[GB] Ofcom imposes fine of GBP 75 000 for failing to provide adequate protection for viewers

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The service in question is an Urdu-language news and current affairs channel, UK44 - the United Kingdom's first and only news and current affairs channel for the Pakistani and South Asian diaspora - which is licensed by City News Network. The issue concerned the broadcasting of abusive content amounting to "hate speech" against members of the Ahmadiyya Muslim community.

Two episodes of the current affairs discussion show, Point of View, were broadcast in December 2017. According to the UK's communications regulator, Ofcom, a guest - the same one in each programme, columnist Umar Riaz Abbas - made "repeated, serious and unsubstantiated allegations" about Ahmadi people, including that Ahmadi people had committed acts of murder, terrorism and treason, as well as undertaking political assassinations. Abbas also attributed conspiratorial intent to the actions of the Pakistani authorities towards the Ahmadiyya community, stating that they were being favoured in Pakistani society at the expense of orthodox Muslims.

Ofcom found that these programmes had contained uncontextualised hate speech and had breached Rules 2.3, 3.2 and 3.3 of the Broadcasting Code. Under the Code, licensees must not broadcast material that contains uncontextualised hate speech and abusive treatment of groups, religions or communities: Section 3 of the Code defines hate speech as: "all forms of expression which spread, incite, promote or justify hatred based on intolerance on the grounds of disability, ethnicity, gender, gender reassignment, nationality, race, religion, or sexual orientation."

Ofcom concluded that the serious nature of the breaches of the Broadcasting Code warranted the imposition of statutory sanctions. These include a financial penalty and a direction to the broadcaster to broadcast a statement of Ofcom's findings on a date and in a form to be determined by Ofcom.

The fine of GBP 75,000 will be paid by City News Network (SMC) Pvt Ltd to the HM Paymaster General. The station did not lose its licence because the network stated that since the breaches took place, it has discontinued the Point of View programme presenter's contract and taken disciplinary action against another staff member; it said that it had also introduced a 15-second delay for live

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programming; increased liaison between staff; increased monitoring of its live output; and provided company-wide compliance training. Ofcom decided not to strip City News Network of its licence in the light of these changes.

The notion of “context” is set out in the Guidance Note to Section 3.1. Thus far, including this decision, Ofcom has found five recorded breaches under Section 3 - all against Rule 3.1. According to the regulator, certain elements can affect the likelihood that broadcast material could incite crime or disorder; these include the editorial purpose of a programme; the status or position of anyone featured in the material in question; whether a sufficient challenge was made to the material in question; unambiguous statements of religious nature; providing a platform for unchallenged views; and risk assessments and monitoring live output.

Point of View Channel 44, 4 and 11 December 2017, 17:00

https://www.ofcom.org.uk/__data/assets/pdf_file/0021/115509/Issue-357-Broadcast-On-Demand-Bulletin.pdf

Sanction Decision - Sanction (111)19 City News Network (SMC) Pvt Ltd

https://www.ofcom.org.uk/__data/assets/pdf_file/0017/144332/city-news-network-sanction-decision.pdf

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