[GB] Apology Required over Satirical Programme on Paedophilia

IRIS 2001-9:1/20

Tony Prosser
University of Bristol Law School

The Independent Television Commission (ITC), the British regulator of broadcasters other than the BBC, has required a broadcast apology from Channel 4 over its broadcast of a highly controversial satirical programme on paedophilia and on its treatment in the media. The programme, in the series "Brass Eye", was broadcast on 26 July and repeated on 27 July, attracting around 1,000 complaints to the ITC. The Culture Secretary (the minister responsible for broadcasting) had also intervened by expressing concern about the inability of the ITC to prevent the broadcasting of the repeat.

In its adjudication, the ITC noted that Channel 4 has a particular statutory remit to have a "distinctive character" and to encourage "innovation and experiment". On this basis, it supported the channel's right to provide "challenging, original and sometimes disturbing material" and found that it had been reasonable to commission the programme. However, the channel was in breach of the ITC's Programme Code requirements to avoid "gratuitous offence" and to issue "clear and specific warnings" where some viewers might find the programme disturbing or offensive. Channel 4 had broadcast warnings, but these were worded in terms which were inadequate. Many viewers were also upset by the use of child actors in this context. The Broadcasting Standards Commission, a different body responsible for investigating complaints about broadcasting standards, has also partially upheld complaints on this ground.

The ITC found that Channel 4 could not be considered negligent or to have shown wilful disregard for the provisions of the Programme Code. As a result, it was only required to broadcast an apology for the offence caused. This lies very much at the milder end of the sanctions available to the ITC, which include the power to fine companies and, in very extreme cases, to withdraw their licences.

Independent Television Commission New Release 46/01, 6 September 2001, "ITC Publishes Findings on Channel 4's 'Brass Eye'"

http://www.itc.org.uk/

Broadcasting Standards Commission, Finding: Brass Eye Special, Channel 4 and S4C, 26 and 27 July 2001, 2235-2310 and 0010-0045

http://www.bsc.org.uk/pdfs/bulletin/brasseyespecialfinding.htm

© European Audiovisual Observatory (Council of Europe) 2026

© European Audiovisual Observatory (Council of Europe) 2026