

# RESPONSE OF CHANNEL 5 BROADCASTING LTD (FIVE) TO THE ICSTIS CONSULTATION ON ITS REVIEW OF CALL TV QUIZ SERVICES

Five is glad of the opportunity to respond to ICSTIS' thorough review of the Call TV Quiz Services sector. Five welcomes ICSTIS' desire to improve confidence in the Call TV Quiz Services sector by proposing practical ways in which regulation can be improved and public confidence correspondingly increased.

Five believes it is essential for steps to be taken to restore viewers' confidence if such programmes are to have a future. Broadcasters must look to improve their own procedures and external regulation tightened where appropriate. We believe the ICSTIS proposals for this sector will assist this objective.

When introduced just over a year ago, the ICSTIS Statement of Expectations on Call TV Quiz Services, together with Ofcom's relevant guidance on its Broadcast Code, set a welcome set of standards for the sector as a whole. However, Five recognises that this regulation needs keeping under regular review, especially given the level of public concern about the sector. It is in the interests of viewers, participants, broadcasters, service providers and the wider public that Call TV quiz programmes are conducted to the highest standards and that this is reflected in and underpinned by regulation.

Five broadcasts quiz programmes that fall into the definition of Call TV Quiz Services covered by the Statement of Expectations. Until taken off air as part of our audit of all our telephone-based programming, *Quiz Call* was shown late at night on Thursdays, Fridays and Saturdays on Five, with editions of the programme also shown at various times on our digital channels Five US and Five Life. Over the period they were on air, hundreds of thousands of viewers enjoyed our Quiz TV programmes every week (most of them without taking part), and the number of complaints we received was very small.

We find many of the findings of the ICSTIS review reassuring as they reflect our own experience - for example, that very high proportions of viewers understand the mechanics of Call TV quiz programmes. In some other areas, ICSTIS has uncovered causes for concern; even if these concerns do not reflect poor practice by Five, we recognise it is in our interests, viewers' interests and those of the sector as a whole for further regulation to be introduced.

Therefore Five broadly welcomes the proposals to revise the Statement of Expectations contained in the review document. We address below the specific issues asked in the consultation questions.

### **Transparency – Cost (Question 1)**

Five fully accepts that viewers should be given clear and regular information about the costs of taking part in our quizzes, both in writing and verbally. Our current practice is that twice in every 15 minute period our presenters provide information about the price of calls and the fact that all calls, whether successful or not, will be charged for. We support the proposed revision of the Statement of Expectations to ensure such spoken information be provided at least every ten minutes.

### **Transparency – Chance (Questions 2-5)**

Five believes the great majority of viewers know there is a limited chance of getting through to a live studio-based competition. Viewers have been taking part in PRTS-based competitions for over 20 years and know that in a mass medium like television many thousands if not millions of viewers are all watching a programme at the same time.

However, even before recent events we recognised there was a considerable level of public concern about these programmes, not least in the recent report of the House of Commons Select Committee on Culture, Media and Sport and in ICSTIS' review. We also know it is essential to maintain high levels of viewer confidence in our Call TV Quiz programmes as they evolve. Therefore, we do not believe that a greater degree of transparency is needed about viewers' chances of getting through to our studio. We therefore reject Option 1 ("do nothing").

There remain considerable practical difficulties in attempting to show the current chances for viewers of getting through to a live studio in a dynamic environment where the variables keep changing. We are pleased this difficulty has been recognised by ICSTIS and by the Select Committee, and believe an approach based on showing "real time odds" (Option 2) is effectively a non-starter.

Five therefore believes in the principle of increased transparency articulated in Option 3. We would like to discuss further with ICSTIS and the industry as a whole what practices would be deemed acceptable to comply with this condition.

One possibility, along the lines suggested by ICSTIS, would be to provide information about the total number of people who have called a programme in the last completed quarter hour. We believe providing data about 15 minute periods is more sensible than data on every hour. The nature of programmes, the types of quizzes on offer, the volume of calls and the number of people watching can change considerably over an hour. Information only refreshed hourly would be seriously out of date for much of the time, therefore being more misleading than helpful.

An alternative would be to provide information on a regular basis (say every 15 minutes) about how many calls were made in a sixty second period.

### **Excessive Use** (Question 6)

Five is particularly concerned that none of our viewers makes large numbers of calls to our quiz programmes without realising the level of telephone bills they may be running up. All viewers who make a significant number of calls in a given period have the number drawn to their attention.

We have increased progressively the frequency with which such contact is made. We used to contact people when they had made 40 calls (with further contact at every 20 subsequent calls) in a day; our current practice is for people to be contacted every time they make 13 calls (and multiples thereof) in a day. Every 13<sup>th</sup> call the viewer will hear a recorded message telling him or her how many calls he or she has made that day before being given a chance to enter the competition.

The reason we decided on 13 calls is that it equates to expenditure of £10 at our standard rate of 75p a call. Because mobile and other rates vary, it is not possible to devise a foolproof system that enables us to tell viewers exactly how much they have spent, as opposed to how many calls they have made.

Five supports ICSTIS' proposal to mandate call cost warnings every time a viewer spends around £10 in a 24 hour period, but we think for practical reasons this needs to be expressed in terms of number of calls rather than money spent.

### **Conclusion**

The Call TV Quiz sector has grown up quickly over the last two years and is continuing to evolve. Five believes the sector needs to practice high standards of transparency and consumer protection if it is to enjoy the support of viewers and the public at large, and it is important for these standards to apply across the sector as a whole. Therefore, Five supports the constructive proposals put forward by ICSTIS and looks forward to discussing in detail how they should be implemented.

*Channel 5 Broadcasting Ltd*

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