

Section two: Harm and offence

This section outlines standards for broadcast content so as to provide adequate protection for members of the public from harmful and/or offensive material.

- [Guidance notes: Section two – Harm and offence \(PDF, 182.1 KB\)](#)

(Relevant legislation includes, in particular, sections 3(4)(g) and 319(2)(a),(f) and (l) of the Communications Act 2003, Articles 10 and 14 of the European Convention on Human Rights, and the BBC Charter and Agreement.)

This section must be read in conjunction with [Section one: Protecting the under-eighteens](#). The rules in this section are designed not only to provide adequate protection for adults but also to protect people under eighteen.

Principle

To ensure that generally accepted standards are applied to the content of television and radio services so as to provide adequate protection for members of the public from the inclusion in such services of harmful and/or offensive material.

Rules

Generally Accepted Standards

2.1: Generally accepted standards must be applied to the contents of television and radio services and BBC ODPS so as to provide adequate protection for members of the public from the inclusion in such services of harmful and/or offensive material.

2.2: Factual programmes or items or portrayals of factual matters must not materially mislead the audience.

(Note to Rule 2.2: News is regulated under Section Five of the Code.)

2.3: In applying generally accepted standards broadcasters must ensure that material which may cause offence is justified by the context (see meaning of "context" below). Such material may include, but is not limited to, offensive language, violence, sex, sexual violence, humiliation, distress, violation of human dignity, discriminatory treatment or language (for example on the grounds of age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation, and marriage and civil partnership), and treatment of people who appear to be put at risk of significant harm as a result of their taking part in a programme. Appropriate information should also be broadcast where it would assist in avoiding or minimising offence.

Meaning of "context"

Context includes (but is not limited to):

- the editorial content of the programme, programmes or series;
- the service on which the material is broadcast;
- the time of broadcast
- what other programmes are scheduled before and after the programme or programmes concerned
- the degree of harm or offence likely to be caused by the inclusion of any particular sort of material in programmes generally or programmes of a particular description;
- the likely size and composition of the potential audience and likely expectation of the audience;
- the extent to which the nature of the content can be brought to the attention of the potential audience for example by giving information; and
- the effect of the material on viewers or listeners who may come across it unawares.

Time and scheduling of broadcast are not relevant to the provision of programmes on demand but, for programmes made available on BBC ODPS, context also includes (but is not limited to) the nature of access to the content e.g. whether there are measures in place that are intended to prevent children from viewing and/or listening to the content.