



ADJUDICATION NO: 08/A/2026

NAME OF PROGRAMME: BONGANI BINGWA SHOW

DATE AND TIME OF BROADCAST: 2 MARCH AT 8:25 TO 8:28

BROADCASTER: 702

COMPLAINANT: MAHOMED

COMPLAINT

Complaint that a radio breakfast show contained blasphemy and hate speech based on religion.

APPLICABLE CLAUSES

Clause 4

- (2) Broadcasting service licensees must not broadcast material which, judged within context, amounts to (a) propaganda for war; (b) incitement of imminent violence; or (c) the advocacy of hatred that is based on race, ethnicity, religion or gender and that constitutes incitement to cause harm.**

Clause 12

- (1) Broadcasting service licensees are entitled to broadcast comment on and criticism of any actions or events of public importance.**
- (2) Comment must be an honest expression of opinion and must be presented in such a manner that it appears clearly to be comment, and must be made on facts truly stated or fairly indicated and referred to.**
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ADJUDICATION

[1] A complaint was lodged with the BCCSA against 702's Breakfast Show with Bongani Bingwa that was broadcast on 2 March 2026 at 08.25. The Show allegedly did not comply with the BCCSA's Code of Conduct and included a statement that contained blasphemy and hate speech based on religion.

[2] **The complaint reads as follows:**

"RE: COMPLAINT AGAINST RADIO 702 – BREAKFAST WITH BONGANI BINGWA"

1. I hereby lodge a complaint against Radio 702 – Breakfast with Bongani Bingwa.
2. The complaint relates to the segment: Worldview with Vicki Turner standing in for Adam Gilchrist, and aired on Radio 702 on Monday, 2 March 2026 at approximately 08:25, and specifically at approximately 08:28.
3. In her Worldview report and when reporting on the story of the Senegalese man whom she refers to as "*the Senegal guy*" who allegedly "*shot two people and injured a dozen more outside a beer garden in Austin, Texas (America)*".
4. While reporting on the events of the shooting she adds: "***why do we know it's related? Police say that he had a T-shirt on that said 'Property of Allah', when they searched his car there was a Quran in there and some other terrorist material***".
5. She then concludes her report and Bongani Bingwa responds to her and says: "*ya just in case anyone misinterpreted that, we are not saying the Quran itself is terrorist material...*" and Vicky then says laughingly: "*no, no, not at all.*"
6. It's important to note that at no time does Vicky apologise or retract her statement, nor does Bongani. Apart from attempting to clarify what Vicky said, neither of them acknowledged the public defamation of the most Holy and Noble Book, that written by God and which is sacred and revered by every Muslim in the world.
7. The conduct of uttering this statement is abhorrent. The Quran is the manuscript by which every Muslim interaction; every aspect of the Muslim's way of life; every commandment of God and every Islamic law is revealed. The Quran was revealed to the Prophet Muhammad (PBUH) in the month of Ramadan, which started for South African Muslims on Thursday, 19 February 2026.
8. To reference the Holy and Noble Quran even in the same sentence as something so hated such as terrorism is in itself a blasphemy so grand and vile that no apology could erase the pain felt by myself and every Muslim in the world who heard the statement.
9. The statement is a breach of: Free-to-Air Code of Conduct at:

2.3. Scope of Application (1) (2) (3) Broadcasting service licensees must ensure that all broadcasts comply with this Code; Broadcasting service licensees must ensure that

relevant employees and programme producers, including those from whom they commission programmes, understand the contents and significance of this Code; All broadcasting service licensees should also have procedures for ensuring that programme producers can seek guidance as to the application of the Code from them.

As well as:

3. Violence and Hate speech

(a) contains violence which does not play an integral role in developing the plot, character or theme of the material as a whole;

And

4 (1) *Broadcasting service licensees must not broadcast material which, judged within context, sanctions, promotes or glamorises violence or unlawful conduct based on race, national or ethnic origin, colour, religion, gender, sexual orientation, age, or mental or physical disability.*

And

(2) *Broadcasting service licensees must not broadcast material which, judged within context, amounts to (a) propaganda for war; (b) incitement of imminent violence; or (c) the advocacy of hatred that is based on race, ethnicity, religion or gender and that constitutes incitement to cause harm.*

10. Further, at:

11. News

(1) Broadcasting service licensees must report news truthfully, accurately and fairly.

(2) News must be presented in the correct context and in a fair manner, without intentional or negligent departure from the facts, whether by:

- (a) Distortion, exaggeration or misrepresentation.
- (b) Material omissions; or
- (c) Summarisation.

Only that which may reasonably be true, having reasonable regard to the source of the news, may be presented as fact, and such fact must be broadcast fairly with reasonable regard to context and importance.

12. It is clear that the conduct of both Turner and Bingwa breaches the abovementioned codes.

13. I demand that action be taken swiftly against the offenders.”

[3] The Broadcaster responded as follows:

““702’S RESPONSE TO THE COMPLAINT SUBMITTED BY Mr MAHOMED

1. INTRODUCTION

- 1.1. 702 is a commercial sound broadcaster that broadcasts in a talk-based format in accordance with clause 4 of its licences issued by the Independent Communications Authority of South Africa (ICASA).
- 1.2. 702 is a member of the National Association of Broadcasters and is bound by the Code of Conduct for Free to Air Broadcasters (2011) (the Code) as developed and administered by the Broadcasting Complaints Commission of South Africa (the BCCSA).
- 1.3. The BCCSA has provided us with a copy of a complaint by Nadeem Mahomed (Complainant) dated 5 March 2026 (the Complaint) in which the Complainant alleges numerous violations of the Code by 702 morning drive time show presenter Mr. Bongani Bingwa and UK correspondent Vicky Turner, who at the time was standing in for Adam Gilchrist.
- 1.4. A copy of the relevant audio clip is provided herewith.
2. THE RELEVANT PROVISIONS OF THE CODE
 - 2.1. The Complainant has alleged violations of the following clauses of the Code: 2(1), 2(2), 2(3), 3(a), 4(1), 4(2), 11(1) and 11(2).
 - 2.2. Clause 2(1) of the Code reads as follows:

Broadcasting service licensees must ensure that all broadcasts comply with this Code.
 - 2.3. Clause 2(2) of the Code reads as follows:

Broadcasting service licensees must ensure that relevant employees and programme producers, including those from whom they commission programmes, understand the contents and significance of this Code.
 - 2.4. Clause 2(3) of the Code reads as follows:

All broadcasting service licensees should also have procedures for ensuring that programme producers can seek guidance as to the application of the Code from them.
 - 2.5. Clause 3(a) of the Code reads as follows:

Broadcasting service licensees must not broadcast material which, judged within context... contains violence which does not play an integral role in developing the plot, character or theme of the material as a whole;
 - 2.6. Clause 4(1) of the Code reads as follows:

Broadcasting service licensees must not broadcast material which, judged within context, sanctions, promotes or glamorises violence or unlawful conduct based on race, national or ethnic origin, colour, religion, gender, sexual orientation, age, or mental or physical disability.
 - 2.7. Clause 4(2) of the Code reads as follows:

Broadcasting service licensees must not broadcast material which, judged within context, amounts to (a) propaganda for war; (b) incitement of imminent violence; or (c) the advocacy of hatred that is based on race, ethnicity, religion or gender and that constitutes incitement to cause harm.
 - 2.8. Clause 11(1) of the Code reads as follows:

Broadcasting service licensees must report news truthfully, accurately and fairly.

2.9. Clause 11(2) of the Code reads as follows:

News must be presented in the correct context and in a fair manner, without intentional or negligent departure from the facts, whether by: (a) Distortion, exaggeration or misrepresentation. (b) Material omissions; or (c) Summarisation

3. THE COMPLAINT

- 3.1. The Complaint alleges that in the usual “Worldview” segment on the morning drive time show, Ms. Turner (who was standing in for Adam Gilchrist on 2 March 2026) and Mr. Bingwa discussed the story of a Senegalese man who allegedly shot and killed civilians outside a bar in Austin, Texas, USA, as widely reported by international news organisations.¹
- 3.2. While the Complainant makes numerous references to the sanctity of the Islam faith, it is our understanding that the sting of the Complaint is Ms. Turner’s remarks that US police officials say the Senegalese gunman “*had a T-shirt on with language on it...‘Property of Allah’...when they searched his car there was a Quran in there and some other terrorist material*”. To which Mr. Bingwa immediately clarifies with “*just to be clear if anyone misinterpreted what she said, we are not saying the Quran itself is terrorist material*”. To which Ms. Turner replied “*no...no...sorry...not at all*”.
- 3.3. 702 confirms that the exchange between Mr. Bingwa and Ms. Turner occurred. The “Worldview” segment airs daily on the programme and it is an incredibly short, time constrained segment where international correspondents are platformed to share one or two big stories making international headlines.
- 3.4. 702 denies that it violated any provisions of the Code in carrying the “Worldview” segment on 2 March 2026, including statements made by Mr. Bingwa and/or Ms. Turner.
- 3.5. As is clear from the audio, Ms. Turner was giving a quick report on the Austin, Texas, shooting incident and relaying reports from credible US media outlets in so far as references to the Quran are concerned.
- 3.6. Upon review of this fast-paced segment, Ms. Turner’s phrase “*a Quran in there and some other terrorist material*” is potentially ambiguous in that it may be interpreted to mean (1) other material was found in addition to the Quran and that other material was terrorist in nature; or (2) that other material in addition to the Quran was found, and that other material was also terrorist in nature. We understand this ambiguity to be the foundation of the Complaint.
- 3.7. However, this ambiguity was immediately clarified by Mr. Bingwa and indeed Ms. Turner immediately apologised. Notwithstanding the fast pace of the segment, Mr. Bingwa and Ms. Turner identified, resolved, and apologised in real time for the potential ambiguity: “*we are not saying the Quran itself is terrorist material*” and “*no...no...sorry...not at all*”. The Complainant notably omits the word “sorry” in its quote of Ms. Turner’s remarks, possibly explaining their error in claiming that “*at no time does Vicky apologise or retract her statement*”.

¹ <https://www.cbsnews.com/news/mass-shooting-at-austin-texas-bar-leaves-at-least-3-dead-multiple-people-wounded/>

4. CONCLUSION

- 4.1. 702 submits that neither the conduct of 702, Mr. Bingwa or Ms. Turner nor indeed the content of the broadcast in question, violate any of the provisions of clauses: 2(1), 2(2), 2(3), 3(a), 4(1), 4(2), 11(1) and 11(2) of the Code.
- 4.2. The basis of the Complaint is an ambiguity that was immediately clarified on air. Even without the clarification, it is not clear to us that an ambiguous statement of the kind made by Ms. Turner could constitute a violation of the relevant provisions of the Code.
- 4.3. We trust that the BCCSA finds the above to be in order."

[4] The Complainant replied as follows:

"RE: COMPLAINT AGAINST RADIO 702 – BREAKFAST WITH BONGANI BINGWA"

1. Your recent response dated 20 March 2026, attaching the response of K. Mampa ("Mampa") (Head of Legal for Primedia BC), evenly dated, has reference.
2. The response is unsatisfactory.
3. Instead, the response is further inflammatory.
4. It is apparent that Mampa (either on the advice from his mandate givers) or of his own accord, has completely missed the point.
5. For Mampa to assert that the "immediate apology" by Bingwa and/or Truter (who laughed as she echoed in part what Bingwa has said) is in fact satisfactory for purposes of appeasing the greater body of Muslims in this country and the world over, reflects his/their lack of understanding of what in fact the Holy Quran is.

Allow me to re-iterate, it is the **Word of Allah the Most High, it is the manuscript by which every Muslim lives. It is not a laughing matter.**

6. We demand that the matter be arbitrated, and maybe then the full vehemence of the complaint will be understood."

EVALUATION

- [5] I have listened to the impugned segment of the Breakfast Show with Bongani Bingwa. This morning talk show focuses on current affairs, news analysis, high-profile interviews with newsmakers, and audience interaction which provide a platform for critical debate. The programme features a regular segment titled "*Worldview with Adam Gilchrist*", however, on the day of the broadcast, Ms Turner [*hereinafter "the co-presenter"*] stood in for Adam Gilchrist. After discussing the consequences of the war between Iran and the USA, the presenters briefly

referred to an incident involving a Senegalese man who allegedly shot and killed civilians outside a bar in Austin, Texas, USA. The co-presenter remarked that US police officials reported that the gunman was wearing a T-shirt with the words "*Property of Allah*" and that, upon searching his car, a Quran and other material described as terrorist-related were found.

[6] The relevant aspects of the complaint can be summarised as follows:

- The co-presenter's statement indicated non-compliance with the BCCSA's Code of Conduct;
- The statement amounted to blasphemy and hate speech against Muslims; and
- The statement contained incorrect and misleading information.

[7] The Complainant describes the wording of the impugned statement as abhorrent because, according to him, the Quran is the most Holy and Noble Book, believed to be the word of God revealed to the Prophet Muhammad during the month of Ramadan, which commenced in South Africa on 19 February 2026. Furthermore, the Complainant asserts that neither the co-presenter nor Mr. Bingwa [*hereinafter "the presenter"*] apologised or retracted the statement, but that the presenter merely attempted to clarify what the co-presenter said.

[8] I agree with the Broadcaster's view that the crux of the complaint centres around the co-presenter's statement that, when the US police searched the gunman's car, they found "*a Quran in there and some other terrorist material*". The Broadcaster submits that the phrase is potentially ambiguous in that it may be interpreted to mean (1) other material was found in addition to the Quran and that this other material was terrorist in nature; or (2) that other material in addition to the Quran was found, and that the other material was also terrorist in nature. However, the presenter immediately clarified the statement by saying: "*Just to be clear if anyone misinterpreted what she said, we are **not** saying the Quran itself is*

terrorist material". The co-presenter promptly responded "*No...no...**Sorry**...not at all*".

- [9] In his response, the Complainant alleges that the co-presenter laughed while echoing part of the presenter's clarification and that the Quran, as a sacred text, is not a matter for amusement. In my view, however, the co-presenter's tone reflects embarrassment rather than laughter when she apologised.
- [10] The Complainant contends that the broadcast contravened clauses 2(1), 2(2), 2(3), 3(a), 4(1), 4(2), 11(1) and 11(2) of the Code. Clause 2 provides that broadcasters are responsible for ensuring that all content complies with the Code, that employees and programme producers understand its requirements and significance, and that procedures are in place to guide its application. I find no basis to conclude that the Broadcaster failed to comply with this clause. On the contrary, the presenter's immediate clarification suggests an awareness of the Code's requirements.
- [11] Clause 3(a) prohibits material which, judged within context, contains violence that does not play an integral role in developing the plot, character or theme of the programme. This clause is not applicable to a call-in commentary programme where world events are discussed.
- [12] Clause 4(2)(c) provides that broadcasting service licensees must not broadcast material which, judged within context, amounts to the advocacy of hatred based on race, ethnicity, religion, or gender and which constitutes incitement to cause harm.
- [13] The Complainant alleges that the programme contained blasphemy and hate speech based on religion, amounting to incitement to cause harm. Blasphemy entails the cursing or slandering of the name of God and it is incorporated within the hate speech provisions of the Code.

- [14] The statement made during the impugned programme does not meet the requirements of Clause 4(2) to be classified as advocacy of hatred based on religion. For material to constitute hate speech, it must both advocate hatred and incite harm. “*Advocacy*” and “*incitement*” imply promoting, encouraging, or urging others to act. Neither the presenter nor the co-presenter advocated hatred against Muslims, nor did the statement incite harm. The reference arose in the context of reporting on an incident relevant to the broader discussion of the war between Iran and the USA.
- [15] The impugned programme, *The Bongani Bingwa Breakfast Show*, is not a hard news programme requiring strictly factual reporting, but rather a commentary programme. The statement must therefore be assessed under the comment clause.
- [16] Clause 12(1) provides that broadcasters are entitled to broadcast comment and criticism on matters of public importance. As mentioned above, the programme addressed the Palestine/Israel conflict which is clearly a matter of public importance and the impugned statement was relevant in this context.
- [17] The right to broadcast comment on issues of public importance forms part of the media’s constitutionally protected right to freedom of expression, as well as the public’s right to receive information and diverse opinions. The qualification in Clause 12(2) is that such comment must be an honest expression of opinion, clearly presented as comment, and based on facts that are truly stated or fairly indicated and referred to. It is not required that such facts be objectively true, but that they be fairly presented. In this instance, the presenters indicated that the statement referred to an incident reported by international media².

² <https://www.cbsnews.com/news/mass-shooting-at-austin-texas-bar-leaves-at-least-3-dead-multiple-people-wounded/>

- [18] In adjudicating matters involving freedom of expression and its limitations, the BCCSA considers the level of tolerance in society for differing and even offensive views. The Constitution allows for substantial latitude in broadcasting on matters of public importance. In this regard, the BCCSA frequently refers to the judgment of the European Court of Human Rights in *Handyside v The United Kingdom*³, which affirms that freedom of expression extends not only to information and ideas that are favourably received, but also to those that may offend, shock, or disturb.
- [19] The BCCSA fully endorses the principle that all religions in South Africa must be respected. However, the applicable test is that of a reasonable audience member who is balanced, broad-minded, and not overly sensitive. While the statement may have caused offence, particularly to Muslim listeners, the co-presenter apologised immediately following the clarification. The issue is not whether the statement was offensive. Comment is often offensive, but offensiveness alone does not establish a contravention of the Code.
- [20] The Complainant also relies on Clause 11, which applies specifically to news broadcasts. As the impugned programme is not a news broadcast, this clause is not applicable.
- [21] Judged in context, I conclude as follows:
- The presenters did not propagate hate speech, and the broadcast did not contain hate speech (Clause 4(2));
 - The statement was based on facts that were referred to during the programme and was therefore fairly indicated (Clause 12(1)). Any potential misinterpretation was promptly corrected.

³ 1976 ECHR par. 49. This dictum has been accepted by our Constitutional Court in *Islamic Unity Convention v Independent Broadcasting Authority* 2002(4) SA 294 (CC) at par. 26

The complaint is not upheld.

A handwritten signature in black ink, appearing to read 'L. Venter', with a horizontal line underneath.

**DR LINDA VENTER
COMMISSIONER: BROADCASTING COMPLAINTS COMMISSION**