

[GB] RT's Cross Talk discussion programme breaches Ofcom's impartiality rules

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On 19 December 2016, Ofcom held that an episode of RT's Cross Talk discussion programme breached Rule 5.2 of Ofcom's Broadcasting Code by failing to ensure due impartiality in a debate that it aired concerning NATO and its relationship with Russia. RT is a global news and current affairs channel produced in Russia and funded by the Federal Agency for Press and Mass Communications of the Russian Federation. In the UK, RT broadcasts on satellite and digital terrestrial platforms and is licensed to TV Novosti.

Ofcom considered a complaint about an episode of Cross Talk broadcast on 11 July 2016 in respect of alleged bias against America and the West concerning the role and conduct of NATO (North Atlantic Treaty Organisation) towards Russia. The programme was presented by Peter Lavelle, with guests Dmitry Babich and Mark Sleboda, following the NATO summit in Warsaw on 8-9 July 2016.

The Ofcom decision includes a transcript of part of the conversation between the presenter and his guests about the increased NATO presence in countries bordering Russia, and that such activity was provocative and risked misunderstandings and possible confrontation with Russia. Also, polls undertaken in certain NATO countries suggested that the majority of the population of those countries was opposed to NATO. During the programme various captions appeared, including "Russia: Military buildup is part of NATO's 'anti-Russia' hysteria", and "Critics: calling Russia aggressive is tactic to get NATO to spend more".

Ofcom considered the broadcast warranted investigation under Rule 5.5 of the Code, which reads, "Due impartiality on matters [relating to] political or industrial controversy and matters relating to current public policy must be preserved by any person providing a service. This may be achieved within a programme or over a series of programmes taken as a whole."

RT admitted to Ofcom that the programme had breached Rule 5.5 but in mitigation cited its programme called Worlds Apart broadcast on 14 July 2016, in which a retired US army general gave a favourable viewpoint of NATO. RT admitted having increasing difficulty getting commentators to balance viewpoints, and this was causing "problems" for RT. Moreover, RT had experienced some

technical problems, so captions showing alternative viewpoints during the Cross Talk show could not be aired; however, RT has introduced a new system.

RT has since taken down the offending Cross Talk episode from their website, and is reviewing its compliance procedures and training “as a matter of urgency” and is “taking steps to minimise” any future mistakes.”

Ofcom decided there had been a breach of Rule 5.5. While Ofcom took account of Article 10 of the European Convention on Human Rights (ECHR), in fulfilling its statutory duty it had to balance freedom of expression against the need to preserve “due impartiality”. Due impartiality did not mean equal time and impartiality could be achieved within one programme or over a series of programmes. If persons with alternative opinions were not available then there were various editorial methods to help maintain impartiality, such as captions outlining an alternative opinion; however, Ofcom stressed that solely including captions would not necessarily address the need for due impartiality.

Whilst RT had in other programmes used comments from persons with different views to those appearing on the Cross Talk programme there had to be a distinct editorial link between the different programmes, which was not the case here. The episode of Cross Talk used no material presenting an alternative opinion about NATO from any other RT broadcast. A broadcaster can be flexible in how it achieves due impartiality but this had not been achieved on this occasion.

Ofcom noted that RT had recorded a number of breaches of Section 5 in other programmes, including its Going Underground broadcast (see IRIS 2016-9/18). Ofcom has requested that RT attend a meeting to discuss its compliance in this area.

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https://www.ofcom.org.uk/_data/assets/pdf_file/0018/96012/Issue-319-of-Ofcoms-Broadcast-and-On-Demand-Bulletin,-to-be-published-on-19-December-2016.pdf

