

# Ofcom Broadcast and On Demand Bulletin

Issue 467  
6 February 2023

## Urban Asian

<b>Type of case</b>	Broadcast Standards
<b>Outcome</b>	In Breach
<b>Service</b>	Sabras Radio
<b>Date &amp; time</b>	12 June 2022, 20:00
<b>Category</b>	Offensive Language
<b>Summary</b>	Offensive language was broadcast and was not justified by the context, in breach of Rule 2.3 of the Broadcasting Code.

## Introduction

Sabras Radio is a commercial radio station based in Leicester which specialises in South Asian music and culture. The licence for Sabras Radio is held by Sabras Radio Limited (“Sabras Sound Limited” or “the Licensee”).

Ofcom received a complaint about the use of offensive language in the above programme during the music tracks “Gangsta” by Karan Aujla ft YG and “Chauffeur” by Diljit Dosanjh, Tory Lanez & Ikky. The tracks contained multiple instances of offensive language, including 16 uses of the word “nigga” in the song “Chaffeur” (which featured a mixture of Punjabi and English lyrics), two uses of the word “motherfucker” and one use of the word “nigga” in the track “Gangsta”.

We considered this raised potential issues under the following rule of [Ofcom’s Broadcasting Code](#):

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, offensive language...Appropriate information should also be broadcast where it would assist in avoiding or minimising offence”.

Ofcom comments from the Licensee on how the programme complied with this rule.

## Response

The Licensee said that it “apologise[s] for any offence caused by the language” contained in the broadcast and that it “cannot justify the broadcast”.

The Licensee stated that the programme *Urban Asian* was “relatively new and presented by a newly trained presenter”. It went on to say that around the time of broadcast, there was a “generally disturbing environment” in the urban Asian artist scene, resulting from the death of a famous young artist in India. As such, the Licensee said that was an “implosion of politically sensitive songs which did not fit any genres”.

The Licensee said that the songs which contained the offensive words were “both recorded by Asian singers but with inputs from others of non Asian origin”, and that the presenter was aware that these songs were currently very popular.

The Licensee said that the presenter “recognised the lead Asian artist names” and included the songs in his chart show “without carefully vetting them” and in doing so “failed in his duty to observe the Ofcom codes of which he was fully aware”.

The Licensee went on to say that “Sabras Radio has been broadcasting for over 25 years” and it “unreservedly apologises” for the output.

With regards to action that has been taken as a result, the Licensee said it has “suspended the programme with immediate effect” and has also “suspended the presenter from any presentation work until a further review”. The Licensee concluded by saying that it is “confident that this action will ensure that there is no repetition of breaching any Ofcom codes in the future” and that this a “very rare breach” by Sabras Radio for which it has taken “very stern corrective action”.

Ofcom sent the Licensee a Preliminary View that the content was in breach of Rule 2.3 and the Licensee said it had no further comments to make.

## Decision

Reflecting our duties under the Communications Act 2003, Section Two of the Code requires that generally accepted standards are applied to provide adequate protection for all members of the public from the inclusion of harmful or offensive material.

Ofcom has taken 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.

### Rule 2.3

Rule 2.3 requires that broadcasters must ensure that the broadcast of potentially offensive material, such as offensive language is justified by the context. Context includes for example: the service on which it is broadcast, the time of broadcast, and the likely expectations of the audience.

Ofcom first considered the severity and frequency of the offensive language used.

In a song titled “*Gangsta*” by Karan Aujla ft YG there were two uses of the word “*motherfucker*” and one use of the “*nigga*”. In the song titled “*Chauffeur*” by Diljit Dosanjh, Tory Lanez & Ikky the word “*nigga*” was used 16 times.

Ofcom’s latest research on [Public Attitudes towards Offensive language on TV and Radio](#)<sup>1</sup> shows that use of the word “*motherfucker*” was perceived as highly offensive and required clear and strong contextual justification when broadcast. The research found that the word “*motherfucker*” was generally regarded as amongst the strongest swear words.

Additionally, during this programme, in the song “*Chauffeur*” there was one instance of the word “*fuck*” and in the song titled “*Levels*” by Sidhu Moose Wala there are two instances of the word “*fuck*”. Our research found that the word “*fuck*” is considered by audiences as highly offensive and requiring clear and strong contextual justification.

Our research also makes clear that the word “*nigger*” and variations of it were considered by audiences to be highly offensive language and unacceptable for broadcast without very strong contextual justification. The research recognised the significant levels of offence that words related to race, ethnicity and nationality could cause, and participants felt words such as “*nigga*” should be used carefully, with consideration of the wider context and likely audience. We considered that although it is not endorsed by all rap artists, the word “*nigga*” is used in some rap music, and therefore some listeners of the genre may be more accepting of the word. Some Black participants in Ofcom’s 2021 language research distinguished between the word “*nigga*”, which they felt could be used as a term of endearment within certain Black communities, compared to the word “*nigger*” which was used to offend. However, for other Black participants, the racist connotations and historical context of the word meant they felt it was never acceptable. The word occurred frequently, 16 times in total, and was a prominent feature of the chorus.

We went on to consider whether the inclusion of this offensive language was justified by the context. Ofcom’s guidance on offensive language on radio<sup>2</sup> states: “In reaching any decision about compliance with the Code, Ofcom will take into account the likely audience expectations of a particular radio station at the time of broadcast”.

While we recognised that the word “*nigga*” was broadcast in the context of a rap music track, we considered that the audience of Sabras Radio, which specialises in South Asian music and culture, would not have expected to hear multiple instances of potentially highly offensive language, including racially offensive language, at this time in the early evening without strong contextualisation. We also reflected that the frequent repetition of the word “*nigga*” throughout the music video heightened the offence.

We also did not consider there was any further contextual justification for the use of the words “*motherfucker*” and “*fuck*” and that listeners to this station would not have expected this highly offensive language to be broadcast in the early evening.

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<sup>1</sup> [https://www.ofcom.org.uk/data/assets/pdf\\_file/0021/225336/offensive-language-summary-report.pdf](https://www.ofcom.org.uk/data/assets/pdf_file/0021/225336/offensive-language-summary-report.pdf).

<sup>2</sup> [https://www.ofcom.org.uk/data/assets/pdf\\_file/0014/40541/offensive-language.pdf](https://www.ofcom.org.uk/data/assets/pdf_file/0014/40541/offensive-language.pdf).

Ofcom took into account that there was a warning ahead of the songs “*Chauffeur*” by Diljit Dosanjh, Tory Lanez & Ikky, where the presenters stated “*please bear in mind there is some adultery language used as part of this track as well*”. Overall Ofcom felt this warning was not sufficient to prepare listeners for the potentially highly offensive language.

Ofcom also took into account the actions the Licensee said it had taken as a result of this broadcast, although we noted that no apology had been broadcast to the audience.

Ofcom’s Decision is that the broadcast of the most offensive language, including racially offensive language, in this programme was not justified by the context and was in breach of Rule 2.3.

**Decision: Breach of Rule 2.3**