

Complaint by Mr Christopher Williams about *Going Underground Lockdown Edition*

Type of case Fairness and Privacy

Outcome Not Upheld

Service RT

Date & time 29 July 2020, 09:30

Category Fairness

Summary Ofcom has not upheld this complaint about unjust or unfair treatment in the programme as broadcast.

Case summary

The programme was a discussion and phone-in programme concerning topical issues. During the programme, the presenter interviewed Mr Steve Bell, a political cartoonist for The Guardian newspaper about reports that he had been fired from the publication. Mr Williams complained of unjust or unfair treatment in the programme because it included “false claims of inaccuracy in my reporting” which he said were “damaging to my reputation”.

Ofcom found that the programme did not present, disregard or omit material facts in a way that was unjust or unfair to Mr Williams, that he was provided an appropriate and timely opportunity to respond and his response was fairly reflected in the programme.

Programme summary

On 29 July 2020, RT broadcast an edition of *Going Underground Lockdown Edition*, a discussion and phone-in programme concerning topical issues. During the programme, the presenter interviewed Mr Bell, a political cartoonist for The Guardian, concerning speculation on social media that he had been fired from the publication after drawing a cartoon that depicted the Home Secretary, Ms Priti Patel, as a bull.

During the interview, the following exchange took place between the presenter and Mr Bell:

Presenter: *“You’ve been sacked from The Guardian, that’s what the big reports have been! 40 years at The Guardian, and now you’re sacked! Fortunately, that’s not true. Fortunately.*

Mr Bell: *Yeah, it’s a great story, but unfortunately it isn’t true. I’ve been in negotiations with The Guardian, well all my life, because I’m a freelancer, and over the last few months, several months, I’ve been negotiating about my position, I’m getting on, I hit 70 next year...I will, next year, if I’m still there, it will be 40 years on The Guardian. At the moment it’s coming up to 39...*

Presenter: *Where did this story [come from]?*

Mr Bell: *I’m not sure where this leak came from, but I think it’s a malicious story. Somebody who wants me to be gone, obviously.*

Presenter: *It was The Sunday Telegraph, it was The Sunday Telegraph. It was your anti-Semitism, your racism.*

Mr Bell: *It was some geezer on The Sunday Telegraph. Well, Yeah. It was complete drivel, as was evidenced by the fact that he didn’t get in contact with me to check the story or get my reaction. That’s a given of journalism, if you’re writing a story about someone, you check with them. Even if you’re expecting them to deny it completely, you at least check with them. Now he tweeted this, and I think about a day later, or somebody pointed it out to me because I don’t sort of look at Twitter that often these days, I’m fed up with Twitter. My colleague Martin, Martin Rowson rang me and said: ‘Did you see all this rubbish on Twitter?’, so I was out and about, and I eventually went back and had a look, and this ridiculous tweet saying that I’d been sacked for reasons of racism and misogyny, and God knows what, something to do with Priti Patel.*

[The cartoon of Ms Patel depicting her, and Prime Minister Boris Johnson, as bulls was shown].

*Of course, like a fool I responded and I said, because he was making the authoritative statement that, well in fact what I did was confirm the story which was stupid of me but actually I’ve been in negotiations with The Guardian for years, nothing was resolved. The only thing that was resolved was that my contract, as it is, which is a very big contract with The Guardian, and this is the reason we’ve been in negotiations because they are introducing swingeing cuts so I’m probably their most expensive freelance, so we were in negotiations about reducing it. It wasn’t about being sacked for misdemeanours of any kind. There was nothing like that. That question’s never been raised, by The Guardian, certainly not by me. So, some b*****d [word bleeped out] released a story, and this*

bloke is putting this out on Twitter as if it's authoritative. As far as I know, I still want to carry on working for The Guardian after the end of next April I think, and...we're facing 180 jobs being slashed...

Presenter: *...Well, at this point the tweet is still up and Chris Williams, the Business Editor of The Sunday Telegraph, owned by the Barclay brothers, he'll just say he was doing his job, he got information and he tried to put it out there. The Guardian press office itself has got in touch with you.*

Mr Bell: *They did, and I explained to them what was happening, but, so they, The Guardian has been remarkably silent about it. They haven't refuted it, but I've been the only one refuting it. The problem is, because I'm on an annual contract, I don't know after next year whether they'll still want me, they might do, as you say I'm the best cartoonist in the world, why wouldn't they?*

Presenter: *See we could neatly go from this personal case, and the NUJ Chapel and the sackings at The Guardian, the redundancies, to why on earth no one checked the story, because you've been there before.*

Mr Bell: *That's my key bugbear, I mean, my response, I sort of refute Twitter, Twitter is an abomination to be honest, but people go on it. It's usually a fount for abuse of all sorts".*

The presenter and Mr Bell then moved on to talk about his career generally and some of the journalists Mr Bell had worked with over the years, as well as the way he had depicted other politicians in his cartoons. Mr Bell then spoke about the fact that most cartoonists for newspapers are freelancers, he said:

"...In some ways it works to our mutual benefit because The Guardian and I have mutual deniability which is sort of gloriously shown in this most recent episode when neither of us know quite what's going on, they don't know what's going on, I don't know what's going on, I don't know who leaked it, it wasn't me".

Before the programme came to an end, the following graphic was shown on screen:

"We contacted The Sunday Telegraph, Chris Williams, The Guardian, Twitter, Sir Keir Starmer MP, and 10 Downing Street about the allegations made in this segment, but they did not get back to us in time for the broadcast".

No further reference to Mr Williams was included in the remainder of the programme.

Summary of the complaint and broadcaster's response

Complaint

Mr Williams complained of unjust or unfair treatment in the programme because it broadcast Mr Bell making "false claims of inaccuracy in my reporting", which Mr Williams said were "damaging to my reputation".

Mr Williams said that he was contacted by RT the evening before broadcast for comment and that he had told the programme makers that, "contrary to the false statements made by Mr Bell", he had never:

- reported that Mr Bell had been sacked;
- drawn a causal link between Mr Bell's departure from The Guardian and the allegations of racism made against Mr Bell; or
- made any mention of alleged misogyny in relation to Mr Bell.

The complainant provided a copy of his tweet set out below, which concerned Mr Bell's apparent departure from The Guardian:

"NEW: More change at The Guardian. Steve Bell (@BellBelltoons), cartoonist since 1981 and recently accused of racism over his caricature of Priti Patel as a bull, is leaving. Contract won't be renewed next year. Decision unrelated to wider job cuts. The Guardian has no comment".

Broadcaster's response

RT did not accept that the programme had misrepresented the complainant's reporting, as set out in his tweet, in a way that was unfair to him.

The broadcaster said that it was questionable whether many viewers would have understood from the discussion that the complainant was the author of the tweet to which Mr Bell referred, given that it was not shown on screen, nor read out. RT said that the presenter had referred to The Sunday Telegraph and that Mr Bell had referred to the author of the tweet as "*some geezer on The Sunday Telegraph*", then continued, "*some b*****d [word bleeped out] released a story, and this bloke is putting this out on Twitter as if it's authoritative*". RT said that it was only after further discursive conversation between Mr Bell and the presenter that Mr Williams' name was mentioned. The broadcaster said that, in any event, it would have been clear to viewers that Mr Williams was not the originator of the story, but rather, was tweeting what someone else had said or written.

RT said that it was necessary to determine the "natural and ordinary meaning" of the complainant's tweet, much the same as determining the meaning of words complained of in a libel action. RT said that the natural and ordinary meaning of words complained of should be determined by considering how an ordinary reasonable viewer would convey the meaning; RT added that the hypothetical reasonable reader is "not naive but he is not unduly suspicious"¹. The broadcaster said that in order to

¹ Victoria Gillick v British Broadcasting Corporation and Susan Pearce [1996] E.M.L.R. 267.

determine the natural and ordinary meaning of the words complained of, it was well established that there should not be an “over-elaborate analysis of the material in issue”².

RT said that Mr Williams’ complaint was based upon his strained interpretation of the tweet. It said that the clear meaning to be drawn from the complainant’s tweet, was that Mr Bell had been sacked from The Guardian and it also drew a causal link between Mr Bell’s departure and the allegations of racism made against him over his caricature of Priti Patel. RT said that tweets are brief and avoid irrelevance, therefore, the inclusion of the allegation of racism gave the clear impression that it related to Mr Bell’s departure from The Guardian, particularly as Mr Williams had further stated in his tweet that the decision was unrelated to wider job cuts upon which The Guardian had no comment.

The broadcaster said that replies to the complainant’s tweet demonstrated that members of the public had interpreted the tweet to mean that Mr Bell had been sacked as consequence of recent allegations of racism. RT provided examples of some of these replies which we have set out below:

“Genuine question. Was he fired for the depiction of Priti Patel, and is the Guardian not commenting because they fired him but not the editor who decided to print it?”

“Racist loses his job [crossed arm emoji]”.

“So, the guardian sacks a racist (finally) and that’s news? Gosh! Slow day in fleet street...”.

“Steve Bell sacked. Good !!! This cartoon was clearly racist and totally unacceptable”.

“Excellent. Should have been sacked over the Patel cartoon”.

“Can’t stand cancel culture but the Priti cartoon was a job loser – anyone remember Charlie Hebdo or the Danish paper who dropped similar but differently flavoured clangers?!”

² Skuse v Granada Television Ltd [1996] E.M.L.R. 278.
Issue 425 of Ofcom’s Broadcast and On Demand Bulletin
26 April 2021

“He should’ve gone after his offensive and racist cartoon of Priti. Clearly he’s another leftist loather of those from ethnic background who have the temerity to be successful in right-of-centre politics”.

“Saw an interview with Steve Bell years ago. Impeccably liberal and anti racist. But look under the bonnet...Same goes for the people that sacked him. What goes around comes around. Esp in the world of liberal hypocrisy. Most of them are eventually exposed as...racists”.

“If the @guardian had been a decent paper he would have been sacked before this. The rag and him are a disgrace”.

The broadcaster acknowledged that the complainant had not referred in his tweet to allegations of misogyny. However, it said that this was an allegation which had been reported elsewhere³. RT noted in particular, a statement issued by The British Tamil Conservatives, as reported in The Jewish Chronicle⁴, which stated the following about Mr Bell’s cartoon featuring Priti Patel:

“This cartoon is offensive on every level. It’s anti-Hindu. It portrays the Home Secretary, of Hindu origin, as a cow. A sacred symbol for Hindus. It’s racist and misogynist. It’s plainly unacceptable! It may constitute a hate crime”.

RT said it was possible that this reporting was in Mr Bell’s mind when he spoke. The broadcaster said that while Mr Williams had not made references to allegations of misogyny, Mr Bell’s comments on this point would not have resulted in harm to the complainant’s reputation, given that the core of his story, that Mr Bell had been sacked because of allegations of racism, was wrong.

The broadcaster said that they had approached the complainant by email at 17:50 on the day before transmission, providing him with an opportunity to respond to Mr Bell’s statement. The broadcaster requested that any statement in response be provided “ASAP” so it could be included in the programme which was going to be broadcast at 9.30 the next morning.

RT said that the complainant responded around two hours later and said “Here’s my statement” which was followed by a GIF⁵. This GIF depicted a figure altered to have the face of Vladimir Putin dancing next to Brooklyn Bridge, with a rainbow coloured filter as associated with the Gay Pride movement. RT said that what Mr Williams was intending to convey by this gesture was a matter for speculation, however it was clearly intended to offend. RT said that Mr Williams knew exactly what Mr Bell had said in the programme and for Mr Williams to describe this as his “statement” gave the impression

³ [Guardian accused of printing ‘racist’ cartoon depicting Priti Patel as a bull, metro.co.uk, 8 March 2020.](https://www.metro.co.uk/news/1254443/guardian-accused-of-printing-racist-cartoon-depicting-priti-patel-as-a-bull)

⁴ [Controversial cartoonist Steve Bell to leave the Guardian, The Jewish Chronicle, 17 July 2020.](https://www.jewishchronicle.co.uk/news/controversial-cartoonist-steve-bell-to-leave-the-guardian)

⁵ “GIF” or “Graphics Interchange Format” is a file format for images.

that the complainant had no genuine concern over what Mr Bell was saying in the broadcast. It said that this was, in effect, a contemptuous refusal to give a statement.

The broadcaster said that when the producer emailed Mr Williams to ask him if he was happy for the GIF to be included in the programme as his statement, Mr Williams replied four minutes later saying: "I insist".

RT did not show the GIF during the broadcast and suggested that had the programme included the GIF, as Mr Williams had requested, it could have resulted in reputational harm to him.

The broadcaster said that later in the evening, following an email to Mr Williams by the producer which informed Mr Williams that the GIF would most likely appear as a still image if shown in the show on Saturday, at 20:55, the complainant responded by email to the programme's producers, which read:

"Okay – you have my statement for broadcast.

Not for broadcast and without prejudice, and in light of RT's due accuracy obligations under the broadcasting code I draw your attention to the following facts which are contrary to the statement you say you intend to broadcast:

1. I have never reported that Mr Bell was sacked.
2. I have never drawn a causal link between his departure from the Guardian and allegations of racism made against him.
3. I have never made any mention of alleged misogyny in relation to Mr Bell".

RT said that contrary to Mr Williams' complaint to Ofcom, the broadcaster had contacted Mr Williams at 17:50 the day before the broadcast of the programme, and it was not until three hours later, and after the GIF interlude, that he had sent his statement as set out in his complaint. However, RT highlighted the fact that Mr Williams' statement in his email to the broadcaster had started with the words "Not for broadcast and without prejudice". RT said that these words were omitted from the statement in his complaint to Ofcom.

RT said that this statement was simply a denial that the tweet contained the meaning drawn by Mr Bell; a meaning which, for the reasons explained above, it said was clear and not a matter of interpretation. RT said that it had respected Mr Williams' request that this further statement not be broadcast.

In relation to the allegation of misogyny, the broadcaster said that had Mr Williams chosen to submit his second statement earlier in the three hours that had elapsed since their request for comment, it might have been able to take it on board. RT said that in order to comply with editorial and technical standards, a pre-recorded programme has to pass the editorial quality control stage and then the audio-visual quality control stage, after which it can be put on a broadcast server and then on a playlist. RT explained that in the context of heightened editorial challenges caused by the Covid-19

pandemic, and the formatting of this particular show, the editorial team was “up against the clock”. The broadcaster said its timeframe for the pre-air preparation is not unreasonable, nor out of line with those of other similar TV operations.

The broadcaster said that following broadcast, Mr Williams had been invited to come on the programme personally to refute any claims made by Mr Bell, but the complainant had refused to accept.

Preliminary View

Ofcom prepared a Preliminary View that the complaint should not be upheld. Both parties were given the opportunity to make representations on the Preliminary View. RT did not make any representations on Ofcom’s Preliminary View. Mr Williams made representations which are summarised below, insofar as they are relevant to the complaint entertained and considered by Ofcom.

Mr Williams said that the reason he had sent a substantive response to the statements that Mr Bell made about him in the programme, after first sending the GIF, was because he did not believe that RT would include the GIF in the broadcast. Mr Williams said his email of 20:54 was marked as “not for broadcast”, which would have indicated to RT that he was providing background information, which Mr Williams said was normal journalistic practice. Mr Williams explained that he did not wish to be quoted in the programme because he “did not want to assist or be publicly associated with the production of misinformation”. Mr Williams said that the information he gave, three hours after RT’s approach, was nevertheless a formal response given in the knowledge of RT’s regulatory obligations.

Mr Williams added that the programme’s statement that he “*did not get back to us in time for the broadcast*” was false and said that Ofcom’s Preliminary View had failed to reflect this. Mr Williams said that RT received the GIF at 19:41, and then received the background information at 20:55, but neither was reflected in the broadcast.

Mr Williams said that to approach the subject of claims and receive corrective information in response and then not reflect this in subsequent reporting, is not the behaviour of responsible journalists concerned with fairness or accuracy.

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 transcript of the programme, and both parties’ written submissions. We also took careful account of the representations made by Mr Williams in response to

Ofcom's Preliminary View on the complaint. After careful consideration of the representations, however, we considered that the points raised did not materially affect the outcome of Ofcom's decision to not 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"). 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, or in the making of 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.

Ofcom considered Mr Williams' complaint that the programme had contained "false claims of inaccuracy in my reporting", which he said were "damaging to my reputation".

In assessing this complaint, Ofcom had regard to the following Code Practices:

- Practice 7.9 which states that "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 which states that "if a programme alleges wrongdoing or incompetence or makes other significant allegations, those concerned should normally be given an appropriate and timely opportunity to respond"; and
- Practice 7.12 which states that "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".

Whether or not a programme results in unfairness will depend on all the particular facts and circumstances of the case including the nature of the material and the context within which it was broadcast.

As set out in the "Programme summary" above, the programme included a discussion concerning reports that Mr Bell had been sacked from his role at The Guardian. Mr Bell had:

- spoken critically about the story, of which the complainant's tweet had been a part;
- said, "*So, some b*****d [word bleeped out] released a story, and this bloke is putting this out on Twitter as if it's authoritative*";
- described the complainant as "*some geezer on The Sunday Telegraph*" who had published a tweet "*saying that I'd been sacked for reasons of racism and misogyny, and God knows what, something to do with Priti Patel*"; and

- also said that the complainant's tweet was "*complete drivel*", and further claimed that:

"[Mr Williams] didn't get in contact with me to check the story or get my reaction. That's a given of journalism, if you're writing a story about someone, you check with them. Even if you're expecting them to deny it completely, you at least check with them".

Ofcom began by considering RT's suggestion that it was possible that viewers would not have identified the complainant as the author of the tweet, as it had not been read out during the discussion, nor shown. While we acknowledged that Mr Bell had not identified the complainant by name, he had described him as someone from "*The Sunday Telegraph*", and the presenter responded to Mr Bell's discussion of the story and the tweet by identifying the complainant as its author, and had further identified him to viewers by his job title: "*Chris Williams, the Business Editor of The Sunday Telegraph*". Ofcom therefore considered that the viewers were likely to have understood Mr Bell to be referring to the complainant, Mr Williams, as the author of the tweet.

We next considered the context in which the claims about Mr Williams were made in the programme. As set out in the news articles provided to Ofcom by the broadcaster (see footnotes 3 and 4 above), at the time of broadcast, there had been widespread criticism that Mr Bell's cartoon, which depicted Ms Priti Patel as a bull, was "racist" and "misogynistic". There had also been speculation about whether Mr Bell had been fired from The Guardian, and if he had, whether it was connected to this cartoon. We also took into account that the complainant was a journalist and as such, he may have expected to have some criticism levelled against him, particularly by people he may have written about. However, Ofcom takes the view that the profile and status of an individual does not remove the need for broadcasters to ensure that individual is not subject to unjust or unfair treatment in programmes.

We considered the content of the report and took the view that RT's audience were likely to have understood from Mr Bell's comments that Mr Williams had made unsubstantiated claims about Mr Bell and the reasons for the apparent termination of his employment with The Guardian, without confirming the story with Mr Bell or asking for his comments before publication. Therefore, in our view, Mr Bell's comments would have been perceived by viewers as amounting to an allegation that Mr Williams had published unsubstantiated statements without following good journalistic practice. In Ofcom's view, the inclusion of Mr Bell's description of the complainant's tweet in that context could have the potential to materially and adversely affect viewers' opinions of Mr Williams in a way that was unfair to him.

It was apparent to Ofcom that the complainant's tweet did not explicitly say that Mr Bell had been "sacked" from The Guardian for "*reasons of racism and misogyny*", as claimed by Mr Bell in the programme. However, while we acknowledged that Mr Bell's comments were not a wholly accurate description of the content of the complainant's tweet, for the reasons set out below, we do not consider the comments made in the programme resulted in unfairness to Mr Williams.

First, we considered that while the tweet itself did not describe Mr Bell as having been "sacked" by The Guardian, it did state that his "Contract won't be renewed next year" and that this decision was "unrelated to wider job cuts". Therefore, we considered that readers of the tweet might have thought

it was possible that Mr Bell's apparent departure from The Guardian was the result of him being sacked by The Guardian. Moreover, while the tweet did not expressly connect Mr Bell's apparent departure from The Guardian with the allegations of racism around the Priti Patel cartoon, readers of the tweet might have thought there was an implication that these allegations of racism might have been at least a factor in Mr Bell's apparent departure from The Guardian, given the juxtaposition drawn between these two points in the tweet.

We also considered that Mr Bell's comments in the programme were presented as his personal reaction to and views on the media speculation surrounding Mr Bell's apparent departure from The Guardian, and the way that Mr Williams' tweet had presented this story. As Mr Bell was the subject of the tweet, it was reasonable for the programme to have included his interpretation and opinions of the tweet. We also considered that viewers were likely to have understood from the programme that RT were providing Mr Bell with the opportunity to present his version of the events regarding the reported speculation around the termination of his employment with The Guardian, as part of which he had taken the opportunity to rebut speculation that this might be linked to allegations that some of his cartoons were racist or misogynistic. Further, in Ofcom's view, Mr Williams' tweet referred to the widely reported criticism of the Priti Patel cartoon, and, for the reasons set out above, we considered that the tweet could have been read as suggesting a link between these allegations of racism and Mr Bell's contract apparently not being renewed, and Mr Bell's comments could be understood in that context. We also took into account that the reference to "*misogyny*" by Mr Bell had been brief and incidental to his wider rebuttals of the story.

While we recognised that Mr Bell's comments implied that Mr Williams had made unsubstantiated statements about Mr Bell without following good journalistic practice, overall we considered that it would have been clear to viewers that the comments and criticisms of Mr Williams' reporting in the tweet were clearly attributed to Mr Bell and represented his own personal views and opinions on the media speculation on the story, which he deemed to be untrue. Taking into account all the above factors, we did not consider that, in this context, Mr Bell's comments were likely to have materially and adversely affected viewers' opinions of Mr Williams in a way which was unfair to him.

We also had regard to the opportunity which RT had provided to Mr Williams to respond to Mr Bell's comments. We noted that on the evening prior to the broadcast, at 17:50, the broadcaster had written to Mr Williams providing him with information about the statements that Mr Bell made about Mr Williams in the programme, and told him that if he wished to comment on the allegations made by the guest, they would be happy to include a statement in the programme provided he could provide it as soon as possible. In Ofcom's view, Mr Williams had been presented with an appropriate record of the material allegations which would be made in the programme, prior to broadcast, and in the circumstances, as set out further below, had been given an appropriate and timely opportunity to comment upon them.

We understood that initially Mr Williams had chosen to respond with a GIF which depicted a figure altered to have the face of Vladimir Putin dancing next to Brooklyn Bridge, with a rainbow coloured filter as associated with the Gay Pride movement. In response to a question by the producer as to whether Mr Williams was happy for this to be taken as his statement, he responded: "I insist", and he later told the producer that they "have my statement for broadcast", apparently referring to the GIF. We took the view that this GIF did not contain information that was relevant to the substance of Mr

Bell's claims, and therefore, it was reasonable for RT to have chosen not to make reference to this response in the programme.

Ofcom recognised that the complainant had provided a further statement later in the night prior to the broadcast which disputed Mr Bell's claims. However this statement had been marked as "not for broadcast and without prejudice" and we accepted that, given this, it was reasonable for the broadcaster to consider that Mr Williams did not wish this statement to be broadcast in the programme itself as his formal response. We also took into account Mr Williams' representations on Ofcom's Preliminary View that he did not wish to be quoted in the programme, as he "did not want to assist or to be publicly associated with in the production of misinformation". We considered this would have made clear that he did not expect this statement to be attributed to him in the broadcast programme. We also took into consideration Mr Williams' representations on Ofcom's Preliminary View that it would have been clear to RT that this second statement contained relevant background information, which he suggested ought to have been reflected in the programme (albeit not in a way which attributed the comments to Mr Williams). For the reasons set out above, we considered that Mr Bell's comments were not likely to have materially and adversely affected viewers' opinions of Mr Williams in a way which was unfair to him, and therefore, in Ofcom's view, it was not necessary for the broadcaster to have reflected the substance of Mr Williams' later statement in the programme in order to avoid unfairness to him.

We also took into account that at the end of the programme, the broadcaster included a statement explaining that Mr Williams had been contacted about the allegations made, but that he "*did not get back to [RT] in time for the broadcast*". We took into account Mr Williams' submission on Ofcom's Preliminary View that this statement was inaccurate, as he had provided two responses to RT by the time of broadcast. As set out above, Mr Williams had initially chosen to respond with a GIF, and in Ofcom's view it was reasonable for RT to have chosen not to make reference to this in the programme, as it did not contain information that was relevant to the substance of Mr Bell's claims. We recognised that Mr Williams had then provided a further statement later in the night prior to the broadcast, which had, however, been marked as "not for broadcast and without prejudice", and therefore indicated that he did not wish these comments to be attributed to him as his response to the allegations about him in the programme as broadcast. In these circumstances, we considered that it was reasonable for RT to have concluded that they had approached Mr Williams, but that no formal response to the allegations that Mr Williams would wish to be broadcast had been provided in time for the broadcast. In our view therefore, the statement made at the conclusion of the programme regarding Mr Williams' lack of response fairly represented the position regarding Mr Williams' response at the time of broadcast.

Taking account of all the circumstances, and for the reasons set out above, Ofcom considered that material facts were not presented, omitted or disregarded in a way that was unfair to Mr Williams in the programme as broadcast, the broadcaster gave Mr Williams an appropriate and timely opportunity to respond to the allegations made against him in the programme and the broadcaster fairly reflected that Mr Williams had not provided a formal response to the claims at the time of broadcast.

Ofcom has not upheld Mr Williams' complaint of unjust or unfair treatment in the programme as broadcast.