[GB] Ofcom determines GB News breached impartiality rules

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An Ofcom investigation has concluded that an episode of *Saturday Morning with Esther and Phil*, which aired on GB News on 11 March 2023, breached due impartiality rules.

Saturday Morning with Esther and Phil is a weekly two-hour discussion programme presented by Esther McVey and Philip Davies, two sitting Conservative Party Members of Parliament (MPs).This particular programme featured a pre-recorded interview between the two presenters and the finance minister, Jeremy Hunt MP. The interview focused on the government's approach to economic and fiscal policies ahead of the financial announcement on the Spring Budget. A total of 45 viewers complained that the programme had failed to preserve due impartiality.

Ofcom applied the following rules, namely:

- Rule 5.3: "*No politician may be used as a newsreader, interviewer or reporter in any news programmes unless, exceptionally, it is editorially justified. In that case, the political allegiance of that person must be made clear to the audience.*"

- Rule 5.11: "*In addition to the rules above, due impartiality must be preserved on matters of major political and industrial controversy and major matters relating to current public policy by the person providing a service (listed above) in each programme or in clearly linked and timely programmes.*"

- Rule 5.12: "*In dealing with matters of major political and industrial controversy and major matters relating to current public policy an appropriately wide range of significant views must be included and given due weight in each programme or in clearly linked and timely programmes. Views and facts must not be misrepresented.*"

Ofcom, in reaching its decision, took account of the right to freedom of expression and the fact that broadcasters were entitled to determine their editorial approach. This included offering their audiences innovative forms of debate, especially the ability to discuss and analyse controversial matters and take a position on those issues. However, broadcasters must observe the rules set out in Ofcom's Broadcasting Code.

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The interview with Mr Hunt covered a wide range of subjects of national importance such as the cost of living, government spending and the controversial high speed rail project HS2. GB News accepted that the subjects were of major political controversy and contended that special impartiality rules had applied. However, Ofcom considered that the viewpoints during the programme reflected those of the Conservative Party and not the wider political spectrum. There was limited consideration of a wider perspective in relation to the various issues discussed. Ofcom determined that no real attention was given to the viewpoints of politicians, political parties, organisations or individuals that criticised, opposed or put forward policy alternatives to the viewpoints given by the three Conservative politicians interviewed or presenting. Further, there was no other content that might have contained alternative views.

Given that this programme featured two sitting MP presenters from one political party interviewing the finance minister of the same political party about a matter of major political controversy and current public policy, Ofcom considered that GB News should have adopted measures to ensure due impartiality. Ofcom acknowledged that there was a panel discussion but, in this case, it did not address an appropriately wide range of significant views, nor did it give such views due weight in relation to the economic and fiscal policies of the Conservative government discussed in the programme, which were not limited to the issue of taxation.

GB News considered that Ofcom had interpreted the rules in too narrow a way. Ofcom's response was that as the programme had two sitting MPs from one political party as presenters and they were interviewing a government minister from the same party about matters of major political controversy and public policy, it was incumbent on GB News to take additional steps to ensure the preservation of due impartiality.

As a consequence, GB News failed to represent and give due weight to an appropriately wide range of significant views on a matter of major political controversy and current public policy within this programme thus breaching Rules 5.11 and 5.12.

Also, Ofcom determined that there were three clearly separate and standalone news bulletins presented by a news anchor. The content presented on this day by Ms McVey and Mr Davies constituted current affairs and not news. Ofcom therefore considered that Rule 5.3 of the Code, which relates to politicians presenting news programmes, was not engaged in this particular case.

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https://www.ofcom.org.uk/__data/assets/pdf_file/0027/268146/Saturday-Morning-with-Esther-and-Philip,-GB-News,-11-March-2023.pdf

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