# [FR] ‘Touche pas à mon poste’ case: CSA calls for revision of sanction procedure

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On 18 May Cyril Hanouna, the highly popular presenter of the television programme ‘Touche pas à mon poste’ - which attracts nearly one million viewers every evening - ‘trapped’ a homosexual live after posting a fake advertisement on a dating site. The hoax caused controversy, and the national audiovisual regulatory authority (Conseil Supérieur de l’Audiovisuel - CSA) received more than 25,000 complaints defending LGBT rights from viewers and associations who had been shocked by the sequence.

Under Article 15 of the Act of 30 September 1986 as amended, the CSA is required to “ensure that the programmes made available to the public by an audiovisual communication service do not contain any incitement to hate or violence on the grounds of race, gender, sexual orientation, religion or nationality”. Reacting to the complaints, the CSA noted first that the channel, C8, had already been sent two orders to comply for its failure to respect human dignity and its encouragement of discriminatory behaviour, and announced that it had sent the information on to an independent rapporteur designated by the Vice-President of the Conseil d’Etat. By law, this is the only person in a position to investigate sanction procedures. It is only once the investigation was complete - and the rapporteur is the only person responsible for the timeframe - that the CSA, after a hearing, can pronounce any possible sanctions.

The CSA also recalled that its Director General had already sent the rapporteur information about the programme ‘Touche pas à mon poste’ on two occasions in late 2016. It could not be held responsible for the amount of time taken for the procedure, which by law lay exclusively in the hands of the rapporteur. The CSA had indeed just received on 23 May the rapporteur’s conclusions on the two 2016 cases, and would therefore now be able to deal with them appropriately. In the light of past experience and these repeated excesses, the CSA therefore found that it seemed to be necessary to amend the legal framework for the procedure, to make it more effective.

### *Communiqué du CSA du 23 mai 2017*

http://www.csa.fr/Espace-Presse/Communiques-de-presse/Mise-au-point-sur-Touche-pas-a-mon-poste

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