[GB] The Sikh Channel's live health show presented by a homeopathic practitioner infringed Broadcasting Code

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On 23 April 2018, Ofcom, the UK communications regulator, issued a notable decision on the promotion of homeopathic medicine on television, finding that the programme failed to advise the audience to also seek independent medical advice. The decision concerned the Sikh Channel, which is a faith and cultural television channel. It broadcasts in Punjabi and English. The Sikh Channel Community Broadcasting Company Limited, registered in Birmingham, England, is the licensee.

A viewer complained about a show, Live: Herbal Medicine, aired in June 2017. Although the channel broadcasts in English and Punjabi, most of this programme was in Punjabi. Ofcom commissioned a translation into English, which was accepted by the Sikh Channel. The basis of the complaint was that the programme promoted the presenter's homeopathic clinic. Throughout most of the broadcast, a banner (in English) was shown near the bottom of the screen which said: "Live: Herbal Medicine - To take part in the show please call: [studio telephone number] Contact: [telephone numbers of the presenter's homeopathic clinic]". The banner also included the promotion of homeopathy and the recommendation of medicines, without also advising the audience to seek a general practitioner's opinion about the medicines (acknowledged by the licensee as a "key failure" in this matter). Furthermore, the licensee recognised that the presenter's promotion of his own services was an infringement of the rules.

Ofcom considered that this material raised potential issues under the following Code rules: Rule 2.1, where generally accepted standards must be applied to the contents of television services so as to provide adequate protection for members of the public from the inclusion in such services of harmful material; Rule 9.4, which states that products, services and trademarks must not be promoted in programming"; and Rule 9.5, which provides that "no undue prominence may be given in programming to a product, service or trademark. Undue prominence may result from: the presence of, or reference to, a product, service or trademark in programming where there is no editorial justification; or the manner in which a product, service or trademark appears or is referred to in programming". The Sikh Channel said that after Ofcom had made it aware of the complaint, it withdrew all further programmes which featured the presenter, and that there should have been a warning to viewers that his views were his own, and not endorsed by the

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channel. It also said that it had “no plans to make any further such broadcast” and the licensee acknowledged “it should not have taken a complaint from Ofcom for [it] to react” and that it “should have been more vigilant”.

Ofcom found the channel in breaches of Rules 2.1, 9.4 and 9.5. Notably, Ofcom expressed its concern with the presenter’s claims to be able to treat a number of serious illnesses and conditions, including cancer, schizophrenia, heart conditions and Parkinson’s disease, and with the fact that the programme appeared to directly encourage viewers to follow the presenter’s advice without first consulting their own GP or seeking appropriate independent medical advice. Ofcom concluded by reminding the licensee that, under the terms of its Ofcom broadcast licence, it is responsible for ensuring that the material it broadcasts complies with the Code and that it must have in place sufficiently robust compliance procedures.”

Ofcom, “Live: Herbal Medicine Sikh Channel, 7 June 2017, 16:00”, Ofcom Broadcast and On Demand Bulletin, Issue 352, 23 April 2018, p. 7

https://www.ofcom.org.uk/__data/assets/pdf_file/0009/113202/Issue-352-of-Ofcoms-Broadcast-and-On-Demand-Bulletin.pdf

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