[FR] C8 ordered to respect human dignity and control its programmes

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During the programme *Touche pas à mon poste* broadcast on C8 on 5 February 2024, a female studio guest spoke about a rape that she said she had suffered. Clearly vulnerable, she was questioned for around 20 minutes about a highly traumatic episode in her life. Even when she found it difficult to continue speaking, the programme presenter and pundits continued to ask her questions, some of which were intrusive, for around six minutes. Despite the guest's obvious despair and distress, the editor failed to cut the interview short or even stop it temporarily to give her time to compose herself.

The *Autorité de régulation de la communication audiovisuelle et numérique* (the French audiovisual regulator – ARCOM) considered that interviewing someone who was clearly distressed and vulnerable in this way, without taking any precautions, especially in a programme broadcast during peak viewing hours, contravened the broadcaster's obligation to respect human dignity, which applied even if the person had consented to the questioning. Moreover, the images of her naked, bruise-covered body with her private parts slightly blurred, along with the intrusive questions she was asked in a blunt and forthright manner throughout the 20-minute sequence, were humiliating. Finally, even though the guest was visibly traumatised, the people in the studio continued to question her, asking her to reveal details of the attack, her addictions and her private life, which amounted to a form of indulgence in accounts of her suffering.

ARCOM ruled that the broadcaster had breached Articles 1 and 15 of the Law of 30 September 1986 and Article 2-3-4 of the channel's licence agreement, under which it "must not broadcast any programme that infringes human dignity as defined by law and case law" and that is must "ensure in particular that restraint is applied to the transmission of images or words that are likely to humiliate people […] and avoid indulging in accounts of human suffering".

ARCOM also noted that the broadcaster, even though it had invited the guest to appear in the programme in question and must have been aware that she was extremely vulnerable, decided to broadcast the interview live during peak viewing hours, immediately after showing a video depicting the difficulties she had experienced. It also took into account the images that had been knowingly broadcast and the decision to continue the interview even though the guest was

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so traumatised she could hardly speak. The broadcaster had therefore breached its licence agreement by failing to control programme content.

ARCOM therefore issued a formal notice to C8, requiring it to comply, firstly, with Articles 1 and 15 of the Law of 30 September 1986 and, secondly, with its licence agreement.

Décision n° 2024-205 du 13 mars 2024 mettant en demeure la société C8

https://www.legifrance.gouv.fr/jorf/id/JORFTEXT000049295519

Decision No. 2024-205 of 13 March 2024 issuing a formal notice to C8

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