[FR] C8 punished by ARCOM for failing to control programme content

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In a decision of 17 January 2024 and in accordance with Article 42-1 of the Law of 30 September 1986, the *Autorité de régulation de la communication audiovisuelle et numérique* (the French audiovisual regulator – ARCOM) fined the C8 television channel EUR 50 000 for failing to meet its obligations to respect human rights and control programme content during an episode of the programme *Touche pas à mon poste* broadcast on 30 January 2023. During the disputed sequence, entitled "20-minute people", the programme presenter and pundits discussed a recent controversy relating to videos of a 14-year-old girl published on one of her social network accounts. Close-up shots of several videos of the girl were shown for a significant period of time, with one pundit commenting on her physical appearance in particularly violent, crude and derogatory terms. “Because it’s the new generation, we have the right to be sluts?” said the pundit, commenting on the girl’s behaviour in the videos. These remarks were considered likely to infringe the girl’s right to respect for her honour and reputation. The sequence therefore breached the provisions of Article 2-3-4 of the broadcaster’s licence agreement regarding a person’s right to respect for their honour and reputation, especially as the person concerned in this case was a minor.

Furthermore, the videos of the girl and still images taken from them were repeatedly broadcast during the programme in order to spark further debate in the studio. Although some of the pundits were more measured in their comments, the fact remains that their remarks helped to rekindle the debate rather than tone it down. Finally, while the presenter said at the end of the programme: “Let’s remember … and, and, I think you’re going a bit far. Let’s remember that […] is a minor, so take it easy all the same”, his belated comments did not expressly condemn the infringements of the girl’s honour and reputation. ARCOM therefore decided that this sequence also breached Article 2-2-1 of the broadcaster’s licence agreement since it had failed to adequately control its programme content.

The sanction took into account both the nature and seriousness of the offences and the sanctions previously imposed on the broadcaster for breaches of the same obligations.

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Décision n° 2024-42 du 17 janvier 2024 portant sanction pécuniaire à l'encontre de la société C8, JO du 23 janvier 2023.

https://www.legifrance.gouv.fr/download/pdf?id=teMfyg7X5c4QpZf9347_Q9ssGFIunvqE3ykKlENWwzE=

Decision No. 2024-42 of 17 January 2024 fining the company C8, OJ of 23 January 2023.

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