[FR] CSA Inflicts Heavy Penalty on Skyrock Radio

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On 31 January 2006, the audiovisual *Conseil supérieur de l'audiovisuel* (regulatory body - CSA) fined Skyrock radio EUR 50,000 for broadcasting comments likely to cause offence to listeners under the age of 16. Under Article 15 of the Act, as amended, of 30 September 1986, the CSA has a duty to “ensure the protection of children and young people”, and it was on this basis that the CSA sent a recommendation to radio stations on 10 February 2004 prohibiting them from broadcasting programmes likely to cause offence to listeners under the age of 16 between 6 am and 10.30 pm. Skyrock broadcasts a phone-in programme which often gets out of control. On 17 December 2004, the CSA had already served notice on the station to observe its recommendation and to refrain from broadcasting inappropriate comments before 10.30 pm. Despite this formal notice, the CSA noted on five occasions between January and May 2005 comments by programme moderators and listeners made on the air describing certain sexual practices in a crude, detailed and banal way between 9 pm and 10.30 pm. The CSA held that these comments were likely to cause offence to listeners under the age of 16 and as such should not be broadcast earlier than 10.30 pm, and that the radio station had disregarded the official notice that had been served on it. The CSA therefore implemented its power of sanction under Article 42-1 of the amended Act of 30 September 1986. The CSA had the choice of suspending the programme at issue for a maximum of one month, reducing the duration of the agreement subject to a one-year limit, inflicting a fine, or cancelling the station's agreement, and the CSA chose to inflict a fine which, according to the terms of Article 42-2 of the amended 1986 Act, should reflect the degree of seriousness of the fault committed. The CSA therefore decided to fine the radio station EUR 50,000.

Décision du CSA du 31 janvier 2006

CSA decision of 31 January 2006

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