Ofcom

Broadcast and On Demand Bulletin

Issue 509, 4 November 2024



Notice of Sanction – GB News Limited

Type of case	Broadcast Standards
Outcome	Imposition of statutory sanctions
Service	GB News
Date & time	12 February 2024, 20:00
Category	Due impartiality
Summary	A one-hour current affairs programme featuring the then Prime Minister, Rishi Sunak, failed to maintain due impartiality on a matter of major political controversy and a major matter of current public policy. Sanctions imposed for serious and repeated breaches of Rules 5.11 and 5.12 of the Broadcasting Code. Financial penalty of £100,000 and a direction to broadcast a statement of Ofcom's findings on a date and in a form to be determined by Ofcom.

GB News is a UK-based channel that broadcasts a range of news and current affairs programmes. It describes itself as "Britain's News Channel". The licence for GB News is held by GB News Limited ("the Licensee" or "GB News").

People's Forum: The Prime Minister was a one-hour current affairs programme which featured the then Prime Minister, Rishi Sunak, in a question-and-answer session with a studio audience about the Government's policies and performance, in the context of a forthcoming UK General Election.

In a Decision published on 20 May 2024, Ofcom found that the programme had failed to maintain due impartiality on a matter of major political controversy and a major matter of current public policy, and due impartiality was not preserved through clearly linked and timely programmes, in breach of Rules 5.11 and 5.12 of the Code:

Rule 5.11: "Due impartiality must be preserved on matters of major political and industrial controversy and major matters relating to current public policy by the person providing a service…in each programme or in clearly linked and timely programmes"; and

Rule 5.12: "In dealing with matters of major political and industrial controversy and major matters relating to current public policy an appropriately wide range of significant views must be included and given due weight in each programme or in clearly linked and timely programmes. Views and facts must not be misrepresented".

In a Sanction Decision published on 31 October 2024, Ofcom considered that these breaches were serious and repeated[1] and warranted the imposition of a statutory sanction.[2]

In accordance with Ofcom's Penalty Guidelines, Ofcom decided that it was appropriate and proportionate in the circumstances 1) to impose a financial penalty of £100,000 on the Licensee (payable to HM Paymaster General), and 2) to direct the Licensee to broadcast a statement of Ofcom's findings on a date and in a form to be determined by Ofcom.

GB News is challenging the Breach Decision by judicial review, which Ofcom is defending. Ofcom will not enforce this Sanction Decision until those proceedings are concluded.

[1] The Licensee has previously breached Rules 5.11 and 5.12. See Issues 481 and 484 of the Broadcast and On Demand Bulletin.

[2] Ofcom may, following due process, impose a sanction if it considers that a broadcaster has seriously, deliberately, repeatedly or recklessly breached a relevant requirement. See Procedures for the consideration of statutory sanctions in breaches of broadcast licences.