[FR] Death of live streamer on *kick.com*: court rejects request for Australian platform to be fully blocked but orders targeted measures

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Following the live streaming, on 18 August 2025, of the death of Raphaël Graven, alias "Jean Pormanove", during a broadcast lasting around 300 hours on the channel of the same name on the Australian streaming platform *kick.com*, which has a French-language version, the French Minister for AI and the Digital Economy referred the case to the president of the Paris *Tribunal Judiciaire* (judicial court) under Article 6-3 of the *Loi pour la confiance dans l'économie numérique* (French Law on Confidence in the Digital Economy – LCEN) and EU Regulation (EU) 2022/2065 (Digital Services Act – DSA).

The French Government's main demands were for access to the *kick.com* platform and its sub-domains to be blocked for six months from French territory, for the "Jean Pormanove" room and so-called "mirror" rooms or rooms "linked to Raphaël Graven" to be removed or permanently blocked, and for the violent and humiliating content in which he had appeared to be removed and banned from being rebroadcast.

It should be noted that, under the terms of Article 6-3 of the LCEN, the president of the judicial court, ruling on the merits under the accelerated procedure, may only order a measure if it is justified by the damage it is intended to stop or prevent, is legally admissible, and does not disproportionately infringe the rights and freedoms in question, such as the right to freedom of expression.

The court first set out to identify the damage caused. It noted that, at least since December 2024, the "Jean Pormanove" channel had been broadcasting live programmes during which Raphaël Graven and an individual known as "Coudoux", who appeared disabled and under guardianship, had been subjected to multiple acts of violence and humiliation. The content had been presented as fun and festive, and the audience had been encouraged to pay money to continue watching it. Noting that these scenes had not been presented to the audience as fictional or scripted, that they had depicted people who were presented as vulnerable, and that they had been broadcast on a video game platform intended for a wide, mainly young, audience, the court considered that they seriously undermined human dignity and caused serious damage to public order, which had to be stopped or prevented.

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On the other hand, with regard to other allegedly illegal content on the platform, the state had not produced sufficient evidence (footage, links, technical elements) to establish, apart from on the "Jean Pormanove" channel, the existence of a body of illegal content indicative of a harmful "systemic model".

The court then analysed the measures that could be taken to stop or prevent the damage. With regard to the request for a general blocking of the *kick.com* platform, the court noted that the illegal content related only to the "Jean Pormanove" channel, which represented "far less than 1%" of the content on the French-language platform. It noted that Kick had produced evidence of the existence of general terms and conditions of use, moderation policies and reporting procedures, in particular a ban on certain violent, hateful or sexual content, and that there was no evidence of the existence of an overall harmful model based on the dissemination of illegal content. Accordingly, blocking access to *kick.com* and its sub-domains for six months from French territory would constitute a general measure seriously infringing freedom of expression and freedom of enterprise, disproportionate to the damage caused by a tiny fraction of the platform's content. The measure was therefore rejected as manifestly disproportionate.

With regard to the "Jean Pormanove" room and a list of so-called "mirror" rooms with this name in their title, the court noted that the content in question had now been removed, since the rooms in question were all inaccessible or empty of content. However, it noted that the warning and moderation mechanisms put in place were recent, and that although Kick had been aware of problematic content on the channel in question since at least December 2024, these procedures had not prevented it from reappearing. It ordered that the room be removed or kept inaccessible from French territory, subject to a provisional fine of €10 000 per infringement, for a maximum period of twelve months from the date of notification of the decision.

The state was also seeking the removal or blocking of a number of so-called "mirror" rooms or rooms "linked to Raphaël Graven". The court found that no evidence had been provided as to the actual content of these rooms, many of which were inaccessible or empty on the date of the decision. Furthermore, it was not possible to deduce from the mere use of the name Raphaël Graven or his alias "Jean Pormanove" that the content hosted was unlawful and harmful. A blanket ban or deletion of all rooms containing that name would amount to prohibiting almost entirely any reference to the person or memory of Raphaël Graven on the platform, which would be a disproportionate infringement of freedom of expression. These requests were therefore rejected.

Lastly, the court ruled on the requests for the removal of the content showing the scenes of violence and humiliation suffered by Raphaël Graven and "Coudoux" under the rules governing the liability of hosts enshrined in the DSA and the LCEN.

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It ordered Kick, on all the services or media that it published, hosted or operated, to immediately remove all content reproducing or rebroadcasting these images of violence and humiliation, as soon as it was made aware of them, subject to a provisional penalty of €10 000 per offence found, for a maximum period of twelve months, or to make it impossible to access them from French territory.

Tribunal judiciaire de Paris (procéd. accéléré au fond), 19 décembre 2025, n° 25/57054, L'Etat français c/ Kick streaming Pty Ltd

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Tribunal judiciaire de Paris (Paris judicial court) (accelerated procedure on the merits), 19 December 2025, no. 25/57054, France v Kick streaming Pty Ltd

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