

# Ofcom Broadcast and On Demand Bulletin

Issue 467  
6 February 2023

## Complaint by Mr Shayan Ali about *Geo News*

Type of case	Fairness and Privacy
Outcome	Upheld
Service	Geo News
Date & time	3 April 2022, 02:00
Category	Fairness
Summary	We have upheld a complaint about unjust or unfair treatment in the programme as broadcast.

### Case summary

The programme reported on an incident involving the complainant, Mr Shayan Ali, outside the headquarters of the Pakistan Muslim League (N) (PML-N)<sup>1</sup> in London, during which it was alleged that he had used “*filthy language*” towards Mr Nawaz Sharif, a former Prime Minister of Pakistan, and had injured a security guard. Mr Ali complained that he was treated unjustly or unfairly because the allegations made about him in the programme were false.

Ofcom found that the broadcaster did not take reasonable care to satisfy itself that material facts had not been presented, disregarded, or omitted in a way that was unfair to Mr Ali.

### Programme summary

Geo News is an Urdu language channel broadcast under an Ofcom licence held by Geo TV Limited. As the programme was broadcast in Urdu, Ofcom provided an English translation to the complainant and the broadcaster for comment. A final version of the translation was sent to the parties who were informed that Ofcom would use this final translation for the purposes of this investigation.

On 3 April 2022, Geo News broadcast an edition of its news bulletin, *Geo News*. The programme included the following report about an alleged attack on the former Prime Minister of Pakistan, Mr Nawaz Sharif:

---

<sup>1</sup> A political party in Pakistan.

*“Shayan Ali who altercationed with PML-N leader Abid Sher Ali last year in London, reached the office of Hassan Nawaz.*

[Footage was shown of Mr Abid Sher Ali in a restaurant shouting at the camera, followed by a photograph of the complainant when he was younger, sitting in the back of a car wearing a PTI (Pakistan Tehreek-e-Insaf<sup>2</sup>) scarf].

*When Nawaz Sharif exited his office, Shayan Ali moved towards him using filthy language.*

[Footage was shown of Mr Nawaz Sharif stepping out of a car].

*When the security guard stopped him, he struck him on the head with [a] mobile phone, injur[ing] the guard.*

[A photograph of a man with a small cut to his forehead was shown].

*PML-N President Shahbaz Sharif strongly condemned the attempted attack on Nawaz Sharif in London”.*

[Footage was shown of Mr Shahbaz Sharif speaking to the press].

During the report, the following text appeared on screen:

*“Shayan Ali, opponent of N League once again active in London.*

*[He] used filthy language against Nawaz Sharif in London.*

*Shayan moved towards Nawaz Sharif as he exited his office.*

*When the guard stopped him, he struck him on the head with mobile phone.*

*Shehbaz [Sharif] strongly condemns the attempted attack on Nawaz [Sharif]”.*

The report ended and the programme continued without further reference to the complainant.

## **Summary of the complaint and broadcaster’s response**

### **The complaint**

Mr Ali complained that he was treated unjustly or unfairly in the programme as broadcast because the programme alleged falsely that he had “attacked” Mr Nawaz Sharif, and had injured a security guard by throwing a phone at him. The complainant said that Geo News did not take a statement from him

---

<sup>2</sup> A political party in Pakistan.

or attempt to contact him before the programme aired. He added that the broadcaster had “paint[ed] me as the villain even though I’m a 16-year-old victim of assault”.

In making his complaint, Mr Ali explained that he had been on a public road recording a video outside Mr Sharif’s office and was far away from where the entrance and Mr Sharif’s car was. He said that he remained calm throughout the incident and that “not a single swear word was said by me, as Geo News falsely claimed”. Mr Ali also said that it was he who was “physically assaulted” by the security guards.

### Broadcaster’s response

Geo News said that Mr Ali became known after an incident at a restaurant in 2021 between his family and Mr Abid Sher Ali and said that he was aligned politically to the PTI, the opposing political party to that of Mr Nawaz Sharif and the PML-N.

Geo News said the programme did not allege that Mr Ali had physically “attacked” Mr Sharif, as suggested in the complaint. The broadcaster said that it reported on Mr Ali shouting at Mr Sharif and calling him a “thief”, which it said was the “*filthy language*” referred to in the programme. Geo News said that Mr Ali’s own Twitter feed contained a video of him shouting loudly at Mr Sharif that he was a “thief” and it provided Ofcom with a link to Mr Ali’s tweet.

The broadcaster said that the video posted by Mr Ali was incomplete and did not show the whole incident. It said that that the part of the video included in the news report was based on the security guard’s version of events, and that Geo News had been informed by the police that the investigation into Mr Ali’s complaint that he was the person who had been assaulted had been closed and no action was taken against the security guards.

Geo News said that the allegation that the complainant threw his phone at the security guard was made by the security guard himself, and that the security company that employed him provided a photograph of his injuries, which was included in the programme. It said that the owner of the security company had told the media that the complainant and his mother were involved in the physical assault of the security guard<sup>3</sup>. Further, the broadcaster said that it understood that the security guard had also given a statement to the police that he had been hit by Mr Ali and his mother.

Geo News said that Mr Ali was given the opportunity to respond to the report by its correspondents on the day of the incident, and “later on” in writing and through calls and ultimately messages to Mr Ali’s mother. It said that no response was received. The broadcaster added that a Geo News reporter had met Mr Ali and his mother in-person at “a protest” and had asked to interview them, but they refused. The broadcaster said the reporter had also contacted Mr Ali’s father who said he would “revert back” after speaking to Mr Ali and his mother. Geo News provided a screenshot of a text message sent by the reporter to Mr Ali on 8 April 2022 which said:

*“...We are publishing a story on the fight between you and bodyguards of Nawaz Sharif last week. We have received some information about the incident and we plan to publish it. Could you please give your version*

---

<sup>3</sup> <https://www.thenews.com.pk/print/947040-bodyguardinjured-while-protecting-nawaz-sharif>

*if there's any development in the police investigation. One bodyguard of Nawaz Sharif has said you assaulted him and Saddam hit him on his forehead causing him to bleed. What's your version?..”..*

The broadcaster said that it rejected Mr Ali's assertion that the programme painted him as the “villain” even though he was a “16 year old victim of assault”. It said that the programme simply reported on the facts of the day. The broadcaster acknowledged that Mr Ali was 16, but said that he was not a minor, and at no point was he called a “villain”.

Geo News added that the news of any disturbance outside Mr Nawaz Sharif's office is always a huge news story for Pakistani media, and that the report was a public interest story.

### **Ofcom's Preliminary View**

Ofcom prepared a Preliminary View that Mr Ali's complaint should be upheld. Both parties were given the opportunity to make representations on the Preliminary View, which, insofar as they are relevant to the complaint entertained and considered by Ofcom, are summarised below.

### **Complainant's Representations**

Mr Ali accepted Ofcom's Preliminary View to uphold his complaint of unjust or unfair treatment in the programme as broadcast, setting out that he agreed with the reasoning as set out in the Preliminary View.

### **Broadcaster's Representations**

The broadcaster disagreed with Ofcom's Preliminary View to uphold Mr Ali's complaint.

The broadcaster said that Ofcom did not properly take into account that, on the date of the incident (2 April 2022), Mr Imran Khan was the Prime Minister of Pakistan and the political situation was very tense in Pakistan and within the Pakistani community as there were widespread reports that the opposition parties (including Nawaz Sharif's party) were preparing to hold a no confidence motion on Mr Khan and oust him from power. The broadcaster said that, given this very tense time, the story that the ex-Prime Minister Mr Nawaz Sharif was verbally attacked near his residence by the complainant who was a PTI activist, and that a security guard was injured, immediately became highly topical and required coverage and investigation.

The broadcaster said that on the day of the incident the owner of the security company had told it that Mr Ali was involved in the physical assault of the security guard and the company provided the broadcaster with a photo of the injured security guard, which it said was reasonable for it to accept. The broadcaster said that on the day of the incident, the security guard had given a statement to the police saying he had been assaulted by Mr Ali, which was also reasonable for the broadcaster to accept. The broadcaster said that any information provided was, as far as possible, checked or verified so it therefore took reasonable care to satisfy itself about what it was told.

The broadcaster said that on the day of the incident the Geo News Bureau Chief had attempted on eight occasions to get a response from Mr Ali's representatives but did not receive a response. The broadcaster enclosed the Geo News Bureau Chief's call log as “conclusive evidence” of this. The broadcaster said that it was Mr Ali's own failure to respond that may have left viewers with an adverse

impression of him. It said that reporting on an incident where allegations are made but one side does not respond does not make the report unfair or unjust.

The broadcaster said that on the day of the incident, the video of it had become viral and, as it involved Mr Sharif, the broadcaster had to cover the story urgently, based on the known information at that time and as it developed. It said that this was reasonable, especially as Mr Ali's representatives had not responded despite eight phone calls.

The broadcaster added that Mr Ali is a political activist and not an ordinary 16 year-old and that by treating him as such Ofcom's analysis in the Preliminary View was incorrect. The broadcaster acknowledged that Mr Ali claimed he was the victim of the assault, but said it understood that the police investigated and closed this case with no action taken against the security guard. This, it said, meant that that the police did not consider Mr Ali's allegations of being assaulted as correct or proven. The broadcaster said this speaks for itself as to Mr Ali's version of the incident and his credibility.

The broadcaster said that Ofcom did not review the matter from the angle of viewers who are Pakistani or of Pakistani origin (i.e. British Pakistani). It said that "viewers" cannot mean the average British viewer who has no knowledge of or interest in Pakistani politics. The broadcaster said that Ofcom erred in its analysis by considering this matter from the angle of an ordinary British viewer who has little or no knowledge of Pakistani politics and of Mr Ali's past actions and dubious reputation, and therefore its Preliminary View was incorrect.

The broadcaster said that Ofcom omitted some important words from the transcript of the programme and so misinterpreted what happened. The broadcaster referred to Ofcom's statement in the Preliminary View that "taking all of what was said about the incident, we considered that the language used in the programme to describe the incident was likely to have left viewers with the impression that Mr Ali had tried to approach Mr Nawaz Sharif as he was leaving the PLM-N headquarters, and in the process had "struck" a security guard on the head with his phone, causing the security guard a physical injury". The broadcaster said that Ofcom omitted to mention the part of the transcript which said *"Mr Ali had tried to approach Mr Nawaz Sharif as he was leaving the PLMN headquarters, **when the security guard stopped him** he struck the security guard on the head with his phone, causing the security guard a physical injury. PML-N President Shahbaz Sharif strongly condemned the attempted attack on Nawaz Sharif in London"*. The broadcaster said that by omitting *"when the security guard stopped him"*, Ofcom had incorrectly interpreted that the programme was saying that the complainant had attacked the guard for no reason, which it said changes the context, seriousness and meaning of what was said.

The broadcaster said that by saying in its Preliminary View that the language used in the programme was "likely" to have left viewers with the impression that certain things happened meant that Ofcom accepted that what it is saying may be incorrect. The broadcaster said that the word "likely" means that something might or might not be true and that it is therefore clear that Ofcom accepts that what it is saying is also possibly incorrect or improbable. It said that it is incorrect for Ofcom to speculate about the impression that Pakistani/British Pakistani viewers may "likely" have got, particularly as Ofcom did not consider the matter from the angle of viewers who are Pakistani or of Pakistani origin and have an interest in Pakistani politics.

The broadcaster said that Ofcom incorrectly concluded that viewers would have understood from the report that Mr Ali's conduct was provocative and violent in nature. It said that Ofcom excluded that the videos of the incident clearly show Mr Ali shouting and moving forward and confronting the security guard and the report included a photograph of the security guard who alleged that he was struck by the complainant. The broadcaster said that the video and confrontational actions of Mr Ali speak for themselves, and the video is undisputed so must be considered as factual. It said that the report based on the video and what the security guard said could therefore not be "unfair" or "unjust".

The broadcaster did not agree that viewers would have had the impression from the programme that the security guard received a cut as a direct consequence of Mr Ali's actions. It said that it simply reported on what the guard and the security company owner had told them. The broadcaster said that, if Ofcom's reasoning were accepted, then it would mean that if a protestor shouted abuse at a politician and a security guard was allegedly injured by the protestor then a broadcaster could not broadcast a report or the video. The broadcaster said that this clearly cannot be correct and that countless such incidents of this type have happened to UK politicians and broadcast in the UK and were not seen as breaching the Code. It said that this would be a fundamental restriction on broadcasters' freedom to broadcast, which cannot be correct.

The broadcaster referred to Ofcom's assertion in the Preliminary View that its role is not to reach a finding of fact in relation to the allegations made in the programme. It said that if the circumstances of the incident are in dispute and Ofcom cannot determine the facts, then it cannot say with certainty that the allegations were likely to have materially and adversely affected viewers' opinions of Mr Ali, and that to do so was pure conjecture and speculation and was unreasonable.

The broadcaster said that it did try to obtain a response from Mr Ali before and after the programme was broadcast and Ofcom was factually incorrect to state in the Preliminary View that the broadcaster had been unable to provide any documentary records of the contact made to Mr Ali on the day of the incident. The broadcaster said that in August 2021 Mr Ali had instructed the Geo News Bureau Chief, and the wider media that if a response was required from him then they must contact his mother. It said that the complainant does not give out his mobile number and that his mother does his media representation. The reporter enclosed a statement from the News Bureau Chief and an email from a reporter from another new channel in support of this.

The broadcaster enclosed an email dated 2 December 2022 from the News Bureau Chief which detailed the accepted method of contacting Mr Ali and said that on 2 April 2022, a total of eight attempts were made to get a response. It said that five calls (one mobile and four WhatsApp) were made to Mr Ali's mother, two calls (one mobile and one WhatsApp) were made to Mr Ali's father and one call was made to a person closely associated with Mr Ali. The News Bureau Chief said that Mr Ali's mother did not answer the calls or provide a response, but that he did speak to Mr Ali's father who was unaware of the incident and said he would tell Mr Ali and his mother to respond. The broadcaster said that no further response was received. The broadcaster also enclosed a call log which it said conclusively showed the mobile calls made to Mr Ali's mother and father. It said that this log was incontrovertible and totally disproved what Mr Ali had said. The broadcaster added that it was unable to prove records calls made via WhatsApp as records are only maintained for up to 200 calls.

The broadcaster said that a Geo News reporter and the news team had also met with Mr Ali at other events between 3 and 10 April 2022 and requested his comments, which he refused to provide.

The broadcaster reiterated that it had given Mr Ali a timely and appropriate opportunity to respond to the allegations about him in the programme and accordingly no breach of the Code occurred.

The broadcaster said that, in its Preliminary View, Ofcom treated Mr Ali as if he were an ordinary 16-year-old. It submitted that Mr Ali is not an ordinary 16-year-old and by not considering him as such Ofcom was inadvertently treating him different to other complainants and so allowing him to abuse the Code. The broadcaster said that evidence shows that Mr Ali is a British Pakistani 16-year-old who seems to have become an activist for the PTI in the UK, as clearly shown by his attendance at demonstrations and political rallies/events against certain Pakistani politicians. The broadcaster provided links to various social media, press reports and Google searches which established, for example, Mr Ali's unusual and highly controversial actions for a 16-year-old and his attendance at political protests. It said that these examples clearly establish that the incident of 2 April 2022 was not isolated behaviour by Mr Ali but should be seen in the context of his activism.

## Decision

Ofcom's statutory duties include the application, in the case of all television and radio services, of standards which provide adequate protection to members of the public and all other persons from unjust or unfair treatment in programmes in such services.

In carrying out its duties, Ofcom has regard to the need to secure that the application of these standards is in the manner that best guarantees an appropriate level of freedom of expression. Ofcom is also obliged to have regard, in all cases, to the principles under which regulatory activities should be transparent, accountable, proportionate and consistent and targeted only at cases in which action is needed.

In reaching this decision, Ofcom carefully considered all the relevant material provided by both parties. This included a recording and translated transcript of the programme, as well as both parties' written submissions, including representations made by the complainant and the broadcaster on Ofcom's Preliminary View. After careful consideration of the representations, we considered that the points raised did not materially affect the outcome to uphold the complaint.

When considering complaints of unjust or unfair treatment, Ofcom has regard to whether the broadcaster's actions ensured that the programme as broadcast avoided unjust or unfair treatment of individuals and organisations, as set out in Rule 7.1 of Ofcom's Broadcasting Code (the "Code")<sup>4</sup>. In addition to this Rule, Section Seven (Fairness) of the Code contains "practices to be followed" by broadcasters when dealing with individuals or organisations participating in, or otherwise directly affected, by programmes. Following these practices will not necessarily avoid a breach of Rule 7.1 and failure to follow these practices will only constitute a breach where it results in unfairness to an individual or organisation in the programme.

---

<sup>4</sup> See the [version of the Code](#) in force at the date of broadcast.

Ofcom began by considering Mr Ali's complaint that he was treated unjustly or unfairly in the programme as broadcast because the programme alleged falsely that he had "attacked" Mr Sharif and injured a security guard by throwing a phone at him. The complainant said that Geo News did not take a statement from him or attempt to contact him before the programme aired.

In considering this complaint, Ofcom had regard to the following Code practices:

Practice 7.9: "Before broadcasting a factual programme, including programmes examining past events, broadcasters should take reasonable care to satisfy themselves that material facts have not been presented, disregarded or omitted in a way that is unfair to an individual or organisation..."

Practice 7.11: "If a programme alleges wrongdoing or incompetence or makes other significant allegations, those concerns should normally be given an appropriate and timely opportunity to respond".

Practice 7.12: "Where a person approached to contribute to a programme chooses to make no comment or refuses to appear in a broadcast, the broadcast should make clear that the individual concerned has chosen not to appear and should give their explanation if it would be unfair not to do so".

In assessing this complaint, we recognised that the parties disputed the events that had unfolded outside the PML-N's London headquarters. However, it is important to state from the outset that Ofcom's role in this case is not to reach a finding of fact in relation to the allegations about Mr Ali that were made in the programme, but to consider whether the material was presented in the programme as broadcast in a way that, overall, resulted in unfairness to him. Whether a broadcaster has taken reasonable care to present material facts in a way that is not unfair to an individual or organisation will depend on all the particular facts and circumstances of the case, including, for example, the seriousness of any allegations made against them and the context in which such allegations are made. Therefore, we began by considering whether the matters complained of had the potential to materially and adversely affect viewers' opinions of Mr Ali in a way that was unfair to him.

As set out in the "Programme summary" above, the programme stated that *"Shayan Ali moved towards [Nawaz Sharif] using filthy language. When the security guard stopped him, he struck him on the head with [a] mobile phone, injured the guard"*. The programme also said that *"PML-N President Shehbaz Sharif strongly condemned the attempted attack on Nawaz Sharif in London"*. We also considered the captions shown, such as *"Shayan [Ali] moved towards Nawaz Sharif as he exited his office"* and *"When the guard stopped him, he struck him on the head with [a] mobile phone"*, and took into account that the programme also included a photograph of the security guard with a small cut to his forehead.

In considering this case, we also took into account the overall background context in which the programme was broadcast. We acknowledged the broadcaster's submissions that viewers would be aware of Mr Ali's past actions and reputation including for his political activism, support of the PTI and



his opposition to PML-N. In doing so, we took account of the links to various social media, press reports and Google searches which the broadcaster provided to establish that the incident of 2 April 2022 was not isolated behaviour by Mr Ali. In addition, we recognised that at the time of broadcast, the political situation was very tense in Pakistan and within the Pakistani community as there were widespread reports that the opposition parties were preparing to hold a no confidence motion on Mr Imran Khan and oust him from power. Given this background, we considered that a story about an attempted attack on Mr Nawaz Sharif would be of particular interest to its viewers. However, Ofcom considers that the profile and status of an individual does not negate the need for broadcasters to ensure that they are not the subject to unjust or unfair treatment.

We took into account the broadcaster's submission that the programme did not explicitly allege that Mr Ali had attempted to "attack" Mr Sharif physically, but rather that he had "verbally attacked" him by using "*filthy language*" [i.e. calling him a "thief"]. However, we also took into account that the programme then went on to say that Mr Ali had "*injured the guard*" after he had "*struck him on the head with [a] mobile phone*", and that the programme referred to Mr Shehbaz Sharif, the PLM-N President, condemning the "*attempted attack*". While Ofcom acknowledged that the programme did not state that Mr Ali had physically attacked Mr Nawaz Sharif, taking all of what was said about the incident, we considered that the language used in the programme to describe the incident was likely to have left viewers with the impression that Mr Ali had tried to approach Mr Nawaz Sharif as he was leaving the PLM-N headquarters, and, when a security guard tried to stop him, he "*struck*" the guard on the head with his phone, causing the security guard a physical injury. Given this, we considered that viewers would have therefore understood from the report in the programme that Mr Ali's conduct had been provocative and violent in nature to the extent that a security guard received a cut to his head as a direct consequence of Mr Ali's actions.

Therefore, given the above, we considered that the comments made in the programme about Mr Ali's conduct were serious and, in our view, amounted to significant allegations which had the clear potential to materially and adversely affect viewers' opinions of him in a way that was unfair.

We then considered whether the presentation of these comments in the programme resulted in unfairness to the complainant. In doing so, we took into account the overall background context (as set out above) relating to the political situation in Pakistan at the time of broadcast and viewers understanding of Mr Ali.

We noted that the broadcaster expressed concern in response to the Preliminary View that Ofcom's approach in this case could mean that broadcasters may not be able to report on incidents involving altercations between protestors and politicians. However, we recognised the broadcaster's right to freedom of expression and allowing them to broadcast programmes on matters of public interest, which in this case, included being able to make a news programme which reported on the allegations that the former Prime Minister of Pakistan was attacked near his residence by a PTI activist. We also acknowledge that this was likely to be a matter of particular interest to Pakistani and British Pakistani viewers, with it being important for the broadcaster to be able to report the matter quickly and as it developed, particularly in light of the developing political situation at the time of broadcast. Nevertheless, broadcasters still need to take reasonable care to ensure that material facts are presented in a fair manner.

From the information provided to Ofcom by both parties in their submissions, we recognised that the circumstances surrounding the incident were in dispute. We acknowledged that Mr Ali claimed to be the victim of an assault by the security guards, while the broadcaster has submitted that the security guard and security company claimed that Mr Ali had been the perpetrator of the injury sustained by the security guard. As already mentioned above, Ofcom's role is not to make findings of fact as to the specifics of how the incident occurred or who was responsible for it, but to consider whether the way the information was presented in the programme as broadcast, overall, resulted in unfairness to the complainant. As such, it would neither be possible or appropriate for Ofcom to determine the accuracy or otherwise of what was reported in the programme, or the information given by the parties to this complaint in their submissions that supported their respective positions.

We took into account that the broadcaster's submissions that it had simply reported on what it had been told by the security guards at the scene and the police. However, we considered that the programme did not make clear that the allegations made in the programme were in fact allegations made by security guards by for example, clearly attributing the account to the security guard. Instead, we considered that including the allegation in the manner that it did, presented the story as a factual account of what had happened. In addition, the viewpoint of Mr Ali on the allegations was clearly absent from the programme. For the reasons set out above, we considered that the allegations made about Mr Ali were serious and had the potential to materially and adversely affect viewers opinions of him. Given this, we considered that it was incumbent on the broadcaster to have given Mr Ali a timely and appropriate opportunity to respond, or if that opportunity was offered but refused, this should have been made clear in the programme.

In this regard, we took into account Mr Ali's complaint that a statement had not been taken from him, and that no attempt had been made to contact him before the report was broadcast. We also took into account the broadcaster's submission that it had given the complainant an appropriate and timely opportunity to respond and that in response to the Preliminary View, it had provided evidence to support this. While, based on the broadcaster's response to the Preliminary View, it appeared that the broadcaster had attempted to contact the complainant, via his parents, on the day of the incident and prior to the broadcast of the programme, the programme did not make clear that a response had been sought from the complainant and that it had been unable to contact him, or that no response was provided.

Therefore, in Ofcom's view, given all the factors above, we considered that the comments made in the programme about Mr Ali amounted to significant allegations, and that, while there was a public interest in reporting on the allegations, viewers were not provided with sufficient context to indicate that this matter was disputed by the complainant, or make clear that it had been unable to obtain a response to the allegations made about him. We considered that this resulted in unfairness to Mr Ali because the significant allegations made in the programme about him were likely to have materially and adversely affected viewers' opinions of him, and were presented in a way that was unfair to him.

In all these circumstances, therefore, we considered that the broadcaster did not take reasonable care to ensure that Mr Ali was not treated unjustly or unfairly in the programme as broadcast.

**Ofcom has upheld this complaint of unjust or unfair treatment in the programme as broadcast.**