on their promotional activities. There may be fewer restrictions on a presenter who is seen as an independent outsider, who presents a few programmes or a one-off series, but who is not considered in the main as a BBC presenter
- presenters in all genres will often be permitted to undertake some promotional activities for a book they have written, whether or not it is published by the BBC. However, such promotions must not undermine the programme they present or jeopardise the presenter’s reputation for objectivity or impartiality
- the BBC may need to be more cautious in allowing presenters to undertake television or radio advertising than advertising in newspapers or on billboards as television or radio adverts will more clearly replicate their role in a BBC programme.

7.2 Presenters’ outside promotional activities – guidance for specific genres

- **News, current affairs and business programmes**
Presenters and reporters on news, current affairs and business programmes are not permitted to take part in any promotions, endorsements or advertisements for third parties.
- **Serious factual programmes outside news and current affairs**
Presenters or reporters who appear in serious factual programmes which consider controversial public policy or matters of political or industrial controversy would not normally be permitted to take part in any advertisements for third parties. The degree to which they are regarded as an objective journalist in their on-air role will affect decisions as to whether any outside promotional work is permissible at all. It would not be appropriate for presenters or reporters who are involved in investigative programmes to undertake any outside promotional work.
In other cases the key consideration must be that presenters or reporters should not be allowed to undertake promotions for any product or service related to the subject matter of the programme they present. If their on-air role is restricted to a particular subject area they might be permitted to advertise something entirely unrelated.
- **General consumer programmes**
Presenters and reporters on consumer programmes which cover a wide range of topics, such as Watchdog, may not undertake any promotional work for third parties as there is no product or service outside the remit of the programme.
- **Consumer programmes about specific topics**
These are programmes which provide serious journalistic analysis on a particular topic or which undertake consumer reviews in a specific area. Presenters of such programmes may only be permitted to undertake promotions for products entirely unassociated with the subject matter of the programme.
- **Lifestyle programmes**
These are non journalistic programmes which do not undertake specific reviews. Areas of lifestyle programming include makeovers, gardening programmes and cookery.

Presenters of lifestyle programmes

Sometimes lifestyle programmes give a degree of consumer advice and this will affect the presenter's ability to undertake promotional activities. Lifestyle presenters who give advice on what branded products to buy or use should not undertake any advertising in any medium for products or retailers associated with the subject matter of their programmes. Presenters who give clear objective advice on how to solve problems should not advertise products or services which aim to solve these specific problems.

Presenters of lifestyle programmes, such as makeovers, which refer to specific branded products should not advertise any products which might be featured. For example, some makeovers give details in astons of which paint or other materials are used. In these cases the presenters should not advertise brands of paint or other materials used.

No lifestyle presenter should undertake radio or television advertising for a product or retailer associated with the subject matter of their programmes. Nor should they undertake any off-air advertising for products related to the subject matter of their programmes. However, in some cases, lifestyle presenters who do not give consumer advice may undertake off-air adverts for retailers who sell products covered in their programmes. Such adverts for retailers should not feature any particular branded or own brand product directly

related to the subject matter of the programme they present. (See also section below on advertising presenters' own products).

Chefs and Cookery Presenters

Television cooks or chefs should not undertake any radio or television advertising for any product or retailer associated with the subject matter of their programmes. They should also not undertake any off-air advertising for specific branded food products. However, if chefs do not give consumer advice on air, they may undertake some off-air advertising in this area as long as it does not compromise their on-air role. Television chefs who do not give consumer advice may undertake off air adverts for a food retailer, provided the advert does not feature any particular branded or own brand food product. The advertisements should not replicate their programmes in any way and should not use recipes from their programmes. Producers should ensure that the retailer's products are not used, shown or referred to in their programmes.

Lifestyle presenters, including chefs, may undertake advertisements in any medium for products which are not associated with the subject matter of their programmes. However, these advertisements must not replicate their on-air role or imitate the programme in any way.

Presenter's Own Products

Increasingly lifestyle presenters are developing their own products associated with their on-air role and in some cases are distributing these products through their own websites, as well as by more traditional means. Presenters can develop their own products, but care needs to be taken to ensure that such products do not give rise to a conflict of interest. Presenters on long term contract should be asked to inform the BBC about any products they are developing. In no circumstances, however, should presenters' own products be shown or referred to in any of their programmes.

Advertising of presenters' own products

Any promotion of such products needs to be treated with great care to ensure that the presenter's objective role is not undermined. The BBC would not agree to presenters advertising their own products on television or radio as such adverts would tend to replicate the presenter's on-air role.

However lifestyle presenters who do not give consumer advice may be able to advertise their products in newspapers, magazines, on billboards or online, providing they do not use these products or ones closely resembling them in their programmes.

If lifestyle presenters give advice on specific problem solving, in order to preserve their reputation for objectivity, they should not undertake any on-air or off-air adverts for products aimed to solve the specific problems about which they give on-air advice.

Where both on-air and off-air advertising is ruled out, point of sale promotions and promotions on the presenter's own website are usually acceptable. However any promotions on their websites must not be used to exploit their BBC connections - no material from their

BBC programmes may be used and they should not sell products on their websites when they are featured on their programmes.

- **Sport**

The suitability of any commercial activities undertaken by sports presenters will depend on the nature of their on-air role, the nature of the programme and whether they are perceived primarily as a sports journalist, a sports entertainment presenter or a sportsman/woman who also presents programmes. Careful judgements need to be made about the acceptability of any advert which is related to sport in any way. Presenters who are clearly undertaking sports journalism should not advertise sports products, such as sports kit, or do adverts for sports sponsors. However, they may advertise products not directly associated with sport or sports sponsorship.

- **Children's Programmes**

Presenters of children's programmes should not promote products directly connected to the subject matter of the programmes they present. They also should not undertake any advertisements for products specifically aimed at children or products likely to be harmful to children such as alcohol.

- **Entertainment**

Entertainment presenters should not appear in adverts which are closely associated with the subject matter of any programme they present or which mimic the style of the programme. (See section 7.7 below concerning style of permitted advertisements.)

7.3 Advertising Commitments and the Editorial Agenda

As is made clear in section 7.2 above, it is essential that products or services which a presenter promotes should not be shown or featured in a programme they present. When engaging talent, consideration should be given as to whether their existing advertising commitments will undermine the programme's editorial agenda. There are dangers to the editorial integrity of a programme if a presenter's promotional activities distort the agenda of a programme by forcing the programme to omit items or change what it covers.

Entertainment programmes

In exceptional circumstances producers of an entertainment programme may think that it is editorially justifiable to make a joke about a presenter's outside promotional activities, or a guest on a programme may make such a joke. On the whole it is advisable to avoid such jokes as it may be difficult to ensure that they are non-promotional for the product or service advertised.

7.4 Unsuitable Products or Services

Even when there is no obvious conflict of interest with the presenter's on-air role, there are some products or services which the BBC would not wish its presenters to promote as the association might be damaging to the BBC's reputation. This prohibition would include tobacco or tobacco products, escort agencies and sex chat lines.

7.5 Timing of Advertisements

Some presenters are only contracted to the BBC for specific time periods to coincide with series of programmes which they present. However, as far as possible, contractual safeguards concerning advertisements should also cover the periods when programmes are repeated.

7.6 Guidance for Contributors to programmes

Consideration also needs to be given to promotional work undertaken by contributors who appear in programmes regularly, but who are not engaged as presenters. The BBC is not in a position to restrict the advertising activities of these outside contributors and in many cases it would be unreasonable to do so. However, the BBC should not use contributors who undertake promotional work which could give rise to doubts about their objectivity. In particular expert contributors who give specific advice about what to buy should not endorse products or services in the areas on which they give advice.

Some contributors, who are not main presenters, may play a significant role in every programme in a series. In such cases the BBC may decide that they need to be subject to the same restrictions as presenters in that genre.

7.7 Style of Advertisements

Any adverts in which BBC presenters appear should not copy or make play of BBC programmes as it is important that no impression is given that the BBC is endorsing any commercial product or service. It is also important that the style of the advert does not bring the BBC into disrepute.

The following key points should be observed

- No advert should replicate, imitate or pass off BBC programmes, titles or logos
- No adverts should replicate or pass off the role the presenter plays in the programme
- Adverts should not replicate editorial elements of a programme e.g. BBC television chefs should not feature recipes from their programmes in any adverts
- No music or graphics associated with the programme should be used
- Adverts should not replicate the look of the programme. There should be no use or direct imitation of BBC programme sets or the key venues used in the presenter's programme
- No adverts should refer to the BBC or any of its services or programmes
- There should be no use of more than one BBC presenter from the same programme in any advert for an outside product. It is also unlikely to be acceptable for several presenters from different BBC programmes to appear in the same advert
- The overall style of the advert should not be tasteless and should not bring the BBC into disrepute.

7.8 Actors and artists who perform in programmes

Actors should not appear in television adverts in a way which directly replicates their on air role in BBC programmes. For detailed advice on this issue see section 3.3. of [Chapter 29 Advertising, Promotional Activities and the BBC Brand](#).

For advice on advertising by artists who own rights to characters and formats which are used for BBC programmes see Chapter 29, section 3.4.

7.9 Who decides what is appropriate?