

BCI Code of Programme Standards



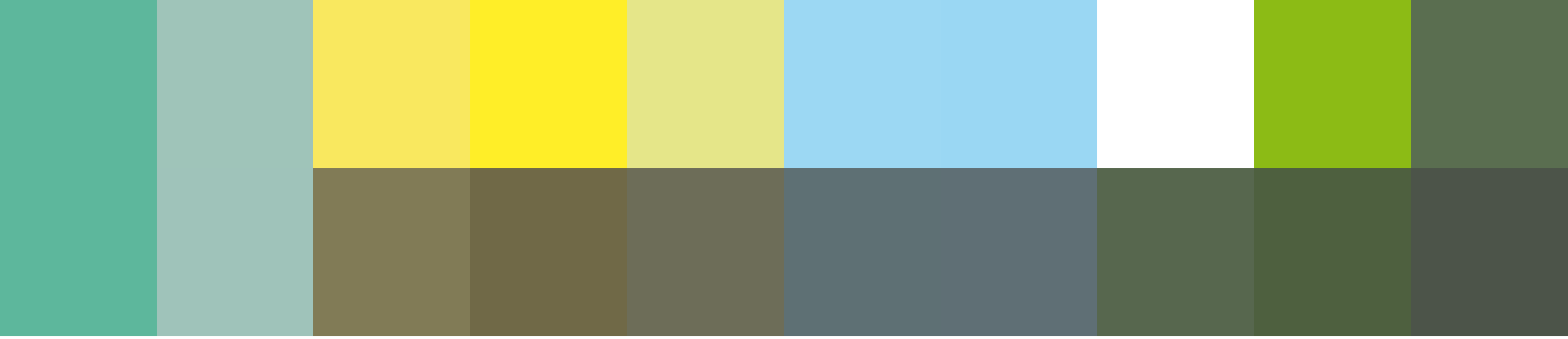
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Introduction

Legislative Basis

The *BCI Code of Programme Standards* has been developed by the Commission in accordance with its statutory obligation and following consultation with a wide range of individuals, industry, government and public bodies. The Code is also informed by a national attitudinal survey on matters pertaining to the taste and decency of programme material and by a review of national and international practice in this area.

Section 19(1) of the Broadcasting Act, 2001, provides that:

The Commission shall, upon being directed by the Minister to do so and in accordance with the provisions of this section, prepare -

(a) a code specifying standards to be complied with, and rules and practices to be observed, in respect of the taste and decency of programme material, the subject of a broadcasting service or sound broadcasting service, and, in particular, in respect of the portrayal of violence and sexual conduct in such material...

Further to Section 19(1)(a), the Commission has developed a Code containing principles and rules which are intended to provide a framework within which broadcasters shall make considered decisions concerning the taste and decency of programme material intended for viewing and listening audiences. The principles and rules contained in the Code are also intended to provide guidance for members of the public concerning the standards they can expect in respect of the taste and decency of programme material.

The avoidance of offence and harm is central to a code that addresses issues of taste and decency in programme material and, therefore, is a key objective of this Code. In order to meet this objective, the Commission has developed a code that acknowledges the range of factors (such as time of day, channel type, provision of audience guidance) that may be taken into account when determining whether programme material is tasteful or decent and/or whether offence or harm may be caused.



Jurisdiction

The *BCI Code of Programme Standards* shall apply to broadcasters within the jurisdiction of the Republic of Ireland or those who make use of a frequency or satellite capacity or up-link situated in the Republic of Ireland. In practical terms, the Code shall apply to RTÉ radio and television services, TG4 and national, regional, local, and community radio and television services licensed further to the provisions of the *Radio and Television Act, 1988* and the *Broadcasting Act, 2001*, including temporary and institutional services (where appropriate). It shall not apply to other services commonly received in this country that are licensed in the United Kingdom or in other jurisdictions.

Compliance

Compliance with this Code will be assessed with reference to the statutory provisions, the provisions of the Code and the procedures, practices and policies of the BCI. Complaints in respect of any alleged breach of this Code will be adjudicated upon by the Broadcasting Complaints Commission (BCC).

Effective Date

This Code comes into effect on the 10th April 2007.



1.

Objectives of the BCI Code of Programme Standards

- To promote responsible broadcasting in which entertainment, education and access to information and a range of views are enhanced and offence and harm are reduced.
- To acknowledge the diversity of tastes and interests which exists within viewing and listening audiences and to facilitate broadcasting that caters for this diversity.
- To inform viewer and listener choice.
- To inform viewers and listeners on the standards they can expect from broadcasting services.
- To provide guidance to broadcasters in relation to matters falling within the scope of the Code.

2.

Content Principles

2.1 General Community Standards

Programme material shall not offend against commonly held standards considered acceptable in contemporary Irish society.

2.2 Due Care

A broadcaster shall exercise due care by taking all reasonable measures to ensure that viewers and listeners of programme material on its channel/service are protected from undue offence and from harm.

2.2.1 Audience Information and Guidance

Where appropriate, due care shall include the provision by the broadcaster of audience information and guidance using at least one of the following mechanisms:

- The use of prior warnings for programme material which has the potential to offend.
- The operation of a 'watershed', during which time more adult-orientated programme material may be broadcast.
- The implementation of an evaluative or descriptive classification system for programme material.

Audience information and guidance shall be provided in a manner which is clearly visible and audible.

A broadcaster shall regularly promote the audience information and guidance mechanism(s) used on a service. When promoting a watershed as an audience information and guidance mechanism, broadcasters shall specify the times during which it operates.

2.2.2 Identification with Characters, Actions and Personal Circumstances

Broadcasters shall exercise due care when broadcasting programme material containing characters, actions and personal circumstances with which a person may identify. Broadcasters shall exercise particular care when scheduling and broadcasting the following programme material:

- Sexual violence i.e. rape and sexual assault.
- Self-harm (including suicide).
- Reconstructions of factual events and archive footage which may impact adversely on a viewer or listener because of their personal circumstances.

Programme material of this nature shall be accompanied by the provision of one of the three audience information and guidance mechanisms set out in 2.2.1. Broadcasters shall also provide other appropriate information and guidance deemed necessary such as the provision of relevant telephone helpline details.

2.3 Protection for Children

The *BCI Code of Programme Standards* recognises that broadcasters share a responsibility with parents and guardians in protecting children i.e. those under 18 years of age, from exposure to inappropriate and harmful programme material.

To this end, broadcasters shall have due regard to the protection of children when scheduling programme material.

Particular care shall be taken in the following circumstances:

- i. When scheduling programme material that is broadcast either side of programmes that are likely to be watched or listened to by children,
- ii. When scheduling programme material during school-run times,
- iii. When scheduling programme material during school holidays when the viewing and listening patterns of children can change.

2.4 Assessment

Programme material shall be assessed with reference to the principles and rules contained in the Code. The principles are indivisible – that is, all programme material shall conform to all principles.

Broadcasters should be mindful of all the provisions of this Code as programme material may be required to comply with one or more applicable provision.

Programme material shall be assessed in whole and in context. The following contextual factors shall apply:

- Time of broadcast.
- The type of programme.
- The use of audience information and guidance.
- The channel/service type.
- Whether the inclusion of material is editorially justified.
- The likely composition of the audience listening to or watching the programme.

3.

Content Rules

3.1 Violent Programme Material

3.1.1 As a general rule, broadcasters shall have due regard to the appropriateness of, and/or justification for, the inclusion of violent content in programming material.

3.1.2 The inclusion of the following violent programme material must have strong editorial justification in a factual context or be justified in the context of the development of a story and/or characters:

- Graphic violence.
- Sexual violence i.e. rape and/or sexual assault.
- Self-harm, including suicide.
- Violence against children.

3.1.3 In programme material featuring sexual violence, the detail of this violence shall be kept to a minimum and such violence shall not be condoned.

3.2 Sexual Conduct

3.2.1 As a general rule, broadcasters shall have due regard to the appropriateness of, and/or justification for, the inclusion of sexual conduct during programme material.

3.2.2 The inclusion of programme material which features detailed scenes of a sexual nature must have strong editorial justification in a factual context or be justified in the context of the development of the story and/or characters.

3.2.3 Programme material featuring sexual relationships between under-aged young people or between an adult and a child shall not encourage such activities or present them as being legal.

3.2.4 Nudity in programme material shall only be broadcast when justified by context.

3.3 Coarse and Offensive Language

3.3.1 As a general rule, broadcasters shall have due regard to the appropriateness of, and/or justification for, the inclusion of coarse and/or offensive language in programming.

3.3.2 Broadcasters shall be alert to, and guard against, the use of coarse and/or offensive language in live programmes.

3.3.3 Recognising that the inappropriate use of names considered sacred or holy by believers may cause serious offence, broadcasters shall take a responsible approach to their inclusion during programming and their inclusion must be justified.

3.4 Persons and Groups in Society

3.4.1 The manner in which persons and groups in society are represented shall be appropriate and justifiable.

3.4.2 Programme material shall not support or condone discrimination against any person or section of the community, in particular on the basis of age, gender, marital status, membership of the Traveller community, family status, sexual orientation, disability, race or religion.

3.4.3 Broadcasters shall take measures to ensure that programme material does not stereotype or stigmatise those people with a disability. Broadcasters shall have particular regard to the treatment of people with a disability in programmes, including the language used during programming. The use of colloquial terms of abuse during programme material shall require strong editorial justification.

3.4.4 Broadcasters shall not make an unwarranted correlation between a criminal act and the mental health of a perpetrator during programme material featuring criminal activities.

3.4.5 Broadcasters shall take measures to prevent undue offence in the treatment of religious views, beliefs or images during programme material. This is not intended to prevent the critical scrutiny of religion.

3.5 Factual Programming – News, Current Affairs and Documentaries

3.5.1 Factual programming shall not contain material that could reasonably be expected to prejudice respect for human dignity.

3.5.2 Factual programming shall not contain material that could reasonably be expected to cause undue distress or offence unless it is editorially justified and in the public interest.

3.5.3 Factual programming shall only emphasise age, colour, gender, national or ethnic origin, disability, race, religion or sexual orientation when such references are justified in the context of the programme or in the public interest.

3.5.4 Factual programming shall ensure that the dead are treated with respect. The moment of death shall not be shown nor shall the dead be shown in close-up, unless, in exceptional circumstances, it may be justified in the public interest.

3.6 Children's Programming

3.6.1 For the purpose of this Code, the term 'Child' refers to any person under 18 years of age.

For the purpose of this Code, the term 'Children's Programmes' refers to programmes that are commonly referred to as such and/or have an audience profile of which over 50% are under 18 years of age.

3.6.2 Graphic violence, strong sexual content and strong coarse language shall not feature during children's programming.

3.6.3 The use of illegal drugs, the abuse of drugs and/or solvents and the misuse of alcohol or tobacco shall not feature in children's programming, unless there is strong editorial justification for the inclusion of such material.

3.6.4 Trailers for adult programming containing material not reasonably regarded as suitable for children shall not be shown immediately before, during or immediately after children's programming.

3.6.5 Children's programming shall not condone anti-social behaviour or encourage others to imitate such behaviour.

3.7 Drugs, Alcohol and Solvent Abuse

3.7.1 Programme material shall not encourage the abuse of drugs and/or solvents or the use of illegal drugs.

3.7.2 Programme material shall not encourage the over-consumption or abuse of alcohol.

3.7.3 Programme material shall not present depictions, either fictional or factual, which detail techniques for the administration of illegal drugs unless there is strong editorial justification for its inclusion.

3.7.4 The use of illegal drugs, the abuse of drugs and/or solvents, smoking or the consumption of alcohol by children shall not be presented in a favourable light.

3.8 Imitative Behaviour

Broadcasters shall avoid the inclusion of programme content which could encourage people to imitate acts which are dangerous or prejudicial to the environment and/or the health and safety of themselves or others.