

Reference: 1823084

Information Requests  
[information.requests@ofcom.org.uk](mailto:information.requests@ofcom.org.uk)

19 June 2024

## Freedom of Information request: Right to know request

Thank you for your request for information about a GB News decision.

We received this request on 21 May 2024 and we have considered your request under the Freedom of Information Act 2000.

### Your request and our response

---

*Yesterday you published your findings for the above investigation. [People's Forum GB News]*

*I am concerned that OFCOM is inappropriately using the possibility of a General Election sometime this year as partial justification for its decision. The relevant phrase is:*

*"As a result, we consider that the Prime Minister had a mostly uncontested platform to promote the policies and performance of his government in a period preceding a UK General Election."*

*Purdah is the generally recognised pre-election period in the United Kingdom – the period between the announcement of an election and the formation of the new elected government. No General Election has been announced and there is no Purdah period in force.*

*I therefore request all information held by OFCOM that will help to answer the following questions:*

- 1. How does OFCOM define "a period preceding a UK General Election"*
- 2. What right, if any, does OFCOM have to decide what constitutes "a period preceding a UK General Election".*
- 3. How does OFCOM justify its use of the words "a period preceding a UK General Election" in its decision-making process.*

*I would also like copies of all minutes, e-mails, meeting notes, videos, recordings etc. held by OFCOM relating to use of the phrase "a period preceding a UK General Election" in the OFCOM decision.*

We do not hold information relating to use of the phrase "a period preceding a UK General Election", beyond that contained in our published decision. [Section Six](#) of the Ofcom Broadcasting Code ("the Code") does however contain definitions for "election" and "election period".

Ofcom's [decision](#) on the programme which is the subject of your request (*People's Forum: The Prime Minister*, GB News) notes that this programme was broadcast in the context of the forthcoming General Election, which at the time was due to take place by 28 January 2025 at the latest. In the

weeks preceding the broadcast Prime Minister Rishi Sunak had made several suggestions that he would call the election in the second half of 2024<sup>1</sup>. As page 25 of our decision explains:

*“We took into account that the latest date the next UK General Election could take place is 28 January 2025 and that in the weeks preceding the broadcast Rishi Sunak had made several suggestions that he would call the election in the second half of 2024. In his introduction the Presenter, Stephen Dixon, welcomed the audience to County Durham ‘where a hundred undecided voters are hoping to put their questions to the Prime Minister, Rishi Sunak’. He further added that it was the ‘first GB News People’s Forum of 2024...at the start of an election year’ and that County Durham was a ‘key battleground’ for the Conservative Party as it ‘tr[ies] to keep the seats they won in the Red Wall back in 2019’. The Presenter also explained that ‘[e]veryone here is either undecided on who they’d vote for in a General Election or open minded to changing their vote’. The studio where the Q&A took place also included prominent signage around the room that said ‘GBN BRITAIN’S ELECTION CHANNEL’ and the opening title sequence included the same. The clear objective of the Programme was therefore for the Prime Minister, in response to questioning from ‘undecided voters’, to be given the opportunity to set out his views on the policies and performance of the Conservative Government, in light of the upcoming UK General Election”.*

In the light of these factors, our decision continues:

*“Ofcom therefore considered, and the Licensee accepted, that the Programme dealt with a matter of major political controversy and major matter relating to current public policy, namely the Conservative Government’s performance and policies, in the context of the forthcoming UK General Election. We therefore considered that the heightened special impartiality requirements were engaged”.*

Our decision therefore explained what Ofcom meant by the phrase “a period preceding a UK General Election” in the context of this investigation.

While our investigation related to [Section Five](#) (Due impartiality and due accuracy) of the Code, you may also find it helpful to refer to [Section Six](#) (Elections and referendums) of the Code, which contains our guidance on broadcasts during an election period (as defined).

We hope this information is helpful. If you have any further queries, then please send them to [information.requests@ofcom.org.uk](mailto:information.requests@ofcom.org.uk) – quoting the reference number above in any future communications.

Yours sincerely,

Information Requests

[Request an internal review](#)

---

<sup>1</sup> As you will be aware, on 22 May 2024 Prime Minister Rishi Sunak announced that the General Election will take place on 4 July 2024.

If you are unhappy with the response you have received to your request for information, or think that your request was refused without a reason valid under the law, you may ask for an internal review. If you do, it will be subject to an independent review within Ofcom. We will either uphold the original decision, or reverse or modify it.

If you would like to ask us to carry out an internal review, you should get in touch within two months of the date of this letter. There is no statutory deadline for us to complete our internal review, and the time it takes will depend on the complexity of the request. But we will try to complete the review within 20 working days (or no more than 40 working days in exceptional cases) and keep you informed of our progress. Please email the Information Requests team ([information.requests@ofcom.org.uk](mailto:information.requests@ofcom.org.uk)) to request an internal review.

**Taking it further**

If you are unhappy with the outcome of our internal review, then you have the right to [complain to the Information Commissioner's Office](#).