

## **ITC GUIDELINES ON MUSIC VIDEOS AND PROGRAMME CONTENT**

### INTRODUCTION

The ITC's Programme Code does not directly refer to Music but it does have rules on Taste and Decency and implements a Viewing Policy which for our purposes is a Post 9pm watershed. These guidelines give you an idea of how we should apply the ITC Programme Code.

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#### **Taste and offence – What it actually means...**

This is the most frequently referred to phrase in the ITC Codes and the ITC uphold most complaints on the basis of a breach of Taste and Offence. This statement refers to any given situation, act or language that could in any way be construed to be offensive or tasteless to the viewer. In making videos aimed at a 'youth' audience, there are always going to be two diametrically opposed views at work. One view is that the record company / artists are trying to push the limits of creativity in an ever challenging field. The other is the gambit of the regulators to control that creativity.

**The most crucial and common areas that are affected by and fall foul of Taste & Offence are as follows:**

1. Violence
2. Appeals to Fear
3. Swearing
4. Sex
5. Cigarettes, Drugs and Alcohol
6. Knives and Sharp Implements
7. Suicide
8. Potentially Dangerous Behaviour Easily Imitated by Children
9. Toys
10. News Footage
11. Parody of Films and Programmes
12. Use of Film Footage
13. Animals
14. The Occult
15. Impartiality (Politics)
16. Religion
17. Ethnic minorities
18. People with disabilities

#### **ITC Rules on Flashing Images**

1. Flashing Images (e.g. strobing, flashing lights)
2. Fast Cutting
3. Static Patterns
4. Moving Patterns

#### **ITC rules on Undue Prominence / Product Placement**

1. Undue Prominence
2. Product Placement

## **1. Violence**

An act of violence or aggression must be individually appraised and essential to the promo's plot or theme. It is an absolute rule that no broadcaster should show any promos containing violence towards men, women or children during the day (and even in the evenings care must be taken). Two men sparring with each other would not be considered violence – although boxing might be. It isn't so much the act which is the problem, more the aggression that accompanies it.

## **2. Appeals to Fear**

Another ambiguous phrase is that of 'Appeals to Fear'. This means creating an atmosphere of fear and uncertainty in the viewer over what appears to be a frightening or potentially violent scene. In advertising, it is unacceptable to frighten people into thinking that they need to buy a certain product (unless the product is potentially life saving like a smoke alarm). In programming, horror and violent films are scheduled very late because their success lies in appealing to the fear of the audience.

## **3. Swearing**

Gratuitous use of bad language must be avoided and has to be defensible in terms of context and authenticity. Bad language including profanity ("Christ", "Shit", "Asshole") should not be included in any music video or programme before 9pm and even after 9pm great care should be taken to avoid offence. Any programming or music video which contains the most offensive language such as "Fuck" or "Motherfucker" should be cleared by the Legal department in advance.

Covering swearing

Swearwords should be fully covered so that no part of the word is audible. Where the word is not audible but it is clear what the person is saying in visual (i.e. from their mouth), the mouth should be blurred/covered. Swearing by fingers should be fully blurred so that it is not possible to tell which fingers are being held up.

## **4. Sex**

Promos which contain explicit graphic or excessive depictions of sexual intercourse or which depict members of either sex being used as mere objects for sexual gratification or which might reasonably be considered pornographic, are not acceptable for broadcast. Excessive sexual lyrics or representations of sexual intercourse or deviance should not air before the 9pm watershed.

## **5. Cigarettes, Drugs and Alcohol**

The promotion, glamorisation or depiction as socially acceptable of the use of illegal drugs or the abuse of alcohol or the abuse of

legal prescription or over the counter drugs is not acceptable for broadcast at any time.

Promos should not encourage or endorse smoking or drink driving.

A number of promos depict "grass" in many forms, it if looks like a plant and nobody is trying to smoke it, then it would probably be acceptable.

## **6. Knives and Sharp Implements**

The use of knives as anything other than kitchen implements might necessitate a restriction out of Family Viewing time. The same can be said for situations whereby other implements, especially scissors, are being used in a destructive manner.

## **7. Suicide**

Any acts or representations of suicide are restricted to after 9pm by the ITC. Scenes of hanging, drowning or leaping from buildings or bridges along with any other easy-to-copy ways of self-destruction are not permitted before 9pm in the UK and even after 9pm great care should be taken.

## **8. Potentially Dangerous Behaviour Easily Imitated by Children**

All broadcasters have a responsibility to their young audiences. Children view even if programmes are specifically NOT aimed at them. It is usually the parents of children that get upset if they think their child has seen something inappropriate. For example, some situations to watch out for are:

- Children playing on or near railway tracks.
- Children in a house, playing with household items that would be dangerous to abuse e.g. irons, kettles, cookers etc.
- Children shown climbing worktops, cupboards or other high structures (climbing frames in a playground are justified but only if an adult is present).
- Children shown talking to strangers
- Destructive behaviour such as throwing bricks and rocks.
- Inhalation of ANY substances that isn't a recognized nasal spray.
- Playing with fire.

## **9. Toys**

Although it many at first seem strange, particular care should be taken with the use of toys as props in videos because considerable offence appears to be caused. There is a widely held belief that some adults see the mistreatment of toys as being representative in

some way of child abuse. Dolls and teddy bears should not be shown being hit, hung, mutilated or drowned in videos between 4pm and 7pm in the UK.

## **10. News Footage**

The use of news reel footage in videos must be used wisely and must take into account Family Viewing Policy. Extreme caution must be used. The footage in question can be in a news programme as warnings are always given immediately prior to the footage being shown. Videos are not generally considered vital news material and there is no warning for the viewer as to when it will appear. This can cause deep and widespread offence.

## **11. Parody of Films and Programmes**

Particular care should be taken when attempting to parody films in promos. If the subjects of the parodies are from horror/violent/sexual films and the images that are created are realistic in their portrayal of violence, horror or sex, then the video would receive the kind of restriction that the film does in the cinema or on television i.e. LATE.

This does not necessitate an absolute ban on the use of parody with regard to 15, 18 or R18 films. It is the need for frightening/violent/sexual images to be kept out of Family Viewing Time.

## **12. Use of Film Footage**

Excerpts from a movie release cut into a video may also cause the video to be restricted to after 9pm if the shots from the movie are too violent or sexual. Of course, action shots and certain gun scenes are legitimate but anything excessive would probably be restricted (e.g. a video with violent clips from "Natural Born Killers"). However, there should be material from such films that could very easily be in a video that is suitable for daytime. It's all down to taking care of what is shown to young people during the day.

Furthermore, please note that film soundtrack promos should contain not more than 1/3 film footage.

## **13. Animals**

On the whole, viewers are sometimes extremely affected by any indication of cruelty to animals that they see on television. As a result, no animal should appear to be the victim of any unnecessary suffering or cruelty. It is illegal for any broadcaster to show any footage of cock fighting or dog fighting (although, to an extent, this type of footage may be acceptable in a serious documentary/awareness programme about banned sports). Bull fighting, although a recognised "cultural activity" in some areas of Europe, is greeted with great offence by many others. Scenes of bullfighting in promos, whilst not unacceptable, should endeavour not to include

scenes of suffering/distress or subsequent death of the animal (or indeed the bullfighter). Anti-vivisection footage of a shocking, brutal or distressing nature may need to be restricted to after 9pm depending on the severity of the images.

#### **14. The Occult**

The ITC Programme Code takes a very strong view of demonstrations of exorcism and other occult practice. No representations of such practice should be shown before 9pm.

#### **15. Impartiality**

All broadcasters in the UK have a duty to abide by the rules of due impartiality. Obviously, whilst no broadcaster is expected to be absolutely neutral on every controversial or political issue they are expected to deal even-handedly with opposing points of view and clearly distinguish opinion from fact.

#### **16. Religion**

Abusive treatment of the religious beliefs of those belonging to a particular religion or denomination is not allowed under section 9.1 of the ITC's Programme Code. "The United Kingdom contains communities with different faiths and cultures, each with their own particular religious sensitivities. It is important for all broadcasters to make themselves aware lest they give unintentional offence".

#### **17. Ethnic minorities**

Promos should not include racist material, or material likely to offend or stereotype racial minorities.

#### **18. People with disabilities**

There is a danger of offence in the use of humour based on physical, mental or sensory disability, even where no malice is present. Reference to disability should be included only where necessary to the context and patronising expressions replaced by neutral terms.

### 1. Flashing Images (e.g. strobing, flashing lights)

**Flashing and flickering images in colour or black and white, which result in visible screen brightness changes of more than 10% screen area at a rate exceeding 3 flashes per second, should be avoided.**

Moderate repetitive changes in screens brightness exceeding 10% screen area are acceptable **provided the difference in brightness over any two consecutive frames in a sequence does not exceed 10%**. This is measured as the difference in brightness between the lighter and corresponding darker image area expressed as a percentage of the brighter image. Brightness changes greater than 10% will produce a visible "flash" and this therefore represents a risk. In this case only one flash will be allowed in any nine-frame period.

Brightness level changes exceeding 10% are also acceptable in small areas. Up to 10% of the screen, either a single area of a sum of smaller parts, may change at any rate or brightness level.

Flashes involving highly saturated red are particularly dangerous and should be avoided.

### 2. Fast Cutting

Rapidly changing image sequences are provocative when they result in a visible brightness change over more than 10% of the screen area, at a greater rate than 3 changes per second. An image, which changes every 9 frames or more, irrespective of its brightness or screen area, will comply with the ITC rules.

### 3. Static Patterns

Regular patterns, which cover more than 10% of the screen area, should be avoided. A single pattern cycle may consist of distinct vertical, horizontal, diagonal, circular, radial line of bar segments followed by a segment of different brightness. Pattern cycles which are repeated can form grid patterns. A pattern is considered provocative if it produces the equivalent of 10 to 40 cycles across the screen and the difference in screen brightness between any two adjacent segments exceed 10%.

### 4. Moving Patterns

Moving patterns, which flow smoothly across, into or out of the screen in one direction, are not considered hazardous. However, a moving pattern, which changes direction, oscillates, flashes or reverses in contrast is particularly hazardous. Pattern contrast reversals using fully saturated red are not allowed.

### **1. Undue Prominence**

No undue prominence may be given in any programme to a commercial product or service. In particular, any reference to such a product or service must be limited to what can clearly be justified to by the editorial requirements of the programme itself. An important practical yardstick is that in no circumstances may the manner of appearance of a product be the subject of negotiation or agreement with the supplier. Branded products should not, as a general rule, be referred to in audio or by brand name, or shown in close up or from an angle which displays the branding to best advantage, or for any significant length of time.

Undue prominence is often an issue in promos featuring branded clothing, cars, bottles of dink, website addresses and films.

### **2. Product Placement**

Product placement is defined as the inclusion of, or reference to, a product or service within a programme in return for payment or other valuable consideration to the programme maker or ITC licensee (or any representative or associate of either). This is prohibited.