

Adjudication

Upheld

Complaint by Miss Mai Manniche, made on her behalf by Ms Vibeke Manniche

Familien fra Bryggen, TV3 Denmark, 7 and 21 September 2017

Summary

Ofcom has upheld this complaint made by Ms Vibeke Manniche on behalf of Miss Mai Manniche of unjust or unfair treatment in the programmes as broadcast.

The programmes included a discussion about an engagement ring that one of the regular contributors, Mr Cengiz Salvarli, had purchased from the complainant, Miss Manniche, for his fiancée. It included claims that Miss Manniche and her jewellery business, JEWLSCPH, had deceived Mr Salvarli regarding the quality and price of the engagement ring.

Ofcom found that:

- The broadcaster did not take sufficient care to satisfy itself that material facts were not presented, disregarded or omitted in the programmes in a way that was unfair to Miss Manniche.
- Given the seriousness of the allegations made in the programmes, the broadcaster's failure to provide Miss Manniche with an appropriate and timely opportunity to respond resulted in unfairness to her.

Programme summary

TV3 Denmark is a Danish language channel broadcast under an Ofcom licence held by Modern Times Group MTG Limited. As the programmes were broadcast in Danish, English translations were obtained by Ofcom and provided to the complainant and the broadcaster for comment. Neither party commented on the translation for the programme broadcast on 7 September 2018. The complainant commented on the translation for the programme broadcast on 21 September 2018. A revised and final version of this translation was then provided to the parties. The parties were informed that Ofcom would use the translations for the purposes of deciding whether or not to entertain the complaint, and for any subsequent investigation.

On 7 and 21 September 2017, TV3 Denmark broadcast *Familien fra Bryggen* (*The Family From Bryggen*), a reality television series following the daily lives of "Linse", a Danish television personality, her daughter Stephanie Christiansen (also referred to as "Geggo" in the programme); Ms Christiansen's fiancé, Cengiz Salvarli, their child, and Linse's friend, "Didde".

7 September 2017

During this episode, the programme's narrator said:

"A major problem has occurred in Dragør [an area in Denmark]. Something that Stephanie and Cengiz need clarification of".

Ms Christiansen and Mr Salvarli were shown talking about their engagement. A ‘flashback’ of Mr Salvarli proposing on camera to Ms Christiansen was shown, followed by a close-up of him putting a diamond engagement ring on her finger. Ms Christiansen was then shown holding up her hands without the ring on and telling the camera:

“I haven’t been wearing a ring for quite a while now, actually. We’re about to run a case against Mai Manniche, who owns JEWLSCPH. Um, so I just have to wait a bit longer”.

Mr Salvarli was shown telling Ms Christiansen that his lawyer had told him to “write to the Consumer Agency because they had a case with Mai that [his lawyer] won, and it was exactly the same thing”. He then told the camera:

“Not long after I’d given it to Stephanie, I received a message on Facebook from a guy who told me he’d bought a similar ring with the same design, and he just wanted to ask where I bought it; because if I bought it there [JEWLSCPH] I ought to have it checked out because he was scammed”.

Ms Christiansen and Mr Salvarli continued talking:

Mr Salvarli: *“I didn’t think so, I just thought ‘Nah, that can’t be right’ and that kind of thing, but then it started, then it started – the stone started to corrode.*

Ms Christiansen: *Yes, that’s it. You remember how I told you and I didn’t like it, because you paid so much money for that ring and I hated having to come and tell you about it. But when I ran my hand through my hair with my ring on, my hair got stuck because – and you took hold of it, remember? and tugged on it, and you could just turn the stone all the way round.*

Mr Salvarli: *Yeah, right.*

Ms Christiansen: *And what’s more, it was – it seems so strange that the way they made it smaller, they made it completely crooked. They couldn’t make it smaller. There were loads and loads of things. I thought it stank.*

Mr Salvarli: *But they couldn’t make it smaller and all that kind of stuff. And really bad work. Yeah, and that was when we got hold of them and said: Well okay, we’ll take this and that because they charge 80,000 [approximately £9,400] for it. She [Miss Manniche] says it’s worth 200,000 [approximately £23,500] and gave you a good discount, and I have to say: Okay, that’s a lot of money. She [not clear who referred to] takes it in and has it assessed by two different people, and one says 28,000 [approximately £3,280]. The other says 30,000 [approximately £3,510]. What the fuck?*

Ms Christiansen: *What? That’s insane”.*

Mr Salvarli told the camera that the ring had meant so much to Ms Christiansen, but, now she could not wear it, the situation was “a complete bummer...just crap”.

Ms Christiansen and Mr Salvarli continued talking:

Mr Salvarli: *“No, that can’t be right’, she [Miss Manniche] said, and... she didn’t feel she’d cheated me at all.*

Ms Christiansen: *Well, you really have to try to work out whether the other person is a good person, and then you have to try to see things from her side as well. After all, she might have been cheated by the people who made the ring. She doesn’t make them herself, she buys her diamonds from India.*

Mr Salvarli: *Yes, but it’s weird she didn’t mention that to me. I think it sounds like somebody is cheating, but she doesn’t feel that’s the case and it’s up to her.*

Ms Christiansen: *No, there are always two sides to a case.*

Mr Salvarli: *Now we just have to deal with it through a few lawyers who are working on it. And they’ll have to decide what’s to happen”.*

Ms Christiansen, speaking to camera, said that what bothered her about the situation was that it was *“such a headache”* for Mr Salvarli, who was then shown telling her that if necessary he would buy her a new ring and *“then get my money later [for the ring from Miss Manniche]”*. He then said to camera *“...this has already taken such a long time, all this, so I just want it over and done with”*.

Neither Miss Manniche, JEWLSCPH, nor the ring were shown or referred to again in the programme.

21 September 2017

The programme’s narrator introduced the programme and brief scenes from the upcoming programme were shown. These included the following conversation:

Ms Christiansen: *“I don’t think it’s very nice to see your own name and picture, and specially not Cengiz’s everywhere.*

Mr Salvarli: *It’s quite possible she [Miss Manniche] doesn’t feel she’s cheating me, but I feel she’s cheating me”.*

The following headlines from two unnamed websites were also shown:

- *“Cengiz paid a fortune for engagement ring: Jewellery-Mai has cheated us”.*
- *“Cengiz paid a fortune for engagement ring: Jewellery-Mai has cheated us. There’s a special reason why Stephanie “Geggo” Christiansen hasn’t been wearing her engagement ring for some time”.*

Later in the programme another announcement of what was coming up was made, and the above conversation and headlines were repeated.

Following a commercial break, the narrator said *“...the matter of Stephanie’s engagement ring is making headlines”* and a number headlines and photographs on unnamed websites were shown:

- *“Mai Manniche: Cengiz is forcing money out of me”* [accompanying this headline was a photograph of Miss Manniche inset against a photograph of Mr Salvarli and Ms Christiansen].

- *“Cengiz paid a fortune for engagement ring: Jewellery-Mai has cheated us”.*
- *“Running a case against jewellery queen: That’s why Geggo has taken it off... [next to this, the first headline and accompanying photograph above were shown again]”.*
- *“Cengiz paid a fortune for engagement ring: Jewellery-Mai has cheated us. There’s a special reason why Stephanie “Geggo” Christiansen hasn’t been wearing her engagement ring for some time”.*
- *“Jewellery designer in bitter dispute with Geggo and Cengiz: ‘He [Mr Salvarli] was incredibly aggressive and tried to blackmail me [Miss Manniche]’”.*
- *“Cengiz defends himself: Mai Manniche is full of lies”.*

Two other unnamed websites were also shown, on which the text was illegible. One had a photograph of Miss Manniche. The other had a photograph of Ms Christiansen and Mr Salvarli.

Mr Salvarli and Ms Christiansen were shown discussing the amount of contact they had received from *“the press”* about the matter. Mr Salvarli said *“My first reaction was very much on Mai’s blog post, i.e. I think it’s all a bit childish”*. He added that he was pleased, however, about the attention from the press *“because now it’s out there, now I can say, because I’m not hiding anything, the truth is out there...I just want to speak up, I’d like to tell Denmark what’s happened”*.

Mr Salvarli continued to talk with Ms Christiansen about making statements to the press, adding:

“...what matters to me is how things go with the consumer board. What’s happening now is this: Vibeke has taken over, Mai’s mother has taken the case over. Mai isn’t involved in this case anymore at all, Vibeke has taken it all on. She’s told the consumer board that she’d like to get the ring in and have it checked to see whether everything is okay”.

Mr Salvarli then told the camera:

“I’ve been in and got this new certificate for the ring I bought from Mai. And I’ve done that because then I’m safe. So, then it, it’s the ring, it has that value. That’s the ring I bought, at that value, and paid lots of money for. So, Mai can’t replace the ring, give me a new ring that’s worth more, because I’m not interested in that. I’m not interested in getting anything from her. I’m interested in getting my money back, because I just want the ring from somewhere else. And she can have her ring back and do whatever she likes with it”.

Mr Salvarli and Ms Christiansen then talked as follows:

Mr Salvarli: *“She hasn’t stamped the ring either. You should do that, according to the law. I’ve found that out from the people who’ve assessed it.*

Ms Christiansen: *All it said in it was 18 carats.*

Mr Salvarli: *The ring hasn’t been stamped according to the Danish Stamp Act. It should be.*

Ms Christiansen: *It said ‘jewels’.*

Mr Salvarli: *And the stone was loose. And then I got this certificate. Up here is the assessment: He's estimated it to be worth 22,200 kroner [approximately £2,600] [Mr Salvarli showed a document to the camera with 22,200 kroner written on it].*

Ms Christiansen: *Oh my God, that's even lower.*

Mr Salvarli: *The other assessments I got were higher than that. This man here, who's genuine, he can make certificates, reckons it's worth 22,200 kroner [about £2,600].*

Ms Christiansen: *No, no, no, no.*

Mr Salvarli: *And I've paid 80,000 kroner. She stands there, and she tells me it's worth 200,000 kroner.*

Ms Christiansen: *And you have a piece of paper that says 200,000 kroner on it.*

Mr Salvarli: *Yes! Exactly!"*

Ms Christiansen then told the camera that she was tired and unhappy with "the whole thing" and that it was unpleasant to see the articles in the media "With allegations from her [Miss Manniche] and others". Then she and Mr Salvarli discussed the fact that "Now... everybody knows that this case is running". Mr Salvarli told the camera that the consumer board had told him that "Mai is entitled, in purely legal terms, to get the ring in in order to check it, to make sure it's unbroken, okay, if it's as it should be, if it's as they handed it over". Then he told Ms Christiansen that according to the consumer board Miss Manniche had eight weeks to state her position, adding:

"So, either she has to say you know what, I can see the problem, they'll get their money back or, we stand by that, that ring is worth 200,000 and then I can take it further. And then the consumer board will get an assessment of it, won't they? So now I just hope she'll come back with something or other. Ideally, I'd like her to give my money back, you know?"

They continued to talk as follows:

Ms Christiansen: *"I just don't understand, she [Miss Manniche] wanted to do that. She said so.*

Mr Salvarli: *Yes! Yeah, yeah, but she wanted to get the ring first as well. Do you know what I mean? That's what's strange.*

Ms Christiansen: *But it might be good for your case that she actually says initially that I'll take it back. We don't want unhappy customers.*

Mr Salvarli: *Yes, and also because I say no, I don't want to give it back, without money, without ring. And then suddenly –*

Ms Christiansen: *Your lawyer says I'd like to be the middleman so that you can be sure you're not being cheated. No, she suddenly doesn't want to do that. And I just think that seems very mysterious. But right now, there's not much else to do other than just leaving it up to the court. This is a really annoying case, really annoying! And keep your trap shut where the press are interested in it, man!*

Mr Salvarli: *Yes, because it makes good reading.*

Ms Christiansen: *Sure, but phew. All this is really giving me a bad stomach. I don't think this is nice at all".*

Ms Christiansen then said to camera that "...An engagement is a big thing that most people only get to experience once in life, and the fact that there are such negative connotations... I think that's really, really unfair, and hugely irritating". Then Mr Salvarli told Ms Christiansen that he did not like to be cheated. Their conversation about the engagement ring ended as follows:

Mr Salvarli: *"I really feel cheated. It's quite possible she [Miss Manniche] doesn't feel she's cheating me, but I feel cheated. And so, I want to take it further.*

Ms Christiansen: *We should have just grabbed it and said we've been cheated, Cengiz. You too, and so have I. But maybe she'll do it. We can still achieve that.*

Mr Salvarli: *Yeah, exactly. She can still achieve that!"*

Neither Miss Manniche, JEWLSCPH, nor the ring were shown or referred to again in the programme.

Summary of the complaint and broadcaster's response

The complaint

Ms Manniche complained that Miss Manniche was treated unjustly or unfairly in the programmes as broadcast because:

- a) The programmes made serious and false allegations that Miss Manniche and her business, JEWLSCPH, had deceived Mr Cengiz Salvarli regarding the quality and price of the diamond in an engagement ring. This resulted in the programmes giving the false impression that it was JEWLSCPH's practice to "cheat customers". In particular, the programmes falsely alleged that:
 - Ms Manniche had told Mr Salvarli that the diamond ring was worth 200,000 Danish kroner, and had sold it to him for 80,000 Danish kroner; and,
 - Mr Salvarli had subsequently found defects in the ring and obtained a certificate which valued it at 22,000 Danish kroner.

Ms Manniche stated that the diamond had an international certificate and that there was no discrepancy between its quality and the information given to Mr Salvarli about its quality prior to purchase.

- b) Miss Manniche was not given an appropriate and timely opportunity to respond to the allegations made about her in the programmes.

Broadcaster's response

TV3 Denmark said that season 11 of the series had followed Mr Salvarli as he tried to find an engagement ring, chose one from JEWLSCPH, and proposed to Ms Christiansen. It said that viewers had therefore followed every part of this development in his relationship with Ms Christiansen and

that “there was strong editorial justification” to include the reason Ms Christiansen was no longer wearing her engagement ring. In addition, it said that in the complained about programmes, viewers heard about the family’s reaction to some of the issues that the couple had had with the engagement ring and the conflict between the couple and Miss Manniche. The broadcaster added that the series followed the daily lives of the couple, in which the conflict had figured strongly, “so it was natural to include it in the programmes”.

TV3 Denmark said that in the episode broadcast on 7 September 2017, Mr Salvarli and Ms Christiansen recounted how the conflict had started. It said that following the family in their daily lives included “hearing their opinions and seeing the world from their point of view”. As such, the broadcaster said that it was editorially necessary to include the issues they had experienced with the ring and what they felt they had been told regarding the price by JEWLSCPH, as this was relevant to the conflict they were in.

TV3 Denmark said that there was a reference in this episode to a previous similar case brought against JEWLSCPH where the complainant had felt that he had overpaid for a ring from the company. It said that in this case, the Danish Consumer Ombudsman (the “Ombudsman”) (referred to above in the “Programme summary” section as “*the Consumer Agency*”) found in favour of the complainant and that the decision was published and referenced by the Danish Press Council in its decision not to uphold Miss Manniche’s complaint to them about a magazine article on the matter. The broadcaster said that the inclusion of this information did not give the impression that JEWLSCPH had a practice of cheating its customers, only that there had been a previous case of a similar nature that was relevant to the dispute and discussion in the programme.

TV3 Denmark said that the programme only gave an account of the couple’s view of the situation and did not give an opinion as to whether this was correct or not. It added that large parts of the conflict happened outside the realms of the series and the information was just “relayed here” as it was editorially necessary to include it.

TV3 Denmark said that as this was a private conflict between the two parties, only they knew the full details, including any agreement of price for the ring. The broadcaster added that Mr Salvarli had acquired three different valuations of the ring, one of which was shown in the episode broadcast on 21 September 2017. It said that it was not in possession of these valuations, but it understood that the last valuation had been included in the case with the Ombudsman.

The broadcaster said that the series was not a consumer advice nor investigative programme and as such, it did not explore all elements of the case and include Miss Manniche’s “take” on the case. The broadcaster added that this would have been “entirely alien” to the format and the editorial of the programme. It said that all that was included was that which was relevant for the viewers to understand the family’s experience of the case and its impact on their lives.

TV3 Denmark said that when the episode was broadcast on 21 September 2017, the case had been “well documented” in the Danish press and so it decided to include a conversation where the couple gave their reaction to all the attention the conflict had received, but also an update on the current status of the conflict. It added that in this episode Mr Salvarli showed a piece of paper to the camera stating that he had had the ring valued again.

TV3 Denmark said that the episode broadcast on 7 September 2017 did refer to the fact that Miss Manniche disputed Mr Salvarli and Ms Christiansen’s version of events and they even implied that Miss Manniche may not be at fault. In particular, it said the programme included the following:

Mr Salvarli: *“No, that can’t be right’, she [Miss Manniche] said, and... she didn’t feel she’d cheated me at all.*

Ms Christiansen: *Well, you really have to try to work out whether the other person is a good person, and then you have to try to see things from her side as well. After all, she might have been cheated by the people who made the ring. She doesn’t make them herself, she buys her diamonds from India.*

Mr Salvarli: *Yes, but it’s weird she didn’t mention that to me. I think it sounds like somebody is cheating, but she doesn’t feel that’s the case and it’s up to her.*

Ms Christiansen: *No, there are always two sides to a case.*

Mr Salvarli: *Now we just have to deal with it through a few lawyers who are working on it. And they’ll have to decide what’s to happen”.*

It also said that the episode broadcast on 21 September 2017 made clear that Miss Manniche did not agree with Mr Salvarli and Ms Christiansen when Mr Salvarli said *“I really feel cheated. It’s quite possible she [Miss Manniche] doesn’t feel she’s cheating me, but I feel cheated. And so, I want to take it further”.*

TV3 Denmark said that it had not included the claims to put JEWLSCPH “in disrepute” or to make it seem as if the company had a practise of cheating customers. It said that the conversations were included as there was strong editorial justification for including an issue that featured heavily in the family’s life, and “the couple’s take on it”. It reiterated its position that the programme itself offered no opinion on this being correct or not. It said that this was, despite the cameras being there for some of it, a private transaction and the programme makers had not been party to all the details, this included the price mentioned by Mr Salvarli and the valuations acquired by him. TV3 Denmark said that as Miss Manniche and JEWLSCPH had previously had a complaint upheld by the Ombudsman for a similar case, and that the Danish Press Council had rejected a complaint along similar lines as the complaint to Ofcom, it did not consider that the programmes had treated Miss Manniche unfairly.

TV3 Denmark also said that because of the nature of the series, Miss Manniche was not invited to make comments on the claims. It said that the fact that she disagreed with the couple was made clear by them in both episodes. It added that by the broadcast of the episode on 21 September 2017, “the whole conflict had been made public in the press with the opinions of both parties being publicised”.

Ofcom’s Preliminary View

Ofcom prepared a Preliminary View that Miss Manniche’s complaint should be upheld. Both parties were given the opportunity to make representations on the Preliminary View. Neither party made any relevant representations on the Preliminary View.

Decision

Ofcom’s statutory duties include the application, in the case of all television and radio services, of standards which provide adequate protection to members of the public and all other persons from unjust or unfair treatment in programmes in such services.

In carrying out its duties, Ofcom has regard to the need to secure that the application of these standards is in the manner that best guarantees an appropriate level of freedom of expression. Ofcom is also obliged to have regard, in all cases, to the principles under which regulatory activities should be transparent, accountable, proportionate and consistent and targeted only at cases in which action is needed.

In reaching this decision, Ofcom carefully considered all the relevant material. This included a recording of the programmes as broadcast, transcripts in English of the programmes and both parties' written submissions and supporting documentation.

When considering complaints of unjust or unfair treatment, Ofcom has regard to whether the broadcaster's actions ensured that the programme as broadcast avoided unjust or unfair treatment of individuals and organisations, as set out in Rule 7.1 of Ofcom's Broadcasting Code ("the Code"). In addition to this Rule, Section Seven (Fairness) of the Code contains "practices to be followed" by broadcasters when dealing with individuals or organisations participating in, or otherwise directly affected by, programmes, or in the making of programmes. Following these practices will not necessarily avoid a breach of Rule 7.1 and failure to follow these practices will only constitute a breach where it results in unfairness to an individual or organisation in the programme.

- a) We first considered the complaint that the programmes made serious and false allegations that Miss Manniche and her business, JEWLSCPH, had deceived Mr Cengiz Salvarli regarding the quality and price of the diamond in an engagement ring. This resulted in the programmes giving the false impression that it was JEWLSCPH's practice to "cheat customers".

Practice 7.9 states:

"Before broadcasting a factual programme, broadcasters should take reasonable care to satisfy themselves that material facts have not been presented, disregarded or omitted in a way that is unfair to an individual or organisation".

It is important to emphasise that Ofcom is unable to make findings of fact in relation to the veracity or otherwise of the statements made in the programme about Miss Manniche and JEWLSCPH. Our role is to consider, taking into account Section Seven of the Code, whether by including these comments in the programme, the broadcaster took reasonable care not to present, disregard or omit material facts in a way that was unfair to Miss Manniche.

Ofcom recognises the broadcaster's right to freedom of expression and the public interest in allowing them to broadcast matters of interest in programmes without undue constraints. This includes reality entertainment programmes such as *Familien fra Bryggen*. However, in presenting material in programmes, reasonable care must be taken by broadcasters not to do so in a manner that causes unfairness to individuals or organisations in programmes. Whether a broadcaster has taken reasonable care to present material facts in a way that is not unfair to an individual or organisation will depend on all the particular facts and circumstances of the cases including, for example, the way in which an individual is portrayed, the seriousness of any allegations and the context within which they are made.

Therefore, we began by considering the nature of the allegations and whether they had the potential to materially and adversely affect viewers' opinion of Miss Manniche and JEWLSCPH in a way that was unfair. We then went on to consider whether, if the allegations did have this potential, the manner in which they were presented in the programme resulted in unfairness.

We took into account that in the programme broadcast on 7 September 2017, Mr Salvarli and Ms Christiansen discussed that Miss Manniche had sold Mr Salvarli an engagement ring that they said was of poor quality and had various defects for 80,000 Danish Kroner (approximately £9,400). They also said that Miss Manniche had later stated that it was worth 200,000 Danish Kroner (approximately £23,500), when it was, according to subsequent valuations they had received, only worth between 28,000 and 30,000 Danish Kroner (approximately £3,400). In addition, Mr Salvarli said that his lawyer had brought a similar case, from a customer Mr Salvarli said had been “scammed”, about Miss Manniche and JEWLSCPH to the Consumer Agency and had won.

We took into account that in the programme of 21 September 2017, Mr Salvarli said that he felt “cheated”, and that Ms Christiansen said that both she and Mr Salvarli had been “cheated” by Miss Manniche. Also, magazine article headlines were shown which reported this allegation and that, according to Mr Salvarli, Miss Manniche was “full of lies”. Mr Salvarli also restated the price he had bought the ring for and the value Miss Manniche had allegedly told him it was worth, adding that he had got a certificate from a qualified individual which valued the ring significantly less than Miss Manniche’s valuation. Mr Salvarli also said that the ring had not been stamped in accordance with “the law” and that “the stone was loose”.

Ofcom considered that viewers would have understood from these comments that in Mr Salvarli and Ms Christiansen’s view, Miss Manniche had sold Mr Salvarli a poor-quality engagement ring at an inflated price. Viewers would also have understood that another customer had successfully won a case against Miss Manniche for a similar issue. While we considered that these comments did not amount to an allegation that Miss Manniche had a practice of cheating customers, it was our view, that they did amount to significant allegations that Miss Manniche had in Mr Salvarli’s view deceived him about the quality and price of the engagement ring and that it had also happened previously to another customer. We therefore considered that the inclusion of these allegations in the programmes had the clear potential to materially and adversely affect viewers’ opinions of Miss Manniche, as a businesswoman and jewellery designer.

We next considered whether the broadcaster had taken reasonable care to ensure that material facts were not presented, disregarded or omitted in a way that was unfair to Miss Manniche.

We acknowledged TV3 Denmark’s statement that the programmes did refer to the fact Miss Manniche disputed Mr Salvarli’s and Ms Christiansen’s version of events. However, the programme of 7 September 2017, included only a brief recognition that Miss Manniche did not consider she had “cheated” Mr Salvarli. It also referenced that Miss Manniche herself may have been “cheated” by her suppliers. In both cases, however, we considered that it would not have been clear to viewers whether the views presented actually reflected Miss Manniche’s view or simply represented the couple’s assessment of the situation. Therefore, given this and the cumulative effect of Mr Salvarli’s and Ms Christiansen’s accusatory comments about Miss Manniche, JEWLSPCH and the engagement ring, Ofcom considered that the programme provided insufficient contextual background to enable viewers to understand Miss Manniche’s position on the dispute, and in particular, on the allegations made about the price and quality of the engagement ring.

We took into account that Miss Manniche had contacted the programme makers prior to the broadcast of the programme on 21 September 2017 to express her concerns with the comments which had been made about her and to request for an opportunity to respond to the claims. We therefore considered that, at least by the broadcast of the programme on 21 September, the broadcaster was aware that Miss Manniche refuted the allegations and considered it was

appropriate for her response to be included in the programme. Despite this, the programme only included a brief recognition that Miss Manniche disagreed with the couple by way of the inclusion of media headlines and the presentation of an alternative viewpoint by the couple. However, the eight media headlines were only shown very briefly and the majority reflected Mr Salvarli's view that Miss Manniche had cheated him and that she was "*full of lies*". Two of the headlines appeared to reflect Miss Manniche's position that she was not the offending party in the dispute, but rather the victim of aggression and blackmail by Mr Salvarli. We also considered, as stated above, that it would not have been clear to viewers whether the views presented by the couple actually reflected Miss Manniche's view or simply represented the couple's assessment of the situation. Therefore, when considering all the comments made by Mr Salvarli and Ms Christiansen in the programme and taking into account the cumulative effect of these comments and the comments made in the previous programme, again we considered that the programme provided limited contextual background to properly represent Miss Manniche's viewpoint, particularly in relation to the allegations made about the price and quality of the engagement ring, and to avoid unfairness to her.

We also took into account the broadcaster's statement that both programmes simply represented the couple's position and did not provide an opinion on whether it was correct, and the programme only included what was required to understand the dispute. However, we considered that the programmes went beyond simply reporting about the case against Miss Manniche and the programme instead made significant allegations about the price and quality of the engagement ring. Therefore, given the way in which the allegations were presented in the programmes, and in the absence of any reference to Miss Manniche's viewpoint, viewers may have reasonably gained the impression that the statements being made about the price and quality of the ring by the couple, whether Miss Manniche was at fault or not, could be taken as fact.

For all the reasons above Ofcom considered that the comments made in the programmes about Miss Manniche and JEWLSCPH amounted to significant allegations and that the cumulative effect was that they had the clear potential to materially and adversely affect viewers' opinion of Miss Manniche in a way that was unfair. Also, in the particular circumstances of this case, there was insufficient representation of Miss Manniche's position which had the potential to impact negatively on viewers' ability to understand the case and the position of both parties to the dispute, such that they may have perceived Miss Manniche in a way that was unfair. Therefore, on balance, we considered that this resulted in the broadcaster failing to take reasonable steps in accordance with Practice 7.9 to satisfy itself that material facts about Miss Manniche had not been presented, disregarded or omitted in a way that was unfair to her.

- b) We next considered the complaint that Miss Manniche was not given an appropriate and timely opportunity to respond to the allegations made about her in the programmes.

Practice 7.11 states:

"If a programme alleges wrongdoing or incompetence or makes other significant allegations, those concerned should normally be given an appropriate and timely opportunity to respond".

For the reasons already given in head a) above, Ofcom considered that the comments made in the programmes about Miss Manniche and JEWLSCPH amounted to significant allegations and that the cumulative effect was that they had the clear potential to materially and adversely affect viewers' opinion of Miss Manniche in a way that was unfair. Normally, where a significant

allegation is made about an individual or organisation in a programme, the broadcaster should ensure that the individual or organisation concerned is given an opportunity to respond and, where appropriate, for that response to be represented in the programme in a fair manner.

We took into account that the broadcaster did not appear to offer Miss Manniche an opportunity to respond to the allegations made in the programme broadcast on 7 September 2018. We also took into account that prior to the broadcast of the second programme, Miss Manniche had emailed the broadcaster and had requested an opportunity to respond to the allegations, but that no such opportunity was offered to her. The broadcaster stated in its response to Ofcom that it did not provide Miss Manniche with an opportunity to respond due to the nature and format of the programmes. However, it was our view that Mr Salvarli and Ms Christiansen presented in the programmes their side of an ongoing consumer dispute, and in so doing made significant allegations about Miss Manniche. Therefore, for the reasons already given in head a) above, we considered the broadcaster should have provided Miss Manniche with an opportunity to respond to the significant allegations made in the programme about her. The broadcaster's failure to do this and to reflect any such response received, resulted in unfairness to Miss Manniche.

Ofcom has upheld Ms Manniche's complaint on behalf of Miss Manniche of unjust or unfair treatment in the programme as broadcast.