

**43rd EPRA meeting:
Barcelona – 25 – 27 May 2016**

**Working Group 2
Case Study on the Protection of Minors: Reality and Talent Shows
Summary of the WG**

by Maida Ćulahović, CRA (BA), Content Producer

The spring session of the yearly working group “Case Studies in Content regulation” was dedicated to one issue of continued relevance for all EPRA members – the protection of minors – with a special focus on reality and talent shows. The WG session was chaired by Johanna Fell, EPRA Vice-Chair, and it followed a round-table format with presentations of cases from three countries, followed by a debate.

In preparation of this working group, a questionnaire was circulated with the purpose of gathering an overview of approaches to regulation of reality and talent shows, the main issues at stake as well as experiences in relation to these specific programme formats. The replies received from EPRA members have been compiled in the background document for the group¹.

The working group focused on two aspects of the protection of minors in reality and talent shows: protection from content in these shows, and protection of minors as participants in these shows.

The first presentation was delivered by Stanislav Bender (AEM, HR) who raised a very relevant issue of finding the balance in regulation between the need for intervention to protect the public interest and the freedom of expression, where much has to do with questions of what constitutes bad TV content and matters of taste. He showed a case, an episode of “Big Brother” which sparked much controversy in the public, and in which the main issue at stake was alcohol abuse. The point was raised about the ethics of producers who allowed the participant to consume alcohol and went on to show her behaviour afterwards. It was also interesting to learn about the results of the analysis of the content and viewer ratings of each show of that particular season of “Big Brother”, that in the early episodes with frequent scenes of alcohol abuse and sex, the ratings peaked. However, as the time went on, there was a smaller interest of viewers in this particular format, as the novelty effect wore off.

The second case study, presented by Maida Ćulahović (CRA, BA), demonstrated the Bosnian experience in regulating reality shows, including the latest measure to introduce a watershed for certain formats of these shows. In BA, there have been severe public reactions in the wake of a certain revival of reality shows since summer 2015, when several regionally produced reality shows emerged and were broadcast throughout the day, at all hours, with severe violations of rules on protection of minors as well as the wider audience. The case shown was a case of a scripted, the so-called *pseudoreality* show

¹ <http://www.epra.org/attachments/barcelona-wg2-case-study-on-the-protection-of-minors-focus-on-reality-and-tv-shows-background-document>

which raised serious concerns and has been characterized as content which might seriously impair the development of minors, including scenes of sex with a minor presented in an affirmative context. The point has been raised that whether the audience perceives the content in question as real or fictional is a crucial contextual factor in this regard.

The presentation of the third case by Tony Close (Ofcom, UK), echoed the second big concern in relation to these programme formats, and that is the participation of minors and protection of their dignity as well as avoiding causing them unnecessary distress by their involvement in programmes, in particular in relation to talent shows. Ofcom has produced extensive Guidelines on the involvement of people under 18 in programmes which recommend measures that cover every stage of production: pre-production (background checks, risk assessment based on age, maturity, type of programme); during production (expert psychological support) as well as post-production (monitoring and advising on after-effects such as the impact of social media). He showed an example of a talent show "[Blinging up Baby](#)" in which a 4-year old girl performed a dance routine which included some sexualized movements. Even though the broadcaster had taken certain steps to protect their child participants during the production process such as psychological care, it never revisited the risk assessment in allowing the content to be broadcast in the end. This case demonstrated that due care during the production process is not enough, that the providers must take final responsibility for allowing the harmful material to be shown, and that they cannot always rely on the consent of parents.

One of the conclusions of the WG was that reality television is becoming less and less real, shows seem to be more and more scripted. They constantly push the limits of what is acceptable. Just as the market had grown tired of talk shows that were extremely popular at one point, Big Brother and similar formats are also slowly phasing out, partly also because the audience gets accustomed to the - at first shocking - content. But these shows are still products of great marketability, and the question emerges as to what will fill in their airtime, what is the next big thing, and that seems to be whatever offers more potential to producers to capitalize.

Another observation that was made is that reality shows are becoming ever more virtual, as was illustrated with an example of two reality shows currently broadcast in Germany, in which actors extended their virtual lives into the social media.

In terms of the specific approach to regulation of reality and talent shows, several good practice examples have been highlighted, such as Ofcom's [Guidance on rules concerning the involvement of people under 18 in programmes](#), and the [Guidelines on the identification of scripted reality programmes](#) produced by the German Media Authorities together with the Association of commercial broadcasters. A very relevant [background material was provided by the Polish KRRiT](#): a study done in collaboration with the University of Warsaw containing a physiological analysis of the image of children participating in reality and talent shows and its possible negative consequences.