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15 May 2023

Dear Mr Lenox and Ms Scott Cato

Jacob Rees-Mogg's State of the Nation, GB News, 9 May 2023, 20:00

Thank you for your letter of 10 May 2023 outlining your complaint about the above programme.

Alleged breaches of the Broadcasting Code

We will consider your complaint in accordance with our [published procedures](#). We will assess the programme under Section Five of our [Broadcasting Code](#) (the Code), which relates to due impartiality and due accuracy and undue prominence of views and opinions. As you are aware, our Code contains rules on due impartiality and these make a distinction between news (which, under Rule 5.1, must be reported with due accuracy and presented with due impartiality) and non-news content (for which, under Rules 5.5 – 5.13, due impartiality must be preserved on matters or major matters of political or industrial controversy and/or current public policy¹).

We will write to you again with the outcome of our assessment. This outcome will also be published in our Broadcast and On Demand Bulletin.

GB News' broadcast licence

You write that *"on the basis of this segment, and a string of other violations of the broadcasting code, we are requesting that you revoke GB News's broadcasting licence."*

As you may know, Ofcom licenses over 2,000 broadcast services. Ofcom has an ongoing duty to remain satisfied that any Licensee is fit and proper to hold a licence to provide a service. If a broadcaster is found to be not fit and proper to hold a particular licence, then Ofcom must revoke that licence. Revoking a licence to broadcast is a major interference with freedom of expression, as it

¹ The Code contains definitions of matters and major matters of political or industrial controversy and/or current public policy here: [Section five: Due impartiality and due accuracy - Ofcom](#).

prevents the broadcaster from broadcasting and restricts the number of voices being heard and the range of programming available to audiences. Ofcom considers that the threshold for finding a broadcaster not fit and proper to hold a broadcast licence is, therefore, high.

However, as with any broadcaster, Ofcom continually keeps under review whether GB News is fit and proper to hold a licence.

Due impartiality rules relating to politicians acting as presenters

You also write that *“we would suggest you tighten your rules around politicians acting as presenters; your current rules are clearly being exploited and the basic requirement of impartiality is being flouted.”*

For your information, we have recently opened an investigation into *Saturday Morning with Esther and Philip* on GB News broadcast on 11 March 2023. We continue to assess complaints we have received about programmes where politicians act as presenters on a case-by-case basis. If any of these programmes are seen to raise an issue under the due impartiality rules of our Code, we will launch an investigation.

It is also important to note that we keep our Broadcasting Code and accompanying guidance under review in response to evolving audience expectations and will continue to do so in all areas, including that of due impartiality.

We hope this initial response has been helpful.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Adam Baxter', written over a light blue rectangular background.

Adam Baxter