

Racist language (including racial slurs and racist/ethnic abuse)

Racist language by its very nature is offensive, derogatory, and hurtful. Its effect will depend on choice of words, the speaker and the context. Different words cause different degrees of offence in different communities as well as in different parts of the world.

As Ofcom research has demonstrated, the offensiveness of racist language, racial abuse and racist slurs to our audiences has increased over time:

https://www.ofcom.org.uk/__data/assets/pdf_file/0021/225336/offensive-language-summary-report.pdf

Racist language, like other strong language, is most likely to cause offence when used gratuitously, in a discriminatory way, and without clear editorial purpose.

The use of racist language must be editorially justified, and signposted, to ensure it meets audience expectations, wherever it appears. Meeting audience expectations does not preclude causing offence, but there must be exceptional editorial reasons to use the strongest racist terms.

Although this guidance is about racist language, the same principles apply to racist gestures.

What is racist language?

A list of racist language in the UK, including the strongest racist language, is available from Ofcom at:

https://www.ofcom.org.uk/__data/assets/pdf_file/0020/225335/offensive-language-quick-reference-guide.pdf#page=16¹

The BBC's Editorial Guidelines give some examples of the "strongest" language – but Ofcom's research sets out a fuller list including the strongest words with regard to racist language in the UK. This new guidance clarifies that all words in Ofcom's "strongest" category for racist language will involve **a mandatory reference** (see below) to the relevant Divisional Director or their named delegate. This should not, however, be regarded as an exclusive or definitive list – as Ofcom's research notes: *"language relating to minority groups is complicated, and evolving, as a result of changes in wider culture"*.

¹ For the purpose of this guidance, the information referenced in this research is about racist language only. The Ofcom research applies to racist terms in the UK – for international audiences, words deemed racist in local territories must be referred to Divisional Directors or their named delegates.

Editorial Justification

In researching audience opinion through focus groups and interviews in 2016, Ofcom noted that: *“Rather than banning words completely, participants could see how almost all offensive language might be acceptable in some contexts (eg news and current affairs, drama and educational programmes), provided it was not broadcast in ways that would encourage or condone discrimination”*.

Since that research was carried out, it is clear that some aspects of audience expectation have shifted. Using such terms even where the intention might be to expose or condemn discrimination is no longer in itself a strong enough editorial justification. So the new guidance is that justification for the use of the strongest racist language will now require that there must be a specific editorial reason why it should be used, for instance, where it might make a difference to audience understanding, or for particular reasons of clarity, or where a term might be seen to have been “reclaimed”, or in history programmes, or comedy, drama, arts or music, especially with regard to freedom of expression.

The editorial justification test will now carry a presumption that such language will not normally be used unless, for exceptional editorial reasons, there is a judgement – at Divisional Director (or their named delegate) level – that it should be used because of the specific context.

Any re-use in another context (for instance at a different time or on a different channel or Video on Demand) would require a new and separate consideration of the editorial justification. This also applies to cut-downs for social media purposes.

When re-using archive content – written and broadcast – reflecting standards of the day is no longer, in itself, sufficient justification. Editorial judgement needs to be applied, including looking at purpose and context – and if the language is deemed to be gratuitous, it should be removed.

Mandatory referral

The Editorial Guidelines already require that use of the strongest language must be referred to and approved by the channel controller/editor (5.3.23). This same requirement must now apply to the strongest racist language on TV, Radio and Online/Digital. **Divisional Directors or their named delegate should be made**

aware of and agree the use of the strongest racist language in any upcoming programmes or output on TV, Radio and Online/Digital. ²

The Watershed

The Ofcom Broadcasting Code does not permit certain offensive swear words and their derivatives to be used before the TV watershed, 9pm. Ofcom has not placed the same restriction on the use of the strongest racist language though it makes clear it is unacceptable to many without strong justification and “*should normally be broadcast only in limited circumstances and in context, for example in news, drama, or documentary programmes to explore or expose prejudice*”.

The offence caused by racist language, racial slurs and racist/ethnic abuse has increased since the last Ofcom study and therefore the justification for the use of such language before the watershed should now be higher. It should never be gratuitous or used simply for effect. It requires serious editorial purpose.

In light of recent discussion on the issue, the advice now is that the strongest **racist language should only be used on television before the watershed in exceptional circumstances and provided this has been signed off by the Divisional Director or their named delegate.**

The watershed does not exist for Radio and Online/Digital. In Radio, considerations such as the likely audience, the remit and audience expectations of the station, the type of output played, and the person presenting the programme are all key considerations when deciding whether to play such language. For online/digital it is important that audiences have control over what they see and are alerted to any content they may find offensive. Considerations include: does the word have to be used in its entirety, is there another way of conveying what has happened, what is the editorial justification and, especially in the case of cut down versions for social media, is there sufficient context? **Divisional Directors or their named delegate must be made aware of and agree its use as per mandatory referral above.**

² In output with an ongoing level of content in which for creative reasons the strongest racial language may be used, for example in some sections of Music, Divisional Directors or their named delegate may agree an overall approach.

Audience Expectations

The following questions can help determine whether content will be within the expectations of the audience:

- does the identity of the individual using the language make a difference to its acceptability?
- is the language used frequently or repetitively?
- is the impact on audiences likely to be greater because of the platform on which it is delivered or the way in which it is delivered?
- what is the tone and intent of the programme or content?
- Is use of the word seen as necessary for the audience to have sufficient understanding of the content?
- what is the likely composition of the audience, including the likely number and age range of children, taking account of school time, weekends and holidays? (We should be aware that school holidays are different in different places.)
- are different sections of the audience or different ages/experiences likely to have different views on the content?
- does the person (presenter, performer, writer etc.), slot, title, genre or service carry pre-existing expectations that may be at odds with the content?
- has any difficult or challenging content been clearly signposted to the audience?
- are there any special sensitivities surrounding the slot, for example religious festivals or anniversaries of major events?
- what is the likely 'pull-through audience' (that is, what is the nature of the preceding content and what kind of audience is it likely to attract)?

Warnings and bleeping/dipping

The pre-meditated use of racist language will always be signposted whether on TV, radio or online/digital. It is important that audiences are not taken by surprise and have sufficient warning to avoid the offence that would be caused if they so wish.

It is preferable to decide whether racist language should or should not be used and to avoid bleeping/dipping. But there may be circumstances in which that is not possible, eg. in some acquisitions. When bleeping/dipping is used it must be done so as to completely disguise the words used. Care should be taken the bleeped/dipped words are not made obvious by visible mouth movements or by captions only partly redacted.

Live Output

As with all strong language it is important that presenters/reporters apologise speedily for the unexpected and unjustifiable use of racist language in live output: this language should usually be removed before being published on BBC iPlayer and BBC Sounds.

Using abbreviations

In much output there will be a straightforward choice between using racist language and not doing so. Abbreviations may be used on occasion, for example, “the N-word” and “the P-word”. But it is important to remember that there is no research evidence about the general understanding of such abbreviations and anecdotal evidence suggests they may not be well understood by all audiences. Where they are understood, the offence caused may not be much mitigated. So use of abbreviations, which in any case might be editorially inappropriate in some output, should not necessarily be regarded as a safe alternative to the use of the words themselves.

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