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Geo News

Type of case Broadcast Standards

Outcome In Breach

Service GEO TV

Date & time 16 March 2019, 06:01

Category Appropriate scheduling, suitability for children, and Generally Accepted Standards

Summary News reports on the terrorist attack that took place in Christchurch on 15 March 2019 contained graphic and violent images of parts of the attack which were unsuitable for children and not appropriately scheduled, and were not appropriately limited or justified by the context. Adequate protection was not provided to viewers from the potentially harmful material. The content was also clearly potentially offensive and not justified by the context. In breach of Rules 1.3, 1.11, 2.1 and 2.3 of the Broadcasting Code.

Introduction

Geo News is an Urdu news channel aimed at the Pakistani community in the UK. The licence for Geo News is held by Geo TV Ltd (“Geo TV” or “the Licensee”).

Ofcom received a complaint that, on 16 March 2019 at 16:25, Geo News broadcast footage of the terrorist attack¹ in Christchurch, New Zealand, as filmed by the gunman when he carried out the

¹ On 15 March 20189, a lone gunman carried out attacks during Friday prayers, in two Mosques in Christchurch, New Zealand. The gunman shot dead 51 Muslim worshippers and injured 50 more and was charged with carrying out a terrorist act under the New-Zealand Terrorism Suppression Act. Before live streaming the attack on

attack. The complainant stated that the footage should not have been shown on TV. We considered this content complied with the Code. However, as a result of the issues raised by this complaint, we also assessed a recording of further content broadcast on *Geo News* earlier that day (06:01, 16 March 2019). After assessing this content, we found that it raised issues warranting investigation under the Code.

The *Geo News* content was broadcast mostly in Urdu and Ofcom obtained a translation of this content. The Licensee did not wish to comment on the accuracy of the translations and we therefore relied on the translations for the purposes of this investigation.

At approximately 06:01, *Geo News* reported on the gunman's attack in Christchurch, New Zealand which had taken place the day before, on 15 March 2019. The report included some of the footage that had been recorded by the helmet-mounted camera worn by the attacker during the attack and which he had live-streamed on Facebook.

After the first (unrelated) news item, the news report about the Christchurch attack began with a six second clip from the footage filmed by the gunman's camera, as he approached and then entered the mosque. The footage showed the gunman's semi-automatic rifle pointing forwards in the foreground and firing with the sound of nine shots clearly audible. The weapon and shots were directed towards a person standing in the entrance to the Mosque and, as the gunman entered, a body lying on the floor was visible, although partially blurred. While this clip was broadcast, the following caption was shown:

"Suspect of the New Zealand attack has appeared in court".

The following images and video were then broadcast while sombre background music was played in the background:

- a montage of still images in quick succession comprising: an image of a Mosque, a map with the locations marked of the first and second attack and of a nearby test cricket match that was cancelled; a picture of the gunman as he was brought by the police into court with his face blurred;
- a montage of video clips in quick succession comprising: police officers, some of whom were armed, rushing to respond to the attacks; what appeared to be victims inside one of the Mosques, injured and crying out for help;
- another clip, showing the attacker firing his weapon and then, after he walked around the perimeter wall of one of the Mosques, a shot of a body lying in the road and the sound of a woman crying "help me, help me" as the gunman walked past; and

Facebook, the suspect published an apparent "manifesto" in which he denounced immigrants as "invaders". It was reported that the 74-page document, a collection of slogans and tirades against immigrants, Muslim and Jewish people posted on a chat forum known for publishing a wide range of content including hate speech — cited "white genocide" and the growth of minority populations as his motivation. The attacker has been charged with murder, attempted murder and carrying out a terrorist act under the New Zealand Terrorism Suppression Act.

- more video clips and still images were shown of the emergency services' response to the attacks including footage of ambulances and police officers rushing to respond to the attacks.

In a voice-over, the news of the attack was reported as follows:

“The terrorist who committed a shooting in two Mosques in New Zealand has been accused of murder. Further accusations are likely to come later. 28-year-old right-wing, white nationalist terrorist [name of gunman] sat around restlessly as allegations were levelled against him. Rather than adopting a manner of repentance, he stupidly kept smirking. The attacker will continue to be under arrest, there has been no request for bail. [name of gunman] did the shooting during Friday prayers and took the lives of 50 people, including two Pakistanis. Forty-eight people are injured, during the shooting he had with him five weapons. The Pakistani hero who tried to stop the attack embraced martyrdom, Rashid Naeem, who died resisting the attacker, was from Abbottabad. The deceased’s son Talha Naeem, also embraced martyrdom. The Pakistani High Commissioner Abdul Malik says that the whereabouts of nine Pakistanis are still unknown after this incident had taken place. One injured Pakistani has been identified. Amongst the murdered, three are from Bangladesh and two from Jordan. Amongst the missing are nine Indians, three Turks and two Afghans. New Zealand’s Prime Minister says her country and Australia are conducting a joint investigation against the Christchurch attack. The attacker was not on Australia and New Zealand’s watch-list. The people who were killed were all from the Muslim world. The affected community is being provided with help. It’s also said that the police are facing some challenges. The attacker had a gun license. Laws regarding gun-control will be amended. Prime Minister Jacinda Ardern wore a black cloth and a scarf over her head and offered her condolences to the Muslim community. She hugged and comforted Muslim women”.

The following still images and video were shown during the voice-over:

- the gunman’s head was shown, fully blurred, while he appeared in court with two police officers and then his body was shown, unblurred;
- a video of the aftermath of the attacks, with an injured victim being taken to an ambulance in a wheelchair. The victim’s face was blurred. Another victim was shown from behind holding a bandage to his head;
- video footage recorded by the gunman, while travelling in his car between the two attacks, showing police officers in the street, attending what was apparently a prostrate body on the pavement;
- a shorter clip (lasting approximately five seconds) of the footage shown at the beginning of the news item (described above) filmed by the attacker’s camera as he approached the entrance of one of the Mosques but without the gunshots being audible. The clip showed the

attacker firing at a person standing in the entrance to the Mosque and, as the attacker entered, a body lying on the ground just visible in front of the entrance doors was partially blurred;

- more footage, lasting approximately three seconds, filmed by the attacker showed him firing his gun as he walked along a corridor in one of the Mosques. The gun was partially blurred and there was no sound of the gunshots but the repeated firing of the gun could still be detected due to flashes and smoke;
- a head and shoulders still photograph of Rashid Naeem who the presenter described as having *“died resisting the attacker”* was shown, followed by a partially blurred still image, showing a man kneeling on the floor, reaching towards what appeared to be a gun in the foreground of the shot. The voiceover said *“The Pakistani hero who tried to stop the attack embraced martyrdom. Rashid Naeem, who died resisting the attacker, was from Abbottabad”*;
- a montage of personal photographs of victims of the attacks were shown as well as more footage and stills of the emergency services and bystanders in the streets;
- a video clip of New Zealand’s Prime Minister, Jacinda Ardern, speaking (muted);
- a still image taken from the gunman’s footage (shown at the beginning of the news item) as he approached the entrance to the Mosque with the indistinct shape in front of the entrance doors of the Mosque. The gun was highlighted with a flashing red circle;
- a short video clip of the semi-automatic rifle used by the gunman in his trunk with another rifle, then being picked up by the gunman;
- the first two seconds of the clip shown at the beginning of the news item (described above) filmed by the attacker’s camera. The clip showed the attacker’s gun as he approached the entrance to the Mosque and ended at the point when the attacker started shooting;
- a still image of the gunman’s face, unblurred, was shown; and,
- the news item ended with a short video of the New Zealand Prime Minister hugging members of the Muslim community as she offered her condolences.

The news programme then moved onto reporting a different story.

We considered this content raised potential issues under the following Code rules:

Rule 2.1: “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 and/or offensive material”.

Rule 2.3: “In applying generally accepted standards broadcasters must ensure that material which may cause offence is justified by the context...Such material may include, but is not limited to violence...”.

Rule 1.3: “Children must also be protected by appropriate scheduling from material that is unsuitable for them...”.

Rule 1.11: ““Violence, its after-effects and descriptions of violence, whether verbal or physical, must be appropriately limited in programmes broadcast before the watershed (in the case of television)...”.

We therefore asked the Licensee for its comments on how the content complied with these rules.

Response

The Licensee said that “as a reputable broadcaster” it takes its responsibilities under the Code “very seriously”. It said that it takes Rule 1.3 and 1.11 “very seriously” and said it “would not deliberately breach [these] important” rules. The Licensee argued that there was no breach of Rules 1.3 and 1.11 because:

- under Section One of the Code, “children” are defined as those people under the age of 15 years and Geo TV said that in the context of the present case “‘children’...must mean people under 15 who are Pakistani, Urdu speaking and have an interest in Pakistani news”. It added that to do otherwise would be “to ignore the reality and apply Rule 1 without context, which cannot be correct”; and,
- although broadcast before the watershed, “the scheduling meant that it would not have or it is highly improbable that any Urdu speaking Pakistani child would have seen either of the broadcasts”. The Licensee added that “this is reflected by the fact the content in this case did not arise from a complaint to Ofcom “as it was too early for a probable Urdu speaking Pakistani child to be viewing Geo News”.

The Licensee therefore argued that, in relation to Rule 1.3, “the scheduling can be argued to be ‘appropriate’...especially given the tragic news item, its relevance to the adult Pakistani community and that new details were emerging by the hour”. It further argued that “it would be an unreasonable interpretation of the Rules if Ofcom deems that Geo should have considered the Urdu speaking Pakistani child viewer when the clear target audience for Geo News is the discerning adult Pakistani Urdu speaking viewer in the UK who have an interest in Pakistani related news”.

The Licensee also argued Rule 1.11 “was not breached or applicable as Urdu speaking Pakistani children...were not ‘particularly likely to be listening’”. It therefore submitted that it is unlikely if not highly unlikely that a child would be listening”. Geo TV said that if Ofcom did not agree with the Licensee’s reasoning above as to why the content was not in breach of Rules 1.3 and Rule 1.11, then Geo TV said that the breach occurred as a “result of clear and obvious human error”, which is described as “inadvertent” and for which it sincerely apologised.

In relation to Rules 2.1 and 2.3, the Licensee said that: “On review of the footage we regret that due to clear and obvious human error it is possible that a breach of Rule 2.1 and/or 2.3 may have occurred. Our review indicates that this was inadvertent in the tragic circumstances of this news item. We sincerely apologise for this inadvertent error”.

Geo TV said that it was “highly disappointed that a breach may have occurred and [it was] taking steps to mitigate the risk of any future possible breach if similar tragic events occur”. It argued that in reaching a Preliminary View “it is important for Ofcom to appreciate the pressures and demand on

news coverage in a story like Christchurch”. While accepting “our possible inadvertent error” the Licensee stated its belief that Ofcom should find that “no further action is necessary” because:

- Geo TV had “promptly accepted [its] possible inadvertent error...so as not to prolong this matter or waste Ofcom time/resources”;
- Ofcom only received a single complaint² in this case;
- Ofcom has not received complaints about Geo News of this nature previously; and,
- the Licensee had taken “action to mitigate the risk of any future reoccurrence”, including “undertaking a refresher training session of the Ofcom Code for the compliance and news output team”.

In its representations on Ofcom’s Preliminary View, the Licensee accepted Ofcom’s findings but expressed its disappointment that it did not take into consideration “the positive news reporting on GEO News throughout the week covering the reaction globally including that of Jacinda Ardern going out into the communities and victims to support them”.

Decision

Reflecting our duties under the Communications Act, Section One of the Code requires that people under eighteen are protected from unsuitable material in programmes; and, Section Two of the Code requires that generally accepted standards are applied to the content of television and radio services to provide adequate protection for members of the public from the inclusion of harmful and/or offensive material in programmes.

Ofcom takes account of the audience’s and the broadcaster’s right to freedom of expression set out in Article 10 of the European Convention on Human Rights when considering a broadcaster’s compliance with the Code. Ofcom considered it was clearly legitimate for Geo TV to report on the Christchurch attack, a serious terrorist incident of major international interest that had taken place the previous day. It is in this context that Ofcom must have regard to the broadcaster’s and audience’s right to freedom of expression while ensuring children are protected from unsuitable material and viewers in general are protected from potentially harmful and offensive material.

The Code places no absolute prohibition on distressing or graphic content, as there may be circumstances in which the broadcast of such material is justified. Taking into account the right to freedom of expression, it is important for news programmes to be able to report freely on events which broadcasters consider to be in the public interest. Ofcom also recognises that when covering a breaking major news story, especially where the subject matter and associated audio-visual material is potentially distressing and offensive, important and timely editorial judgement is required. With television news bulletins likely to feature subjects and material that may well be challenging or upsetting, we must consider whether it would be a disproportionate restriction of freedom of expression to limit the broadcast of such content to post-watershed slots. It is important that

² As set out in the Introduction, this complaint related to content broadcast on 16 March 2019 at 16:25, which we considered complied with the Code. As our published procedures make clear, Ofcom may launch investigations on its own initiative as well as investigate complaints. The Procedures in a complaint-led investigation and an Ofcom-initiated investigation are the same.

broadcast journalists can report the news of what has occurred as freely as possible. However, in doing so, they must balance the need to inform the public fully and in a timely way in a competitive news environment against the requirements of the Code.

We took into account the fact that the footage included in the news programming was filmed and disseminated live online by an armed terrorist as he carried out his sustained and deadly attack on Muslim worshippers. Such terrorist propaganda may seek to glorify or justify acts of terrorism in order to radicalise others and intimidate the wider population and, as such, is inherently dangerous.

The broadcast of content which has been originally made and/or disseminated for the purposes of terrorism is likely to raise compliance issues under the Code. Rule 3.1 of the Code prohibits content likely to encourage or incite the commission of crime or to lead to disorder³. The rules in Sections One and Two of the Code, which govern the need to protect under-eighteens and to meet standards to provide adequate protection from harm and offence, may also apply⁴. Accordingly, Ofcom expects broadcasters to pay close and careful attention to their obligations under the Code when considering whether to broadcast such material. In particular, broadcasters must be satisfied that there is a strong contextual justification for broadcasting this type of material, and that such content has been edited appropriately before its inclusion in programming.

Against this background, Ofcom considered whether this programme complied with Rules 2.1, 2.3, 1.3 and 1.11 of the Code.

Rule 2.1

Rule 2.1 requires that generally accepted standards must be applied to the content of television services so as to provide adequate protection for members of the public from the inclusion in such services of harmful and/or offensive material.

Under this rule, broadcasters must ensure that they take sufficient steps to provide adequate protection to members of the public from the inclusion of harmful and/or offensive material in their broadcast programming. It is for the broadcaster to decide how to exercise its editorial judgement to secure such protection where necessary.

Ofcom must assess the nature of the material and whether there is a reasonable likelihood of it causing members of the public actual or potential harm or offence. Context is important and the extent of any protection required will depend on all the circumstances in which the material is broadcast. Context is defined in the Code as including factors such as: the editorial content of the programme; the time of the broadcast; the degree of harm and/or offence; the composition and expectations of the audience; and whether any warnings were given to the audience.

³ Ofcom did not consider that the content in this case raised issues warranting investigation under Rule 3.1.

⁴ In addition to the rules considered in this Decision, the broadcast of terrorist content may also raise issues under Rule 2.4 ("Programmes must not include material (whether in individual programmes or in programmes taken together) which, taking into account the context, condones or glamorises violent, dangerous or seriously antisocial behaviour and is likely to encourage others to copy such behaviour").

We also took account of [Ofcom's Violence Research](#), which found that the impact of violence on the audience increases with the level of detail shown. Audiences were found to be less accepting of pre-watershed violence when more vulnerable people were shown to be victims of violence. The research also found that violent content that feels 'closer to home' is more likely to offend or disturb than that which seems more distant. This 'closeness' had a number of aspects, including the degree to which viewers can personally relate to a scene and the extent to which the scene is realistic and serious.

We first considered whether harmful and/or offensive content had been broadcast in this case.

The news programme broadcast at 06:01 on 16 March 2019 reported on the terrorist attacks that took place in Christchurch, New Zealand on 15 March 2019 and included clips from the footage filmed by the gunman from his helmet-mounted camera. While the clips that were broadcast were short, they included graphic and violent material, showing the gunman carrying out his attack, including the shooting of at least one person, and audio and images of others who were killed or injured.

The clip from the gunman's footage, which the broadcaster used to open its report on the Christchurch attack, showed the gunman approaching the Mosque with his weapon raised, shooting at an indistinct figure standing at the entrance and then, as the gunman entered the Mosque, a body could be seen lying on the floor. We considered that the natural inference that viewers would draw from these images was that this was the point at which the person in the doorway had been killed or seriously injured by the gunman. We considered this clip was inherently disturbing and had the potential to cause significant distress and harm to viewers. By showing footage of someone being shot during a terrorist attack from the perspective of the attacker, the broadcast also had the potential to intimidate viewers, in particular Muslim viewers, by exacerbating fears of copycat attacks. We took into account that the clip was shown without any introductory warning or other content to explain to viewers what they were seeing and this may have added to the concern that they may have experienced.

We considered that other material, taken from the terrorist's footage and broadcast during the news report, may have heightened the potential distress for viewers, notably:

- the clip, showing the attacker firing his weapon and then, after he walked around the perimeter wall of one of the Mosques, a shot of a body lying in the road and the sound of a woman crying "help me, help me" as the gunman walked past;
- the repetition (at least in part) of the first clip showing the gunman firing at the entrance to the Mosque; and
- the image of one of the victims of the attack as he reached towards the attacker's gun.

We considered that the content that was broadcast was also inherently offensive because it was filmed by the gunman and showed him shooting at and, in all likelihood, killing or seriously injuring a Muslim worshipper at a Mosque, shooting within the Mosque, and walking past a body lying in the road as a woman cried for help.

We then assessed whether the Licensee provided adequate protection for members of the public from the inclusion of the harmful and offensive material in this case, taking account of the context in which

the material was broadcast. We therefore considered: the editorial content of the news reports; audience expectations; and any steps taken by the broadcaster to mitigate their impact on viewers.

We took into account that the clips described above were part of news programming about the Christchurch terrorist attacks. The attacks, which were unprecedented in New Zealand's history, were of global interest and there was clear editorial justification for broadcasting news reports about the event. We considered that the gunman's filming and online streaming of his actions were striking aspects of the attack and so information about this was likely to feature in news reports. We took into account that the broadcast footage of the attack was brief – in total, the various clips of the attacker's footage featured in the news item lasted approximately 30 seconds. However, the content featured was shocking in its nature, depicting as it did details of the attacker shooting at and, in all likelihood, killing a Muslim worshipper as well as audio and images of others who were killed or injured in the attack.

Viewers were likely to have expected that news content would cover themes of a potentially disturbing or distressing nature. However, the news programme in this case was broadcast at 06:01 before the watershed, and so viewers were unlikely to have expected the broadcasts to include such graphic and distressing images.

The reports were broadcast more than 24 hours after the attacks and they had been widely covered through reports on social media and other television and radio services during the course of the afternoon of the 15 March 2019 and early evening. We therefore considered that many in the audience would probably already have awareness of the attacks and their particularly disturbing nature. However, in our view, the recency of the events also meant that viewers were likely to have been particularly shocked and affected by these broadcasts.

Given the highly disturbing nature of this content, we considered that its adverse impacts were likely to have exceeded the audience's expectations. This, in our view, would have been especially been the case for viewers from the Muslim community, who were likely to have made up the majority of Geo News's audience, and would have found this content particularly distressing.

We took into account that the clips were not live news reports so the Licensee should have had time to make considered decisions about whether to include the footage, and if so in what manner, to ensure that it complied with Rule 2.1.

The description of the attack by the presenter was not graphic or detailed in the news report and we considered that this would not have had any impact on how viewers responded to the footage. However, the news report ended with a video clip of the New Zealand Prime Minister, Jacinda Arden, hugging members of the Muslim community as she offered her condolences whilst the presenter said:

“Prime Minister Jacinda Ardern wore a black cloth and a scarf over her head and offered her condolences to the Muslim community. She hugged and comforted Muslim women”.

We considered that this part of the broadcast may have mitigated the impact of the footage of the attack for viewers but only to a limited extent, given the disturbing violence portrayed.

In its representations on the Preliminary View, the Licensee suggested that its coverage throughout the week of “more positive aspects” around the attacks, for example its coverage of the global support for communities and victims, would have mitigated the strength of the material. In this case, we were not concerned with the preservation of due impartiality, for which we may, depending on the circumstances, look over a series of programmes taken as a whole. to assess whether due impartiality was preserved in the news. We were concerned with the inherently disturbing images broadcast which had the potential to cause significant distress and harm to viewers and the Licensee’s contextualisation of the material within this specific report. We took into account that at no point in the news report did the Licensee provide any warning to alert viewers to the nature and strength of the footage that was shown. Indeed, we considered the news item started with the most disturbing footage without introduction or any indication to viewers as to the strength of the content. Although the image of the body lying on the floor at the entrance of the Mosque had been blurred to some extent, the person was still visible to viewers and we considered this measure was not sufficient to mitigate the highly distressing nature of the broadcast.

Overall, we considered that the public interest justification for reporting the incident was very high. We had particular regard to the freedom of expression of the broadcaster and its audience in this case because of the importance of news programmes being able to report freely on such significant events. We also took into account that the Christchurch attacks and the loss of life that resulted were shocking events and we considered that any broadcast news report about them was likely to involve upsetting material for some viewers.

The Licensee argued that “it is important for Ofcom to appreciate the pressures and demand on news coverage in a story like Christchurch”. We recognise that pressures for broadcasters to produce news coverage of distressing breaking news stories can be challenging. However, we took into account that in this case, the programme in question was broadcast the day following the attacks and we considered therefore that Geo TV could – and should – have taken appropriate steps to ensure that it complied with the Code when covering this important news story.

We also took into account the Licensee’s representations that: due to “clear and obvious human error it is possible that a breach of Rule 2.1 and/or 2.3 may have occurred” and that it “promptly accepted [its] possible inadvertent error”; there had only been one complaint in this case; and Ofcom had not received complaints about Geo News of this nature previously. We also took account of the steps that Geo TV said it was taking to improve compliance. However, taking account of all the contextual factors, these points did not mitigate the failure to protect the audience from harmful and offensive material.

Broadcasters must provide adequate protection for viewers from harm and offence under Rule 2.1. The video clips described above Mosque were inherently disturbing because they captured the graphic violence of these terrorist attacks and because they were created and disseminated in real time by the gunman as he killed and maimed Muslim worshippers. It was reasonable to infer that the gunman had filmed this material to spread terrorist propaganda. Within this context, the broadcast of these clips, although brief, had the potential to cause significant harm and offence to viewers.

For all the reasons above, our Decision is therefore that Rule 2.1 was breached.

Rule 2.3

Rule 2.3 requires broadcasters to ensure that the broadcast of potentially offensive material is justified by the context. As we explain in our assessment under Rule 2.1, context includes factors such as: the nature of the content, the service in which the programme is broadcast, and the likely expectations of the audience.

Rule 2.3 places no restrictions on the subjects covered by broadcasters, or the manner in which such subjects are treated, as long as potentially offensive content is justified by the context.

We first considered whether the material had the potential to cause offence.

For the reasons set out above, we considered that the material taken from the gunman's footage which was included in the broadcast news report was offensive, in that it showed the attacker: shooting at and, in all likelihood, killing or seriously injuring a Muslim worshipper at a Mosque; shooting within the Mosque and in the street; and then walking towards a body lying in the road while a woman was heard crying for help. We considered that the images had the potential to cause substantial offence to Muslim viewers in particular.

We went on therefore to consider whether the broadcast of the material was justified by the context. Our assessment took into account the same contextual factors that we considered under Rule 2.1.

We took particular account of the right to freedom of expression in this case. Ofcom acknowledged that broadcasters must have the editorial freedom to report on difficult, controversial and distressing events. In reporting significant news events, they must also have the freedom to select and present the information and facts as they wish in line with their right to freedom of expression, which also includes the audience's right to receive information and ideas. However, given the material risk that the content described above would cause considerable offence to viewers, we considered that its broadcast required a strong contextual justification.

There was a strong public interest in broadcasting news about the Christchurch attacks. We acknowledged that the attacks and the loss of life that resulted were shocking events and any broadcast news report about them was likely to contain upsetting material for some viewers. We also acknowledged that the gunman's filming and online streaming of his actions were striking aspects of the attack and so information about this was likely to feature in news reports.

In line with our assessment under Rule 2.1, to the extent that the Licensee had taken steps to mitigate the impact of the clips on viewers, we considered that the effect of these was limited. We took into account that the Licensee did not provide any warnings about the content of the clips before broadcasting them.

We took into account the Licensee's explanation for why this content had been broadcast, and the steps it said it was taking to improve compliance. However, given all of the above, in our view, the broadcast of clips from the footage filmed by the gunman had the potential to cause substantial offence to viewers and was not justified by the context in which it was broadcast.

Our Decision is therefore that Rule 2.3 was breached.

Rule 1.3

Rule 1.3 requires that children must be protected by appropriate scheduling from material that is unsuitable for them. Appropriate scheduling is judged by a number of contextual factors including: the nature of the content, the likely number and age range of children in the audience, the time of broadcast, and audience expectations.

Ofcom first considered whether this broadcast material was unsuitable for children.

For the reasons explained above, we considered clips from the gunman's footage which were broadcast as part of the Licensee's news reports about the Christchurch attacks were inherently disturbing. We considered that the actual images of the attacker: shooting at and, in all likelihood, killing or seriously injuring a Muslim worshipper at a Mosque; firing his weapon in the street and then walking towards a body lying in the road while a woman was heard crying for help, would have been particularly gruelling and distressing for any children in the audience. We considered the material was clearly unsuitable for children.

We went on to consider, therefore, whether the material was appropriately scheduled.

There is a long history of news reporting on potentially distressing global events. In the exceptional circumstances of this particular case, we accept that there was a strong public interest in reporting on the Christchurch attacks before the watershed. As we have said, the attacks and the loss of life that resulted were shocking events and any broadcast news report about them was likely to entail upsetting material for some viewers. Accordingly, where such a report was to be broadcast before the watershed, it was incumbent on the broadcaster to consider whether the material was appropriately scheduled to protect children, in compliance with Rule 1.3.

Ofcom's guidance on Section One of the Code states: "It is accepted that it is in the public interest that, in certain circumstances, news programmes may show material which is stronger than may be expected pre-watershed in other programmes as long as clear information is given in advance so that adults may regulate the viewing of children". A significant factor in this case was that there were no warnings to alert viewers, including parents and carers, to the nature of the content.

We took into account Geo TV's arguments that although broadcast before the watershed, "it is highly improbable that any Urdu speaking Pakistani child" would have seen this content and "the clear target audience for Geo News is the discerning adult Pakistani Urdu speaking viewer in the UK who have an interest in Pakistani related news". Ofcom recognised that news programmes are typically aimed at adults and, the likelihood of children watching may be low. Nonetheless, broadcasters have a responsibility towards children who may watch their programming, and must schedule their programming appropriately to ensure compliance with Rule 1.3.

The news reports under consideration were broadcast before the watershed on a Saturday morning, when children were not at school and may have been watching unsupervised, including potentially very young children. The clips of violence were relatively short but were nevertheless very graphic.

As set out in our assessment under Rules 2.1 and 2.3, we considered the steps taken by the Licensee to mitigate the impact of the clips described above would only have had a limited effect. There were

no warnings being given about the content of these clips before their broadcast which may have alerted viewers (and, in particular parents and carers) to the unsuitability of the material for children.

We took into account the Licensee's explanation for why this content had been broadcast, and the steps it said it was taking to improve compliance. However, taking all of the factors outlined above into account, our Decision is that the Licensee did not appropriately schedule this material which was clearly unsuitable for children, in breach of Rule 1.3 of the Code.

Rule 1.11

Rule 1.11 states that violence must be appropriately limited in programmes broadcast before the watershed and must also be justified by the context.

We first assessed whether the level and nature of the violence featured in the footage taken by the gunman, that was included in the broadcasts in this case, was appropriately limited. We considered that it was not, for the same reasons we considered that the material was unsuitable for children under Rule 1.3.

We went on to consider whether broadcasting these images before the watershed was justified by the context. We took into account the same contextual factors as we considered under Rule 2.3 and specifically the Licensee's argument that Rule 1.11 "was not breached or applicable as Urdu speaking Pakistani children...were not 'particularly likely to be listening'". We also took into account the Licensee's explanation for why this content had been broadcast, and the steps it said it was taking to improve compliance. However, for reasons similar to those given in our assessment under Rule 1.3, we considered that the broadcast of the clips before the watershed was not justified by the context.

Our Decision is therefore that Rule 1.11 was also breached.

Conclusion

This Decision is one of three breach decisions⁵ that Ofcom has published relating to different broadcasters' coverage of the terrorist attack that took place in Christchurch on 15 March 2019. Broadcasters have the editorial freedom to broadcast reports about such events in their programming. However, footage which shows a terrorist attack taking place is likely to be inherently disturbing and offensive and has the potential to cause significant distress and harm to viewers, including any children in the audience. Therefore, Ofcom reminds all broadcasters of the care that they must exercise when considering whether and, if so, how to include such content in broadcast output. Sufficient context should be provided to ensure audiences are adequately protected. This might include, but is not limited to, providing clear and explicit warnings to alert audiences to such content.

Breaches of Rules 1.3, 1.11, 2.1 and 2.3

⁵ ABP News, ABP News Network , 16 March 2019
ATN News, ATN Bangla UK, 16 March 2019