



From the Chief Executive's Office

Damian Collins MP
Chair, Digital, Culture, Media and Sport Committee
House of Commons
London
SW1A 0AA

16 July 2019

Dear Damian,

Thank you for your letter of 1 July 2019 with the follow up questions to ITV's evidence session with the Committee on Reality TV. I set out our answers below:-

Lie Detector

1. **Q.12 Chair:** What is the range [of accuracy]? You say you have had different opinions. What is the range of opinion?

A: Professional polygraph examiners offer a range of opinions as to the accuracy of lie detector tests, but all would state that they have a high level of accuracy. For example, the website of the American Polygraph Association states:

*"Through strict adherence to training and education standards, APA examiners are able to attain accuracy rates **exceeding 90 percent.**"*
<https://www.polygraph.org/about-the-apa>

This reflects a consensus within the polygraph industry in the USA and in the UK.

The polygraph examiners used by the Jeremy Kyle Show (UK Lie Tests) believe and have told ITV that the accuracy of their tests are in excess of 90%. These examiners were trained at APA accredited institutions in the USA (the Maryland Institute of Criminal Justice Polygraph School, and the Backster School of Lie Detection in San Diego). They acknowledge and have always advised guests on the programme that these tests cannot be guaranteed to be 100% accurate, as did the production team. Others outside the industry suggest that the level of accuracy is less certain, and therefore offer a lower percentage estimate of accuracy. For example, Professor Bull, who is a psychologist and was quoted in the Dispatches programme, suggested the accuracy level to be “around 70%”, reflecting a more sceptical academic assessment by those outside the industry.

2. Q. 26 **Chair**: Is there a body, an organisation, that issues qualifications in being a lie detector tester?

A: Yes. The British Polygraph Association is the UK's polygraph association. Members of the BPA have all graduated from polygraph schools that are accredited by the American Polygraph Association. The polygraph examiners who provided testing for the Jeremy Kyle Show were both full members of both the APA and the BPA. A list of accredited course providers is available here: <https://www.apapolygraph.org/accredited-programs>

3. Q57. **Giles Watling**: Has there ever been a case where somebody has failed the lie detector and has subsequently proved that the lie detector test was wrong? If that has happened, has it been publicised and have you, as newspapers do, printed a retraction?

A: We are aware of only one instance where a guest who had failed the lie detector test later advised the Jeremy Kyle Show that they had taken another test administered by a different polygraph examiner, which gave a different result. The episode was not transmitted again.

Medical Data

4. **Q.138 Jo Stevens:** It says also in this document that you will share internally with business affairs, as you mentioned, compliance and insurance teams. I am interested to know why you would share information about people's medical data with insurance teams.

A: ITV complies with the General Data Protection Regulations. It is a requirement of the GDPR's transparency provisions to provide data subjects with details of intended processing. Whilst it would be highly unusual to share medical information with our insurance teams (or our insurers), it is possible that there might be instances where we would need to do so e.g. in the event of a claim by the data subject against ITV.

5. **Q.263 Giles Watling:** That is good to hear. How long do you keep the data?

A: Personal data for individuals who are not filmed is retained for 3 years and their special category data is deleted after 3 months. For individuals who are filmed and appear in the programme, their data is held for as long as the programme may be broadcast or licensed for broadcast. We need for example to retain data to be able to contact the guests to inform them prior to all repeat transmissions.

Health and Care Professions Council

6. **Q.175 Brendan O'Hara:** Okay. Could I ask then Mr McLennan and Mr Bellamy? Why is there not a member of the Health and Care Professions Council embedded with this team?

A: The Aftercare Team on the Jeremy Kyle Show are all registered healthcare professionals. Not all healthcare professionals are registered with the Health and Care Professions Council, which regulates 16 different health and care professions. Graham Stanier, the Director of Aftercare for the programme, is a consultant psychotherapist and registered with the UK Council for Psychotherapy, and has a masters degree in psychotherapy and counselling. His team of mental health nurses are all registered with the Nursing and Midwifery Council. The team also had access to advice from a GP where necessary (for example where guests were seeking help for alcoholism) and were able to refer to other clinicians as deemed appropriate.

There is no agreed “best practice” in the industry in regard to the required professional qualifications of experts who advise producers and broadcasters on participant welfare. The expertise and qualification of experts need to reflect the particular requirements of the programme and the participants. ITV is actively discussing this issue, and other aspects of “best practice”, both with other producers and also with our regulator Ofcom in the context of its forthcoming consultation on changes to the Broadcasting Code and Guidance relating to the duty of care towards adult participants.

7. Q.190 **Brendan O’Hara:** Could you then find out, looking back in your records, how many times Mr Stanier has come to the production team and said, “For the mental wellbeing of the participants, this should not be broadcast”, and could you write to us and tell us that exact number?

A: We do not have a record of all participants whose contributions were not broadcast for all series since the programme began in 2005. In an analysis of the most recently completed series, which comprised over 500 stories/segments (there were 180 episodes with each typically containing 3 stories/segments and involving several participants), and which is indicative of the general pattern. Graham Stanier intervened to drop 22 stories/segments from the series (involving a total of 49 guests). Of these segments, one was stopped during the recording of the segment, and the remaining 21 were dropped following the recording, due to issues relating to the welfare of the guests.

Complaints

8. Q.145 **Jo Stevens:** By guests on the show, yes. How many guests on the show made complaints to you as ITV after the show?

A: We have no central record of complaints by guests. Please see further below.

9. Q.148 **Jo Stevens:** All right. It would be very helpful for the Committee to know, first, whether you record complaints from guests or contributors to the programme and how many complaints you get as a percentage of the guests who appear on the programme. Could you send us that? Thank you.

A: All guests appearing on the Jeremy Kyle Show were contacted after recording, and a log was kept of these calls. If the guest had any complaints, or simply any concerns following the recording, these would be picked up in these conversations, and the production team would endeavour to resolve any issues with them, and in most cases would do so.

In the event that the complaint/concern arose after transmission, and could not be resolved by the production team, the individual would be advised that they had the right to go to Ofcom to complain about their treatment in the broadcast programme. Our records show 7 instances of guests having complained to Ofcom about the fairness of their treatment, none of which were upheld by Ofcom.

We estimate that more than 20,000 people have taken part in the programme over 14 years. Therefore, although we are unable to provide a percentage of these guests who made complaints to ITV, we can say that only a tiny percentage of these guests ever complained to Ofcom.

Social media

10. Q.70 **Ian C. Lucas:** But you specifically ask about Facebook. Do you advertise on other social media platforms?

A: Facebook was used by the production team to post requests for people to contact the show ("shout outs") on the programme's own Facebook page, which had 1,191,314 followers, and on individual producers' Jeremy Kyle Show branded Facebook pages. Individuals would then be able to make contact with the production team either on Facebook or via Facebook Messenger. Generally, the programme did not pay for advertising either on Facebook or any other social media platform. In November 2018 on one occasion the programme did use a "boosted" post on Facebook i.e. we paid for the post to reach a wider audience.

The programme also had a Twitter page, which was occasionally used for "shout outs" (also not paid for). It also had an official YouTube channel, which would carry short-form clips of the broadcast programme, some of which repeated a call to action that was included in the broadcast programme. A link to the ITV website appeared underneath the video content for people who wanted to apply to be on the programme.

11. What instructions did you give for placing of Facebook adverts? Did ITV Particularise who was to be targeted for advertising?

A: Other than aiming these “calls to action” at our viewers and fans of the show, generally we did not target particular individuals, although some did specify people looking to take lie detector or DNA tests.

Love Island

12. Q346. **Dame Carolyn McCall:** I do not know the proportion that is directly approached and those that are not, and we can come back to you on that because we will know that for this year.

A: On series 5 of Love Island to date (15 July), there have been 36 contributors. 24 were found and cast by the programme’s casting team, 6 were put forward by professional agents, and 6 came through the general application process.

I do hope these are helpful and please do let me know if you have any further questions.

Yours sincerely,



Carolyn McCall DBE
Chief Executive