[GB] Radio Presenter's Comments Occasion Largest Ever Fine

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Piccadilly Radio, based in Manchester, England (part of the Emap Radio Group) has been fined GBP 125 000 by the UK regulator, Ofcom, for remarks made by a presenter during late-night phone-in

carried by its station, Key 103. The fine is the largest ever imposed on a radio station. The presenter concerned has been dismissed.

In addition to the fine, Ofcom issued a Direction to Piccadilly Radio to broadcast the “statement of finding” three times a day for one week.

The sanctions were imposed because of findings of breaches of Rule 1.1 (Offence to Public Feeling) of Ofcom's (ex- Radio Authority) Programme Code and Rule 1.4 (Presenters' Views) of Ofcom's (ex- Radio Authority) News and Current Affairs Code.

Listeners complained that the broadcasts contained offensive jokes and comments about the death of Kenneth Bigley (an Iraq hostage) two days after his murder; offensive references to and treatment of Muslims; alleged incitement to racial hatred; and a racist comment. In addition, Ofcom was concerned about a broadcast “which gave undue prominence to the presenter's views during a discussion on a matter of political controversy [The Iraq war].”

Apart from the inherent problems with the substance of the presenter's remarks (and his offensive mimicry of Asian accents), Piccadilly Radio had already been fined for remarks made on earlier occasions by the same presenter. Its failure to put in place sufficiently effective controls to ensure no further repetition of such offensive remarks was commented upon: "Piccadilly Radio had broadcast this [sic] content without having the necessary safeguards in place which would be expected around such programming". Relying on the presenter's assurances that there would be no repetition was inadequate.

However, Ofcom's decision makes it clear that the coverage of late-night phone-ins could extend to controversial or emotive subjects - within limits: “The broadcasting of late-night phone-in programmes covering controversial and emotive subjects is an important part of the schedule of commercial radio stations; moreover, such content is to be encouraged and allowed to flourish but within appropriate limits. Such programming carries with it certain

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responsibilities. Piccadilly Radio had broadcast this content without having the necessary safeguards in place which would be expected around such programming."

Ofcom Content Sanctions Committee - Consideration of Sanction against Piccadilly Radio

http://www.ofcom.org.uk/tv/obb/ocsc_adjud/key103.pdf

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