[GB] Regulator revokes broadcaster's licence over material likely to incite crime

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Ofcom, the UK communications regulator, has permanently revoked the licence of Iman FM, a community radio service broadcasting to the Muslim community in Sheffield. The regulator has power to do so under the Broadcasting Act 1990 if the licence holder has broadcast material likely to encourage or incite the commission of a crime or lead to disorder. Ofcom's Broadcasting Code also prohibits the broadcasting of material likely to encourage or incite the commission of crime or lead to disorder.

During the holy month of Ramadan the station broadcast a series of lectures by Anwar al-Awlaki, a US-born radical Muslim cleric who had been designated as a global terrorist by the US Government in 2010; in 2011 the UN Security Council had placed him on its list of individuals associated with al-Qaeda. President Obama authorised his killing in 2011 by a drone strike in Yemen, but after his death his writings remained online. The lectures presented an account of the life of the Prophet Muhammad purely in terms of his prowess as a military leader. They called for Jihad and attacks on unbelievers, and claimed that the killing of prisoners was legitimate. The total length of lectures broadcast amounted to over twenty-five hours. The radio station claimed that it had had no knowledge of the background of the lecturer and had not listened to all of the lectures before they had been broadcast. It had downloaded the lectures from YouTube.

Ofcom had serious concerns about the decision to give a platform to a widely known al-Qaeda propagandist and noted that, unlike traditional broadcasts during Ramadan, the lectures had presented the prophet Muhammad purely as a military leader and had detailed the preparation and justification for taking military action and the rules governing warfare. They had contained anti-Semitic hate speech, and had condoned acts of terrorism and violence. They had also condoned the mistreatment of prisoners of war. The lectures had presented violent Jihad as more virtuous than all other Muslim beliefs. The availability of material on the Internet did not mean that it was appropriate for broadcasting, and the editorial failure to carry out further checks on the background of the lecturer had been reckless. The broadcast material was likely to encourage or incite the commission of crime or lead to disorder.

Ofcom considered that the breaches of the Code were very serious. As required by the statute, it first suspended the broadcaster's licence and permitted it to

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make representations. It then concluded that its conduct was so extremely reckless that Ofcom had no confidence that the broadcaster would be capable of complying with its licence conditions or that similar breaches would be prevented in the future. On this basis, it was necessary and proportionate in the public interest to revoke the licence. Ofcom also concluded that the broadcaster's failures rendered it unfit to hold a broadcasting licence.

Ofcom, 'Notice of Revocation: Iman Media UK Limited', Broadcast and On Demand Bulletin, Issue 334, 7 August 2017, p. 6

https://www.ofcom.org.uk/__data/assets/pdf_file/0014/105611/Issue-334-of-Ofcoms-Broadcast-and-On-Demand-Bulletin.pdf

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