[GB] Scottish Court Bans Interview with Prime Minister before Local Elections

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The BBC had planned to broadcast throughout the UK a 40-minute interview met the Prime Minister in its current affairs programma Panorama on 2 April. In Scotland, though not in the rest of the UK, local authority elections were due to be held on 6 April. Other political parties commenced proceedings in the Court of Session, the supreme court of Scotland, on the morning of 2 April to obtain an interim order prohibiting the broadcast until the elections had taken place. The court decided that the parties established a prima facie case that the broadcast would breach the BBC's duty of impartiality and so granted the temporary order. Immediately before the broadcast was due to take place, the Court heard an appeal but confirmed the order. Consequently, the interview was not broadcast in Scotland.

Proceedings for such interim orders are taken very quickly and have limited value as precedents for the future. In this case it was agreed by both sides that the duty to preserve 'due impartiality' in an undertaking made by the Corporation's Board of Governors was of legal force, a matter which had been doubtful in the view of earlier caselaw. The case created a considerable political controversy, and is likely to encourage further litigation attempting to enforce the impartiality duty in areas of political conflict.

Houston and Chalmers v British Broadcasting Corporation, Court of Session (Inner House), 4 April 1995.

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