Ofcom's Advisory Committee for Northern Ireland

Ofcom Consultation on the BBC Online Material Code 2026

The Communications Act 2003 requires Ofcom to establish and maintain Advisory Committees for the different parts of the United Kingdom.

Ofcom's Advisory Committee for Northern Ireland (ACNI) advises Ofcom on the interests and opinions of citizens and consumers in Northern Ireland in respect of communications matters.

We are independent and our views do not represent the views of Ofcom or its staff.

Please accept this document as the Committee's submission to the Ofcom Consultation on the BBC Online Material Code.

ACNI has selected questions where we have a particular view or where Northern Ireland context is relevant. We have not responded to all questions.

This response is non-confidential.

Submission

ACNI welcomes this consultation and supports Ofcom's proposal to bring BBC online material within a proper content standards regime for the first time. Since 2017 the BBC's broadcast and on-demand output has been held to enforceable standards under the Broadcasting Code. Its online material has not. It is undoubtedly correct that as audience consumption moves so should regulation. Especially as the audience holds the BBC to the highest standards and levels of trust.

Ofcom's own evidence, cited in this consultation, shows the BBC was the most used direct access website or app for news in the UK in 2025. Audiences in Northern Ireland increasingly consume BBC journalism as an article, a clip or a social post rather than a scheduled broadcast. The standards that apply to that content should not depend on the device or platform through which it reaches someone.

There are three reoccurring themes running through the ACNI response.

First, regulation should be joined up. A single set of standards, understood by the BBC and recognised by audiences, should apply whether BBC content is broadcast, streamed on demand or posted online, including on third-party platforms. ACNI supports the proposal to bring BBC-branded content on social media and video sharing platforms into scope for this reason.

Second, the value of the Code depends on audiences knowing it applies. A rule that exists but is invisible to the public does little for trust or media literacy. Ofcom and the BBC should make clear, in terms audiences will actually see, that the same due impartiality and harm and offence standards sit behind a BBC News article, an iPlayer stream and a BBC Instagram post.

Third, the BBC should be the benchmark for good public service broadcasting wherever it is found, not only within a broadcast schedule. A Code that is consistent, well understood and properly enforced online will help secure that standard as audiences continue to move away from linear viewing.

ACNI responses

Question 5: Do you agree with Ofcom's overall approach to Section Two?

Yes. ACNI supports mirroring the harm and offence standards from the Broadcasting Code, adapted through a context-based test rather than new prescriptive rules. This fits the online environment well. BBC online material dealing with the legacy of the Troubles, contested commemorations or paramilitary anniversaries can cause different degrees of offence to different communities depending on how it is presented and how long it stays live. The proposed contextual factors, in particular the format of the item, the way it is presented and encountered, and the length of time it remains available, are the right tools for that assessment and are better suited to Northern Ireland's particular sensitivities than a fixed list of prohibited content types.

Question 8: Do you agree with Ofcom's overall approach to Section Three?

Yes. ACNI regards the rules on crime, disorder, hatred and abuse as being of particular importance in a Northern Ireland context, given the region's history of sectarian tension and paramilitary-linked crime and disorder. Material that would encourage disorder or amount to hate speech carries a distinct risk here that is not always present elsewhere in the UK.

ACNI supports carrying these rules across without significant change and welcomes the proposed contextual factors on editorial purpose, the status of anyone featured and whether sufficient challenge is provided. We ask that Ofcom's planned guidance address, specifically, how these factors should be applied to sectarian or paramilitary-linked material online, where content can be shared, clipped and recirculated stripped of the surrounding editorial context in a way a single broadcast transmission is not.

Question 13: Do you agree with Ofcom's overall approach to Section Five?

Yes. Due impartiality has always carried particular weight in Northern Ireland, given the region's constitutional position and its history of political division along community lines. Matters that would be treated as routine political controversy elsewhere in the UK, such as the constitutional question, legacy prosecutions, parading disputes or language rights, sit close to the fault lines of a divided society here. The same standard of due impartiality and due accuracy that applies to BBC broadcast news in Northern Ireland should apply with equal force to its online material.

ACNI supports the proposed Rule 5.1 to 5.12 and the adaptation of “programme” to “online item” for this purpose.

Question 15: Do you agree with Ofcom's proposed approach to preserving due impartiality across a series of editorially linked online items taken as a whole? If not, explain why.

ACNI supports the principle but flags a practical risk. Due impartiality achieved across a series depends on a user recognising that items are linked and considering them together. In Northern Ireland, BBC content is frequently encountered as a single shared item, a headline, a clip or a repost, separated from the companion pieces that would otherwise complete the picture. Cross-links and signalling that work within bbc.co.uk or the BBC News app may not travel with content once it is shared onto a third-party platform.

ACNI asks that Ofcom's guidance on Rule 5.6 address this scenario directly, so that the requirement for a series to be “normally made clear to users” is interpreted with regard to how BBC content actually circulates once it leaves the BBC's own platforms.

Question 18: Do you agree with Ofcom's overall approach to Section Six?

Yes, with one point for emphasis. Northern Ireland's electoral system differs from the rest of the UK in ways that affect how due weight should be applied. Northern Ireland's party system is organised around more than two traditions, spanning unionist, nationalist and other designations, with several parties holding significant electoral support. The application of due weight in proposed Rules 6.2 and

6.3 should reflect this multi-party reality. ACNI is fully aware Ofcom already understands this – but we believe it is clear it should be reflected through the new rules.

ACNI also supports the proposed treatment of archive material at Rules 6.6 and 6.7, which allows previously published online material to remain available during an election or referendum period without requiring removal. Given the frequency of electoral events in Northern Ireland across Westminster, Assembly, local government and potential referenda, this consideration will arise often and the proposed approach appears proportionate, but should be reviewed after a full election cycle.

Conclusion

ACNI supports this consultation and the proposed Code. Extending enforceable content standards to BBC online material, and applying them consistently wherever that material is found, is the right approach for audiences in Northern Ireland and across the UK.

A single set of standards, clearly recognised by audiences, applying to BBC content wherever it is found, so that the BBC continues to be seen as the benchmark for public service broadcasting both on air and online is a sensible modernisation of regulation.

12 August 2026 – final.

ENDS