



Live Rugby (York V Cougars)

Type of case	Broadcast Standards
Outcome	In Breach
Service	Drystone Radio
Date & time	14 March 2026, 12:00
Category	Offensive language
Summary	The most offensive language was broadcast at a time when children were particularly likely to be listening. In breach of Rules 1.14 and 2.3 of the Broadcasting Code.

Introduction

Drystone Radio is a community radio station covering Sutton-in-Craven, Ilkley and Wharfedale. The licence for Drystone Radio is held by Drystone Radio Limited (“Drystone Radio” or “the Licensee”).

Ofcom received a complaint about the use of offensive language by the presenter during the above programme broadcast shortly after 12pm.

The programme experienced technical issues from the outset, with no audio broadcast for the majority of the first ten minutes. Music tracks were then played for approximately five minutes, after which the presenter was heard on telephone calls with colleagues attempting to resolve the ongoing issues. During these conversations, there were five instances of the words “fuck”, “fucking” and “fucked” as follows:

“...it’s all fucked up...how the fuck is that?...go in and have a fucking look, it’s dreadful...it’s all fucked up...it’s all fucked up”.

After a further five minutes, the programme resumed with commentary of a Rugby League match without further issues.

We considered this raised potential issues under the following rules of the [Ofcom Broadcasting Code](#) (“the Code”):

- Rule 1.14: “The most offensive language must not be broadcast...when children are particularly likely to be listening (in the case of radio)...”.
- 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 therefore requested comments from the Licensee on how the programme complied with these rules.

Response

Drystone Radio said it “takes its obligations under the Ofcom Broadcasting Code very seriously”. It explained that the programme was live commentary of a Rugby League match, which involved “real-time coverage without a delay mechanism”. The Licensee said that “the intended audience was a sports audience, with coverage reflecting the fast-paced and emotionally reactive nature typically associated with live sporting events”.

Drystone Radio acknowledged that offensive language was broadcast during the programme and added that it understood that the language occurred when the presenter believed they were “not on-air and were speaking off-air during a phone conversation”. The Licensee explained that, as a result of “the nature of the live broadcast setup”, the audio was “inadvertently transmitted” and that this was “due to a technical error being caused by a third-party supplier”. Drystone Radio said that “the language was therefore not intended for broadcast, was not scripted, and does not reflect the expected standards of our on-air output”. It added that it “recognise[d] this as an operational lapse within a live environment, rather than any editorial decision”.

With regard to Rule 1.14, the Licensee acknowledged that the incident occurred shortly after 12:00pm, a time when children are particularly likely to be listening, and that the broadcast of the most offensive language at this time is “not appropriate at such times” and “fell short of the requirements of Rule 1.14”.

With regard to Rule 2.3, the Licensee said that “while live broadcasting can present challenges, particularly in outside broadcast situations, this does not justify the broadcast of highly offensive language”. It also acknowledged that “no prior warning was broadcast that could have helped minimise potential offence to listeners”.

The Licensee set out the steps it had taken following the incident:

- “the presenter has been formally reminded of Ofcom compliance requirements, particularly regarding offensive language”;
- it is reviewing “live outside broadcast procedures, including the separation and control of on-air and off-air audio paths”;
- it is assessing the “feasibility of introducing additional safeguards, such as delay systems where practicable”;
- it is implementing additional training and guidance “to reinforce awareness of compliance obligations during live broadcasting”; and

- internal processes have been “reinforced to ensure greater attention to operational control and audience expectations, especially during daytime output”.

The Licensee concluded by acknowledging that “the broadcast did not meet the standards set out in the Ofcom Broadcasting Code on this occasion”. It added that “the incident arose from an unintended operational error during a live broadcast, rather than any deliberate or editorial use of offensive language”, and that it had taken “appropriate steps to address the issue and minimise the risk of recurrence” and remains “committed to maintaining high editorial and compliance standards”.

Response to Preliminary View

Ofcom prepared a Preliminary View finding the programme in breach of Rules 1.14 and 2.3 and provided it to the Licensee for comments. In response, the Licensee said it “reiterates its sincere regret that offensive language was broadcast during the live rugby commentary programme on 14 March 2026” and that it “fully recognise[s] that the language transmitted was inappropriate for broadcast and that the incident occurred at a time when children were particularly likely to be listening”.

Drystone Radio “respectfully ask[ed] Ofcom to take into account the exceptional circumstances surrounding the incident and the extensive remedial action implemented by the station immediately afterwards”. It reiterated that the language “was not scripted, planned or intended for broadcast”, that the presenter was “unaware that his audio was being transmitted”, and that “the incident resulted from an operational and technical failure during a live outside broadcast” rather than an editorial decision to include offensive language in the programme. The Licensee added that “the connection between the outside broadcast and the station was activated unexpectedly, resulting in audio being broadcast without the presenter’s knowledge”.

The Licensee said that it “fully accepts Ofcom’s position that responsibility for compliance ultimately rests with the Licensee regardless of the involvement of third-party suppliers” and added that it did not “seek to avoid that responsibility” but instead wished to “emphasise that the circumstances were genuinely inadvertent and arose despite the station’s commitment to compliance and responsible broadcasting”.

Drystone Radio said it has “undertaken a comprehensive review” of its procedures and has implemented “a number of measures designed to minimise the risk of any recurrence” since the incident occurred, including:

- “additional compliance reminders and guidance for presenters regarding offensive language and live broadcasting obligations;
- a review of outside broadcast procedures and audio routing arrangements;
- assessment of additional technical safeguards, including delay mechanisms where practical;
- further compliance training for presenters and operational staff;
- strengthened internal controls relating to daytime broadcasting, and
- the introduction of a dedicated technical operator to monitor and control all sports outside broadcasts”.

The Licensee said the remedial measures implemented following the incident demonstrated both “the seriousness with which Drystone Radio has treated the incident and its commitment to ensuring that similar circumstances do not arise in future”. It added that it had “invested considerable effort in reviewing procedures, strengthening oversight and reinforcing compliance awareness across its volunteer and presenter teams”.

The Licensee said it had “served its local community for many years” and places “significant importance on maintaining the trust of its listeners and complying with its regulatory obligations”. It said that the incident was “entirely uncharacteristic of the station's output and standards” and that it “regret[s] the offence caused and acknowledge[s] that listeners would not reasonably have expected to hear such language during a daytime community radio sports broadcast”.

The Licensee “respectfully ask[ed]” Ofcom to take into account the “exceptional and unintended nature of the incident, the station's prompt cooperation with Ofcom, its acceptance of responsibility and the substantial corrective measures already implemented” when reaching its Decision.

The Licensee concluded that it “remains committed to maintaining the highest possible standards of compliance and to working constructively with Ofcom”.

Decision

Reflecting our duties under the Communications Act 2003, Section One of the Code requires that people under eighteen are protected from unsuitable material in programmes. Section Two of the Code requires that generally accepted standards are applied to content so as to provide adequate protection for members of the public from the inclusion of harmful or offensive material in programmes.

Ofcom takes account of the audience's and the broadcaster's rights to freedom of expression as set out in Article 10 of the European Convention on Human Rights when considering a broadcaster's compliance with the Code.

Rule 1.14

Rule 1.14 prohibits the broadcast of the most offensive language on radio when children are particularly likely to be listening.

When considering this case, Ofcom took into account our 2021 research into [Public attitudes towards offensive language on TV and radio](#). This research found that the word “fuck” and variations of it were considered by audiences to be among the most offensive language and required clear and strong contextual justification. It also found that audiences consider that, in order to protect children, this word should not be aired on radio at times when children are particularly likely to be listening.

According to Ofcom's [Guidance on offensive language on radio](#), radio broadcasters should have particular regard to broadcasting content at the following times: between 06:00 and 09:00 and 15:00 and 19:00 Monday to Friday during term time; and between 06:00 and 19:00 at weekends all year round, and in addition, during the same times from Monday to Fridays during school holidays.

In this case, the broadcast of five instances of the word “fuck” and its variations shortly after 12:00 on a Saturday was a clear example of the most offensive language being broadcast at a time when children were particularly likely to be listening.

We took into account the Licensee's explanation of the circumstances which led to the broadcast of the offensive language and the steps the Licensee said it had taken to prevent recurrence.

Nevertheless, Ofcom's Decision is that the broadcast was in breach of Rule 1.14.

Rule 2.3

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

Ofcom first considered whether the material broadcast had the potential to cause offence.

In Ofcom's view, the broadcast of the most offensive language, specifically five instances of the word "fuck" and its variants, was clearly capable of causing offence to listeners. Ofcom then considered whether the broadcast of this offensive language was justified by context.

With regard to the editorial content of the programme, we took into account that the offensive language was inadvertent and had occurred due to a technical issue during live programming. However, while the nature of the broadcast of the offensive language may have indicated to listeners this was not planned programming, Ofcom considered that there was no additional contextualisation after the offensive language had been broadcast, such as an apology, to minimise the potential offence caused.

Ofcom also took into account that the service Drystone Radio does not typically feature potentially offensive content, and that the offensive language was broadcast shortly after 12:00 on a Saturday, a time when children were particularly likely to be listening and when adult listeners would be unlikely to expect stronger content to be broadcast. Taking these factors into account, we considered that the majority of listeners to this station at this time of day would not have expected to hear this level of offensive language. Ofcom therefore considered that there was insufficient contextual justification for the use of the most offensive language during the programme.

Ofcom took into account the Licensee's explanation of the circumstances that led to the broadcast of this language, including that the content was not intended to be broadcast and the incident was the result of "a technical error being caused by a third-party supplier". Ofcom reminds Drystone Radio, however, that it is the Licensee's responsibility to ensure that all content broadcast on its service complies with the Code.

We also acknowledged that Drystone Radio said it had taken a range of measures following the incident to prevent recurrence. Nevertheless, for the reasons set out above, Ofcom's Decision is that the broadcast of the most offensive language in this programme was not justified by the context and was in breach of Rule 2.3.

Breach of Rules 1.14 and 2.3