

CORONATION STREET

DATE OF DECISION: AUGUST 29, 2016

FACTS:

Comment was made by the character Eva Price during a scene in a local salon. Looking at her dyed hair she said:

“Yeah, look (pointing at her hair) I’ve got more roots than Kunte Kinte. No idea who that is by the way, it’s summat my mum used to say.”

PROCEDURAL HISTORY:

Complainants considered the play on the word “roots” as unacceptable given the subject of Alex Haley’s novel *Roots: The Saga of an American Family*. The main character was Kunte Kinte who was taken into slavery. The viewers found this reference very offensive.

Ofcom received 473 complaints.

As a result, ITV was asked how the material complied with the rule.

ITV’s response was as follows:

1. Regretted the comment caused offence
2. Emphasized that this was not the intention
3. Never intended it to be interpreted as derogatory
4. Never intended to suggest that black characters in fiction or black people generally are figures of derision.

ISSUE PRESENTED:

Whether the material raised issues warranting investigation under Rule 2.3 of the Code?

DECISION:

The potentially offensive material was justified by the context.

REASONING:

Rule 2.3 of the Code requires that potentially offensive material is justified by the context. Context is assessed by reference to a range of factors including: the editorial content of the programme, the service on which the material was broadcast, the degree of harm or offence likely to be caused, and likely audience expectations.

The first level of analysis was to determine whether the comment had POTENTIAL to cause offence. Ofcom determined that it did and went on to state that broadcaster should

approach slavery and ethnicity with due caution. Ofcom determined that the reference to slavery had potential to offend viewers.

Was this threshold was met, the second determination was whether the broadcast of the material was justified by the context. (Note: The opinion does not define “justified” or “context.”) To determine this, Ofcom looked at whether the language referred directly to ethnicity and slavery.

In doing so, they looked at the subsequent remarks by the character that indicated she didn’t know who Kunte Kinte was and was just repeating what her mother had said. Ofcom put the statement in the context of soap operas’ history in UK TV. “Soap writers use these situations as a means of developing the characters and the storylines they feature in. This does not give broadcasters unlimited freedom to include offensive material in soaps but it does provide context for difficult or challenging material to be included where it serves a clear editorial purpose and is consistent with audience expectations.”

ANALYSIS:

Although the facts of this case are distinguishable from the facts presented in the Berena storyline and the handling of wlw relationship by Holby City, specifically, Coronation deals with specific language in one scene. However, there are some elements that are instructive when dealing with Ofcom as it relates to Holby complaints.

In its Opinion, Ofcom repeatedly cited that although ITV believed that the material complied with the Code, it said it had:

1. Written to all the viewers who complained to it directly to express regrets for any offence given.
2. ITV published a statement apologizing if the dialogue caused any offence.
3. ITV edited out the comment in episodes shown later.

Ofcom noted these measure taken to mitigate potential offence. Holby has not engaged in such measures.

Additionally, Ofcom views context in terms of soap writers using difficult material and certain situations to develop characters where it serves a clear editorial purpose and is consistent with audience expectations. In the Holby case, Ofcom should be asked to determine the “audience expectations” in terms of how the audience expectations were formed by the off screen public statements of representatives of Holby. Holby stated that the Berena relationship represented wlw, why then did they use the negative stereotypes in that representation?

The One Show BBC One

DATE OF DECISION: 17th February 2012

FACTS:

Jeremy Clarkson in the programme made the following comments:

1. Jeremy Clarkson said striking public sector workers should be "shot";
2. that he would take the striking workers outside and "execute them in front of their families"; and,
3. how could the workers dare to go on strike when they have "gilt-edged pensions...while the rest of us have to work for a living."

ISSUE PRESENTED:

Did the material comply with the Code standards?

DECISION:

Ofcom reached the decision that the material was not in breach of the Broadcasting Code.

REASONING:

Rule 2.3 of the Code requires that potentially offensive material is justified by the context. Context is assessed by reference to a range of factors including: the editorial content of the programme, the service on which the material was broadcast, the degree of harm or offence likely to be caused, and likely audience expectations.

In deciding whether Rule 2.3 was breached in this case, Ofcom reviewed whether Jeremy Clarkson's comments were justified by the context. In its opinion, Ofcom stated that "the One Show is a weekday magazine programme that includes topical reports, features and interviews on daily issues with a range of guest contributors. The editorial nature of the programme is intended to be light and it is not presented as a serious daily news analysis". In particular, Ofcom noted how the One Show introduced Mr Clarkson. In the introduction to the item, the programme therefore clearly alluded, with light hearted irony, to Mr Clarkson's provocative and outspoken nature. Consequently, the editorial content and the editorial nature of the programme as a whole would have prepared viewers for the type of comments Jeremy Clarkson would be likely to make.

In Ofcom's opinion, viewers' expectations would also have been influenced by Jeremy Clarkson's well-established public persona.

ANALYSIS:

It is clear that context and viewer expectations are determined by assessing the totality of the programme. The One Show is an entirely different genre than Holby. However, an argument can be made that the Holby episodes in question cannot be viewed in isolation but rather in terms of a long running narrative and by Holby's marketing of Berena.