Protecting Participants in TV & Radio Programmes
OFCOM Standards Team
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Dear OFCOM - in light of the tragic circumstances surrounding the death of a contributor on the Jeremy Kyle show, I understand from Directors UK that you are now conducting a report into the production of reality shows and subsequent care of contributors.

I am a freelance director who has worked across many genres including documentary, entertainment, factual and reality TV shows. In that time I've directed for many different broadcasters and production companies, which has given me a great insight in to how some of these productions have been produced and areas of contributor care I think can be improved. On many occasions I have complained and sometimes even refused to direct certain sequences because I felt both the ethical value of content and perhaps contributor welfare might be compromised. This has led to my not always being popular on some productions and not surprisingly, a decline and despite my skill set in this area, eventually a complete cessation of work offers on such productions.

Having heard some of the revised guidelines from DUK that OFCOM feel should now be put in place for future productions, I feel some of these have already been in place for some time, but in my opinion largely seen as just a tick box exercise. I can't help but feel any future guidance you give will end up being treated in the same way unless some way of policing it is put in place. In my opinion the problem lies with the 'bully' approach to making these programmes with indies struggling to produce the kind of content commissioning editors want to see.

Many contributors have not even thought about the consequences of appearing in front of the camera, potential fame, social media abuse or any kind of pressure as a result after transmission. As far as I am aware, I'm not even sure if they get any kind of aftercare, as this would require more spending within already tight production budgets. From what I've seen, any kind of explanation to contributors about this would probably end in pressure (and possibly bullying) from programme execs not to go into this in too much detail as they are more concerned about losing potential contributors when tight shooting deadlines approach.

Many production staff hired in to source contributors have little or no experience or people skills and just saying they have worked on similar shows does not make it right. I've seen some with no experience of dealing with volatile situations, having to cast and then deal with these contributors. To some, guidance (including Psyche testing individuals) is no more than a way of passing this responsibility on to someone else. There are many things that can be missed from these tests which can also become no more than a simple tick box exercise some broadcasters and production companies think is enough. I also think simply suggesting that because a contributor has signed a release form gives broadcasters the right to present that person in a show is unacceptable

Perhaps it might be worth getting the bigger picture to help address this potentially volatile way of making TV shows by listening to people in the front line making these shows? Obviously this would have to be in confidence, as many would be scared to speak out for fear of being fired (if already working) or simply blacklisted. This list could include directors, researchers, AP's; editors etc, who are making these shows but should not include TV execs that simply hide behind company lawyers when things go wrong.

There are several areas I think need urgent addressing, here are just a few:

- Broadcasters and execs live in a comfortable environment of revolving door hopping from being commissioning editors to indie execs, and in some cases awarding themselves commissions in the process. This is simply creating an incestuous environment of familiar style programme making which results in total control (and in some cases bullying) over all aspects of programme making removing any chance of individual creativity. This all forms part of the bigger picture where the wrong people are being employed because many of the indies are owned by the broadcasters who then, in turn, control the productions and the staffing of those productions.

- This also leads to a 'no challenge' culture of the staff who are employed, because fast tracked willing producers and directors who've suddenly found themselves quickly elevated into that position wont be too challenging as they are keen to please. They are normally very young and inexperienced but hungry to please to move up the production ladder quickly and without asking too many questions. This means experienced people like myself are simply ignored because the 'right' way of doing things is just ignored. As an example, a recent brand new contributor based series I was contracted as series director despite my contribution on how it should be made, I was suddenly dropped 3 days before shooting starting because they could no longer afford a series director so the series producer would now direct.

- The bigger picture surrounding recruitment in general and the way in which it leads to the right person being recruited for the job also needs looking at. It would appear in many instances the industry is being run like a dating agency. I've spoken to several 'Talent' scouts and production managers responsible for hiring production staff and they admit that when hiring they will simply use social media platforms to check somebody out once they receive a CV from any potential freelancer or staff member. This means if someone doesn't make a big first impression on how they first appear, or are posting the kind of things that particular scout or PM thinks appropriate they will simply not be considered…regardless of experience. Of course many would say this is the norm and is a way of eliminating potential staff that could be an issue, but this is still no guarantee you are hiring the right person. Speaking as someone who's series produced alone over 200 shows for several major channels, hiring the right staff is key to a show's success and the wellbeing of contributors, so meeting people is also essential.

- One of the biggest current problems is the 'behind closed doors' reference process, or as it's been described by some, the blacklist. This is where you apply for a job, should you pass the first social media hurdle, you are then required to give two references of people you have worked for. On some occasions this can be difficult, especially if you've been asked to give a reference for a particular project you've not done for a few years and people have moved on. I've also seen this abused by some people who may have taken a dislike to someone on a production for personal reasons, even though that person may have done a good job, so are given an unfair references. This must be outlawed, as it is open to abuse and can be devastating to individual's careers.

- Experienced people of all ages, gender etc should be considered for jobs and companies should have a check list criteria of staff they should be employing. An example of this is where several talent scouts and PM's have simply said my CV is far too long and in some cases, I've actually done too much and their execs only want to see 2 pages. This of course means you don't stand a chance of getting work if the experience you have for job you are applying for is past page 2.

- Production companies and broadcasters should have some kind of licence to operate whereby there should be some kind of monitoring where production personnel and even contributors are allowed to give feedback both during and after a filming. If not already in place, after care for contributors must be carried out for at least a year after transmission.

Rather than look for blame I feel because of my long service as a producer, director and even having also run my own broadcast production company, this gives me the skills and knowledge to help to offer guidance to OFCOM with this report. Many broadcasters claim that they're simply making pioneering TV, but I do not believe this should be to the detriment of contributors, many of whom do not always understand what they're fully letting themselves in for.

I have given my views to Directors UK, but think it's now time that OFCOM should perhaps listen to independent people making these shows in confidence because those who do speak up could lose their job, or simply not be hired again. Execs want to construct 'characters' as they see fit. This must stop and there now needs to be a much more 'responsible' approach in making these shows by them instead of passing on responsibility to individuals who don't have the full control they really need.