

DCMS Consultation on Product Placement on Television

Response from the Church of England

Made by the Archbishops' Council Communications Office and Mission and Public Affairs Division

General position

The long-standing ban on product placement in all television output in the UK is part of a general convention enshrined in broadcasting history: that there should be a clear separation of 'editorial' content and commercial messages. Product placement, by definition, blurs those lines.

This consultation therefore touches upon broader ethical questions, beyond purely economic decisions. Retaining trust in broadcasters' integrity and editorial balance is key to maintaining strong relationships between audience and broadcaster, which in turn has both civic/societal and economic benefits. For this reason, the Church of England is opposed to changes to the current regulatory regime, even outside public service content and news and current affairs.

This position reflects the views of consumer organisations and viewer organisations, such as the Voice of the Viewer and Listener. In 2007, the European Consumers Organization, BEUC, responded to the Audio Visual Media Services Directive thus:

“We hold firmly that advertisement in the form of product placement should be banned and reiterate: it is surreptitious whatever the information requirements will be. The decision to make exceptions to the general ban is disappointing for consumers.”¹

In other areas of broadcasting policy – such as the use of bad language and violence in TV programmes – the Church has consistently argued that, for the broadest benefit of society, broadcasters and regulators should not regard freedom of expression as licence to publish or broadcast everything, whatever its impact. The limits should be informed by independent research, and reflect the genuine wishes of the majority of society.

In the absence of any significant independent research on public attitudes, or economic impact assessment, we see no reason why the government is proposing to change its mind on the ban on product placement when its consultation exercise of less than nine months ago concluded that no such change was warranted.

¹ Audiovisual Media Services Beuc Updated Position Paper (BEUC/X/005/2007)

The only presenting argument – that, in challenging operating conditions, broadcasters need to identify other revenue streams – is, as the DCMS consultation paper itself noted, entirely unproven:

“The conclusion which the Government drew following our consultation last year, and which it announced in March, was that no conclusive evidence had been put forward that the economic benefit of allowing product placement was sufficient to outweigh the detrimental impact it would have on the quality and standards of British television and viewers’ trust in it.”²

The 2008 consultation “demonstrated little certainty about the extent to which television product placement, were it to be allowed, would generate additional revenue for television broadcasters as opposed to displacing money from the existing revenue streams of spot advertising and sponsorship.”³

The Church notes that one of the purposes of the current consultation is to ascertain whether a clearer picture of the likely commercial benefits can now be found, but we question why it is thought any easier to gain a more accurate picture of the scale of opportunity now than it was less than a year ago.

Indeed, given the ongoing uncertainty about the future prospects for advertising revenues, it seems highly unlikely that any large potential-sponsor is currently in a position to make firm claims about the *additional* expenditure it would be likely to make under a different regulatory regime. It goes without saying that simply shifting expenditure from standard advertising to product placement would have no impact on the broadcaster, though it would have the regrettable knock-on effect of reducing income for the advertising creative and media planning industries.

We remain entirely unconvinced that the unquantifiable benefit to a small number of commercial broadcasters in any lifting of the ban on product placement outweighs the potential detrimental effect on public trust in the editorial integrity of television programming.

Selected Consultation Questions

1. What, if any, viewer and other safeguards there should be additional to those required by the AVMS Directive?

Given our position on the issue, this question is moot. But, for completeness, we would like to record that we see no reason to believe that the conclusion arrived at after the consultation in March 2009 has been invalidated and we therefore

² Section 3, para 7, p11

³ Section 3, para 5, p10

hold that the current ban on product placement in any genre of UK television should be maintained.

Programme genres

14. *Should there be a specific prohibition of product placement in religious programmes, news programmes; current affairs programmes; consumer programmes; or any other specific type of television programme?*

Yes.

Should the current ban be partially lifted, product placement should not be allowed in religious programmes, news programmes, current affairs and consumer programmes. Editorial independence, integrity and impartiality must not be undermined or seen to be threatened in programmes in which viewers put a great deal of trust. The Consultation Paper itself points out that “product placement in news, current affairs and consumer programmes might be seen as affecting their impartiality. Product placement in religious programmes could offend religious or cultural sensitivities”.

Children

15. *Should any or all product placement be restricted or prohibited in programmes with a disproportionately high child audience?*

Yes.

The ‘Good Childhood’ report commissioned by The Children’s Society (Penguin, 2009), based on more than 2,500 submissions and a range of qualitative interviews with young people, points to the negative effects that media-driven consumerism can have on the overall well-being of children. The report quotes UK studies (Kasser 2002, Nairn and Ormond 2007) to illustrate the pattern explored by Juliet Schor (2004), who concluded that, other things being equal, the more a child is exposed to the media, the more materialistic they become, the worse they relate to their parents, and the worse their mental health. These effects, the Good Childhood report argues, can have a disproportionate effect on children from poorer families. Furthermore, these effects, we now argue, would be worsened in a context that allows product placement in programming aimed at children.

In 2006, the Archbishop of Canterbury, Dr Rowan Williams, spoke of his concern over the growing commercialisation of childhood, in light of the publication of a report by the independent group Compass. The report suggested that while 70 per cent of 3 year olds recognised the McDonalds logo, only half of that number knew their own surname. He said that “if children grow up in an environment where they think it's acceptable to spend, to encourage others to spend, to be irresponsible about what they have, that's not good news. And it also cripples their own childhood, it limits their own possibilities as children, it fences them in.”

These moral objections are reinforced by the serious health implications suggested by some groups (such as the Children's Food Campaign, the British Medical Association and the British Heart Foundation).

The risks to children mean that, even if product placement is regrettably allowed within some programme genres, it should certainly be prohibited in programmes with a disproportionately high child audience.

Editorial independence; undue prominence

20. *How could 'undue prominence' be avoided, given the commercial imperative for audiences to recognize the products and services that have been placed?*

21. *At what point should the Government, or Ofcom, draw the line between legitimate paid placement of goods or services and illegitimate 'direct encouragement' to purchase or hire them?*

22. *Are rules – in addition to those that prevent 'undue prominence' and the promotion of placed products – needed to safeguard editorial integrity? If so, what should these be?*

The only sure guarantee that editorial independence and integrity is maintained and undue prominence is not given to particular goods and services is to retain a total ban on product placement. The wording of question 20 itself ably demonstrates the problem that would arise in attempting to construct workable and consistent rules and practices to regulate such proposed activity.

Thematic placement

38. *Should the prohibition of 'thematic placement' extend to placements which feature only generic products and services or types of product and service rather than branded ones?*

39. *Should the prohibition of 'thematic placement' extend to the placement in a programme of references to the beliefs, policies, aims or objectives of the placer?*

Payment for 'thematic placement' in all cases should be prohibited. It is surreptitious advertising, with the consultation document itself highlighting that "the AVMS Directive prohibits product placement where it influences the content or scheduling of a programme in such a way as to affect the responsibility and editorial independence of the broadcaster and states that 'this is the case with regard to thematic placement'... Placed storylines, subjects or themes are not compatible with the AVMS Directive".

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