

Sub Committees on The Smoke-free Premises etc. (Wales) (Amendment) Regulations 2012

Response from **BBC CYMRU WALES**

STATEMENT FROM BBC CYMRU WALES ON THE SMOKE-FREE PREMISES ETC. (WALES) (AMENDMENT)

The BBC operates a strict policy on smoking which holds programme-makers responsible for any portrayal of smoking. It is never justifiable to promote cigarettes and any portrayal of smoking should always have strong editorial grounds.

The BBC's practice is that during production in locations across the border in England, where there is an exemption for the filming of drama, the use of cigarettes on set is always risk assessed and carefully controlled, as is any other identified hazard. Any incident of smoking is discussed with cast well in advance to ensure that nobody is ever placed in an unfair position.

The current legislation in Wales makes it impossible to film a lit cigarette as part of a scene. This is problematic for period dramas, which often feature cigarettes as a fact of period life. It is especially difficult to truthfully capture big, emotional moments in close-up shots, where fake cigarettes and CGI don't create an honest effect.

Examples where the legislation has impacted on our decision to film across the border in Bristol include *Upstairs Downstairs* scenes at a 1930s boxing ring and a large party set in the Royal Albert Hall (though filmed in a different location). To film these large-scale scenes without showing anyone smoking cigarettes, which was such a prevalent social activity during that era, would have jeopardised the authenticity of the production.

When portraying smoking in BBC drama we never seek to glamorise it – and often we actively seek to do the reverse. In *Sherlock*, filmed mostly in Wales by Hartswood Films for the BBC, the main character has to be a smoker to remain true to Conan Doyle's iconic creation, but the narrative has included his own disapproval of the habit, and his attempts to give it up.

In *Casualty*, there were plans to use smoking as a cautionary moral tale with a smoker in a hotel room causing a blaze, which formed the central plot line of an episode. However, the existing legislation made filming the scenes too difficult to contemplate within the production budget and schedule, and a strong storyline

which would have highlighted one of the hazards of smoking, had to be changed to something else.

Other productions with strong links to BBC Wales could not have been filmed in Wales under current legislation - *A Room At the Top* and *Parade's End* were both period dramas where, to be true to the era, considerable amounts of smoking had to be featured.

Before Christmas BBC Cymru Wales announced the commission of a new drama for BBC ONE. Written and created by Toby Whitehouse (*Being Human*), *The Game*, is a six part Cold War spy thriller set in the world of 1970s espionage. Filming location details are still under discussion, and due to its period and subject matter it is likely to include fictional smoking. In this case the decision on filming location is finely balanced and the existing smoking legislation in Wales may have an impact on the final decision.

We have given careful thought to how we would respond to an exemption to the smoking ban being introduced for drama and film production sets in Wales. We would like to outline the key measures we would take to ensure that smoking on set was kept to a minimum after the introduction of such an exemption.

- In the planning of any drama filming, we will commit to always look first at alternatives to actual smoking, such as the use of fake cigarettes or Computer Generated Images. In some productions, the need for total authenticity is reduced, and in these cases we can use these options.
- We will introduce a new process within BBC Cymru Wales whereby the filming of any scene involving real smoking would have to be authorised in advance by the Head of Productions, who is a member of the BBC Cymru Wales Board of Management. This authorisation would only be granted if it was felt there was strong justification for using real cigarettes.
- We would apply the above measures to any independent productions for which BBC Cymru Wales is responsible.

We want to make it clear that, in the event of the exemption being passed, we would not seek to introduce more portrayal of smoking in our dramas. The only result of such an exemption would be that scenes which involve real smoking could be filmed in Wales, rather than England.

We believe that the introduction of an exemption to the ban would help to ensure that even more of the economic benefit of Wales-based drama will flow into the Welsh economy. We are concerned that the existing ban could inadvertently dissuade BBC drama producers from making certain types of programmes in Wales.

Often decisions about where to film a drama for TV are very finely balanced, and there is a risk that the ban might tip the balance in the wrong direction.