



<http://www.bucksinfo.net/nncee/>

Dear Chief Executives,

Ref: Children in Performance – Broadcast Talent Programmes

As Chair of the above organisation I am bringing to your attention our members' great concerns over programmes which, by their very nature, means that they may work outside of the law and in so doing, place children at extreme risk.

Earlier last year children took part in a programme based on a talent competition, a number were under the age of 13 years, and took part after 7pm in the competition's final week of live broadcasts; each without a valid licence being in place at the time of their 'live' performance.

The age of 13 years, is a critical age for broadcast of programmes involving children, as the law does not allow under 13 year olds to be screened live after 7pm,

The programme makers were fully aware of the law and when the local authorities involved failed to amend their licences to enable the child(ren) to perform (as this would have been illegal), the organisation wrote to the Chief Executives' of the relevant authorities.

In essence the Chief Executives' confirmed that because of the existing legislation licences could not be issued to any child under 13 years of age for any performance, or part thereof, after 7pm.

However, as I understand it, partly due to the popularity of this programme, together with concerns over adverse media coverage, those authorities agreed that whilst no licence could be issued, the relevant local authority would not take any legal action should that child perform after the designated 7pm; the latest permitted performing time for that age of child.

Although sympathetic, our members' felt terribly let down and undermined.

We are not yet at the televised stages of the 2009 competition but it is already clear that there is a distinct likelihood that the situation will repeat itself and apply to a large number of children across the country.

The NNCEE has been campaigning for many months for the Government to modernise Child Employment and Entertainment legislation, your Lead Member for Children and Director of Children's Services received an invitation to the launch at House of Lords 20th November 2007 and a copy of the DVD "Every Child Matters Even When They're At Work" a DVD created by ITV Granada, commissioned by the NNCEE to highlight the many outdated issues.

In the past few months, NNCEE led the wider entertainment industry, in presenting a document for legislative change to the DCSF, who are in agreement to provide guidance, but not necessarily to review the current law.

As a result, we have a similar situation as last year, only now, we have a letter from the Association of British Insurers who confirm that any illegal use of children, is almost certainly going to mean that the child in question is not going to be covered by the production company's Employers Liability Insurance.

NNCEE believe that there is an urgent case for all child employment and entertainment legislation to be amended and to be appropriate to today's complex multi-cultural society that in turn would allow children to take part in live reality television programmes.

We are seeking a consistent approach across the country, by asking each Chief Executive to support those of their staff that are engaged in safeguarding children in this area of work, to advise any programme maker that no such child may perform after 7pm, and should they not adhere to this, then the licensing Authority will take steps to ensure that the matter is fully investigated.

NNCEE is aware that where its members' credibility is undermined, as in last year's programme, if the Licensing Authority fails to enforce the legislation and a child becomes ill or injured as a result of an accident at the place of performance, it is likely that they, the Licensing Authority, may be liable for any ensuing compensation.

We ask for your support in this matter now, so that any negative publicity can be addressed at an early stage in such competitions.

Yours sincerely

Terry Drury
Chair National Network for Children in Employment & Entertainment