

OFCOM BROADCAST AND ON DEMAND BULLETIN

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Introduction

Under the Communications Act 2003 ("the Act"), Ofcom has a duty to set standards for broadcast content to secure the standards objectives¹. Ofcom also has a duty to ensure that On Demand Programme Services ("ODPS") comply with certain standards requirements set out in the Act².

Ofcom reflects these requirements in its codes and rules. The Broadcast and On Demand Bulletin reports on the outcome of Ofcom's investigations into alleged breaches of its codes and rules, as well as conditions with which broadcasters licensed by Ofcom are required to comply. The codes and rules include:

- a) [Ofcom's Broadcasting Code](#) ("the Code") for content broadcast on television and radio services licensed by Ofcom, and for content on the BBC's licence fee funded television, radio and on demand services.
- b) the [Code on the Scheduling of Television Advertising](#) ("COSTA"), containing rules on how much advertising and teleshopping may be scheduled on commercial television, how many breaks are allowed and when they may be taken.
- c) certain sections of the [BCAP Code: the UK Code of Broadcast Advertising](#), for which Ofcom retains regulatory responsibility for television and radio services. These include:
 - the prohibition on 'political' advertising;
 - 'participation TV' advertising, e.g. long-form advertising predicated on premium rate telephone services – notably chat (including 'adult' chat), 'psychic' readings and dedicated quiz TV (Call TV quiz services); and
 - gambling, dating and 'message board' material where these are broadcast as advertising³.
- d) other conditions with which Ofcom licensed services must comply, such as requirements to pay fees and submit information required for Ofcom to carry out its statutory duties. Further information can be found on Ofcom's website for [television](#) and [radio](#) licences.
- e) Ofcom's [Statutory Rules and Non-Binding Guidance for Providers of On-Demand Programme Services](#) for editorial content on ODPS (apart from BBC ODPS). Ofcom considers sanctions for advertising content on ODPS referred to it by the Advertising Standards Authority ("ASA"), the co-regulator of ODPS for advertising, or may do so as a concurrent regulator.

[Other codes and requirements](#) may also apply to broadcasters, depending on their circumstances. These include the requirements in the BBC Agreement, the Code on Television Access Services (which sets out how much subtitling, signing and audio description relevant licensees must provide), the Code on Electronic Programme Guides, the Code on Listed Events, and the Cross Promotion Code.

¹ The relevant legislation is set out in detail in Annex 1 of the Code.

² The relevant legislation can be found at Part 4A of the Act.

³ BCAP and ASA continue to regulate conventional teleshopping content and spot advertising for these types of services where it is permitted. Ofcom remains responsible for statutory sanctions in all advertising cases.

It is Ofcom's policy to describe fully television, radio and on demand content. Some of the language and descriptions used in Ofcom's Broadcast and On Demand Bulletin may therefore cause offence.

Note to Broadcasters and On Demand Service Providers

Monitoring of diversity and equal opportunities in broadcasting

Introduction

In February we published a summary for broadcasters in Ofcom's Broadcast and On Demand Bulletin¹, explaining our planned next steps for carrying out the television monitoring exercise and an update on the radio monitoring exercise. This note provides an update on the status of **stage one** of the television monitoring exercise and further detail on **stage two**.

Monitoring of the television industry

Stage one information request

On 1 March we sent out an initial information request to television broadcasters which you will have received if you told us last year that your employees totalled **50 or under** or you are a new licensee. The stage one information request asked for information related to your number of employees and the number of days you are licensed to broadcast per year, to identify whether you are required to complete a full questionnaire at stage two (see below). This request was sent to company secretaries by post and to licence contacts by email. The questionnaire took the form of an online survey, accessed via a link, included as part of the email sent to licence contacts. On 13 March you would have received a reminder email to complete the survey, if it was still outstanding. The deadline for completion was 15 March. If you failed to submit the requested information by the deadline, we will be investigating your compliance and we may find you in breach of your licence.

Stage two information request

If you identified at stage one as meeting the relevant thresholds², or you informed us last year that you have over **50 employees**, you will receive the stage two information request in May. This request will be sent to company secretaries by post and to licence contacts by email.

If you are required to complete the stage two information request then your licence contact will be sent a letter by email drawing their attention to the upcoming information request and including a reminder about your obligations under the General Data Protection Regulation, which applied from 25 May 2018, and related [UK legislation](#).

The stage two information request will consist of a detailed questionnaire asking about your equal opportunities arrangements and your workforce, which will need to be completed and returned to Ofcom. The questionnaire will take the form of an online survey, accessed via a link, included as part of the email sent to licence contacts. You will have six weeks to complete the survey.

¹ [Issue number 373 of Ofcom's Broadcast and On Demand Bulletin, 26 February 2019](#).

² Have more than 20 employees and licensed to broadcast for more than 31 days per year.

How will the information be used?

We will use the information to produce our third annual diversity and equal opportunities in television report in Autumn 2019.

Any broadcasters who have questions related to this note please contact diversityinbroadcasting@ofcom.org.uk

Guidance and resources on how broadcasters can improve the diversity of their organisation.

Ofcom updated our [formal guidance to broadcasters in May 2019](#) to reflect the recommendations made in our 2018 Diversity and Equal Opportunities in Television report³. The guidance applies from 10 May 2019.

Contact details

Finally, we would like to remind you that it is your responsibility to ensure that your contact details held by Ofcom are accurate and up-to-date. Therefore, if this isn't the case, we ask that you email Broadcast.Licensing@ofcom.org.uk with your correct contact details.

³ The updated guidance is also available in the [Welsh language](#).

Broadcast Standards cases

In Breach

Sangeen Mamlay

KTV, 20 September 2018, 16:00

Introduction

KTV is a religious and cultural channel aimed at the Sikh community in the UK and Europe, broadcasting in Punjabi and English. The licence for KTV is held by Khalsa Television Limited ("KTV" or "the Licensee").

Sangeen Mamlay (or "*Serious Issues*") is a Punjabi language, topical discussion show that mainly deals with social issues of relevance to South Asian communities living in the UK. During routine monitoring Ofcom identified the use of offensive language and scenes of violence.

We obtained an English translation of this programme. We gave the Licensee an opportunity to comment on the accuracy of the translation. KTV did not raise any accuracy issues, and we therefore relied on this translation for the purposes of the investigation.

In this episode of *Sangeen Mamlay*, two presenters discussed the reasons why, in India, some parties to marital disputes were resorting to violence, particularly in a number of high profile cases. The presenters expressed concern that social media was being used increasingly to highlight marital disputes, therefore bringing additional unwanted attention to both parties. At the end of the discussion, the presenters said that they would broadcast two videos, demonstrating the types of footage featuring acts of violence arising in marital disputes that can be found on social media. Two videos were then broadcast back to back.

In the first video, lasting approximately 25 seconds, a young man and young women were shown sitting covering their heads with their arms, while an elderly lady stood over them holding what appeared to be a large wooden stick. A small crowd of bystanders surrounded them. As the video started, the elderly woman hit the young man once, hard over his head and arms with the stick and shouted:

"You bastard boy! You tell me! You tell me!"

The elderly woman then hit the young woman's head and arms hard seven times in quick succession. For most of the blows, the elderly woman held the stick in one hand but for two of the blows, she held the stick with both hands and these blows were particularly powerful. While the elderly woman hit the young woman the following statements were made:

Unknown male bystander: *"Hit her in the face!"*

Elderly woman: *"I considered you my daughter!"*

In the second video, lasting approximately 60 seconds, a young man was seen being led from a building by two older men, who each slapped him around the face before forcing him to sit down on a bench in front of the building. One of these men returned to the building and

came back out of the building with a young woman and forced her to sit down next to the young man on the bench. As this was taking place, the young couple was verbally abused and the following exchange was heard:

Older man 1: *"Why did you come here? Sit down here!"*

Older man 2: *"Sit down here!"*

Older man 1: *"Make a video of this motherfucker! Call her parents. Go and bring them. I will fuck your sister. Sit down here!"*

A third older man then produced what appeared to be a long wooden pole, and used it to strike the young man across the back of his body. The second older man then kicked the young man in the back of the legs and the young man could be seen grimacing. Inaudible mixed voices were heard followed by:

Young woman: *"I have a temperature and I was just sitting there".*

Older man 2: *"I will rip your face! You should shut your mouth. I will rip your face!"*

Young woman: *"I was just sitting there, I do not know..."*

During this exchange the young woman was struck across the face so forcibly by the second older man that she fell off the bench and lost her headress. After getting up and sitting on the bench once more, starting to cry, she was again slapped by the second man, but on the other side of her face. This slap knocked her backwards across the bench. The two older men then moved again towards the young man and then the video cut out. During the video additional bystanders were also shown around the bench watching what was taking place.

This video was followed immediately by *Children's Hour* and cartoons.

We considered the above material raised potential issues under the following Code rules:

Rule 1.11: *"Violence, its after-effects and descriptions of violence, whether verbal or physical, must be appropriately limited in programmes broadcast before the watershed... and must also be justified by the context".*

Rule 1.14: *"The most offensive language must not be broadcast before the watershed..."*

Rule 2.3: *"In applying generally accepted standards broadcasters must ensure that material which may cause offence is justified by the context..."*

We requested the Licensee's comments on how these broadcasts complied with the above rules.

Response

Although, in its view, the “unsuitable content” formed “a small part of the programme”, KTV said it still wished to “express deep regret” that human error had resulted in this material being broadcast inappropriately.

The Licensee said that *Sangeen Mamlay* is produced in India and “has tackled key social and taboo issues including farmer suicide, child labour, election fraud, drug abuse, dowry, crime and disorder” where “the aim of the programme is to create dialogue surrounding such issues in order to ferment reform”.

It said that, in this particular episode, the programme aimed to tackle “the issue of domestic violence in Punjabi households”, in the context of greater awareness of such issues due to an increase in reports of domestic violence on social media.

KTV said that *Sangeen Mamlay* is broadcast at 21:00 on Wednesdays and repeated at 16:00 on Thursdays. It added that its production team in India typically produce one version of the show for international broadcast. However, the Licensee explained that “when any programme contains content unsuitable for broadcast prior to the watershed, a second ‘clean edit’ is sent alongside” for the repeat broadcast slot. However, KTV said that on Thursday 20 September at 16:00, the episode that was broadcast was the post-watershed version. It added that this error occurred due to the programme file being “erroneously entered into the daily playlist due to incorrect titling, which failed to denote it was not suitable for broadcast pre-watershed”.

The Licensee referred to the seven recent investigations undertaken by Ofcom into KTV, all of which had resulted in KTV being found in breach of the Code or its licence conditions. These decisions were published in three separate Bulletins¹. KTV said that it accepted that “significant problems ha[d] surfaced over the past year” but that it took compliance seriously, taking “every effort to ensure programming is compliant, fair and well balanced”. The Licensee said that, in its view, keeping up with the demand for news programming that addressed “delicate issues” meant that the limited staff resource at KTV had “struggled at times with elements of the Broadcasting Code” and therefore it had taken the following steps to address this:

- two members of staff dealing only with compliance matters had been recruited in January 2019;
- training in all areas of the Code was to be renewed for both pre- and post-production staff; and
- a dedicated team had been put in place to ensure KTV's system of procedures and protocols was being enforced.

In addition, KTV added that it was prepared to broadcast an apology for this content “should this be deemed necessary” and that it was eager to “adopt any advice, guidance, training or recommendations” Ofcom was able to suggest.

¹ See Ofcom's decisions relating to the Licensee in:

- [Issue 357 of Ofcom's Broadcast and On Demand Bulletin, 2 July 2018;](#)
- [Issue 358 of Ofcom's Broadcast and On Demand Bulletin, 16 July 2018;](#)
- and [Issue 373 of Ofcom's Broadcast and On Demand Bulletin, 26 February 2019](#)

The Licensee also provided representations on Ofcom's Preliminary View, which was to record a breach of Rules 1.11, 1.14 and 2.3 and state also that we were provisionally minded to consider these breaches for the imposition of a statutory sanction. KTV did not seek to defend *Sangeen Mamlay* and apologised again for its broadcast. It stressed that changes had been made to its compliance procedures in order for it "to strive towards a regulation compliant environment" and that "these errors...took place in 2018 due to certain personnel who no longer are employed by KTV".

Decision

Reflecting our duties under the Communications Act 2003 ([section 319](#), [section 320](#)), Section One of the Code requires that people under eighteen are protected from unsuitable material in programmes. Section Two of the Code requires that generally accepted standards are applied to provide adequate protection for members of the public from the inclusion of harmful or offensive material.

Ofcom takes account of the audience's and the broadcaster's right to freedom of expression set out in Article 10 of the European Convention on Human Rights. The Code does not prohibit representations of violence, as long as these are appropriately limited and editorially justified,

Rule 1.11

Rule 1.11 requires that violence must be appropriately limited in programmes broadcast before the watershed and must also be justified by the context. Context is assessed by reference to a range of factors including the editorial content of the programme, the service in which the material is broadcast, the time of broadcast, the likely expectation of the audience and the extent to which the nature of the content has been brought to the attention of the audience in advance.

We first assessed whether the level and nature of the violence was appropriately limited. We took into account Ofcom's 2014 research on Audience Attitudes towards Violent Content on Television ("the Violence Research") which found that the impact of violence increases with the level of detail shown, and whether the violence is shown or implied.

Ofcom was concerned with the following violent scenes in the videos:

- a young woman being hit across the head with a wooden pole several times;
- a young man being twice slapped across the face;
- the same man being hit from behind with a large wooden pole and then kicked in the back of the legs; and
- a young woman being struck twice across the face by a man so forcefully that, on the first occasion, she was knocked off the bench on which she was sitting, and on the second occasion, she was knocked back across the bench.

[The Violence Research](#) indicated several other factors which can affect viewers when watching violence in programmes. For example, audiences were found to be less accepting

of pre-watershed violence when more vulnerable people were shown to be the victim of violence, especially when portrayed as part of a real-life incident.

In our view, the physical violence was explicit and fully visible, and its impact was heightened by the fact that it was real rather than dramatised. The effects of the violence were clear as the audience could see the force the violence had on the victims, who were clearly vulnerable, and in particular the young woman in the second video, who was shown being hit twice with such force that on one occasion she was knocked off her seat. The violence was further heightened by the verbally aggressive language that accompanied it in both videos (for example, in the first video: *"You bastard boy!"* and *"hit her in the face"* and in the second video *"I will rip your face. You should shut your mouth. I will rip your face"*).

Therefore, it was Ofcom's view that the violence in these clips was not appropriately limited. We then considered whether the violence was justified by the context.

Ofcom took into account that *Sangeen Mamlay* is a topical discussion series that deals with social issues of relevance to South Asian communities living in the UK and was broadcast on a channel that is aimed at the Sikh community within the UK. As such, we recognised that viewers would be likely to expect discussions about contemporary matters, as in this case the issue of marital disputes in India resulting in violence.

However, the Violence Research shows that "time of broadcast is the single most important factor in the acceptability of violent content on television". Given this content was scheduled at 16:00 – a time when many children are returning home from school – and was followed by children's programming, Ofcom considered that viewers were unlikely to have expected to see the detailed and graphic violence in this programme in an afternoon timeslot. In particular, we considered that parents and carers would not have expected such scenes of violence to be broadcast during the day, and directly preceding children's programming.

We took into account that during the programme, the presenters did alert viewers to the fact that the programme would include videos showing examples of violence arising from marital disputes. For example, 14 minutes into the broadcast, one presenter said:

"Here I would like to mention that in villages, it has been observed that a new video is being posted every day. In such videos, when a family member is not at home, the girl alone is at home. Her lover comes there and, after reaching the house, family members catch them red-handed. After catching them red-handed, they beat them very badly. Even the girl is also beaten. We will also show you a video in which such an incident is happening..."

At 22 minutes into the broadcast, immediately before the two videos were shown, one of the presenters said:

"Now I want to inform my viewers that after our show we will show you footage which was posted on the Facebook. Our objective is not to create a drama like them".

In our view, the above statements would have served in some degree to alert viewers to the nature of the footage that was about to follow and illustrate the type of violent behaviour that had been discussed. However, it is Ofcom's view that these statements were non-specific as warnings and did not, for example, warn viewers that the use of weapons was included in both videos.

We took into account that this content had been broadcast due to human error, and the steps the Licensee said it had taken to ensure future compliance. However, for the reasons given above, Ofcom's Decision is that the violence was not appropriately limited or justified by the context and therefore breached Rule 1.11.

Rule 1.14

Rule 1.14 requires that the most offensive language must not be broadcast before the watershed on television.

Ofcom's 2016 *Attitudes to potentially offensive language and gestures on television and on radio* research on offensive language clearly indicates that the words "fuck" and "motherfucker" are considered by audiences to be among the most offensive language.

The use of these words in the videos were therefore clear examples of the most offensive language being broadcast before the watershed.

We took into account that this content had been broadcast due to human error, and the steps the Licensee said it had taken to ensure future compliance.

Nevertheless, Ofcom's Decision is that the broadcast breached Rule 1.14.

Rule 2.3

Rule 2.3 of the Code requires that broadcasters must ensure that material which may cause offence is justified by the context. As set out above, context is assessed by reference to a range of factors including the editorial content of the programme, the service in which the material is broadcast, the time of broadcast, the likely expectation of the audience and the extent to which the nature of the content has been brought to the attention of the audience in advance.

In the Violence Research, participants regarded violence on television early in the schedule against more vulnerable people, including women, as less acceptable than violence featuring a man against another man. It also indicated that depictions of real violence caused viewers greater concern than dramatised violence. The two videos showed real examples of violence, both featured violence against a woman, and violence committed by older people who appeared to hold positions of authority in the families concerned, against younger family members. In our view, these videos were capable of causing offence. We considered that the likely level of offence would have been exacerbated because the violence shown was accompanied by the aggressive use of the most offensive language ("fuck" and "motherfucker"), offensive language ("You bastard² boy!"), and violent threats ("I will rip your face. You should shut your mouth. I will rip your face").

Ofcom then assessed whether the offence was justified by the context. We took into account the various contextual factors discussed above under Rule 1.11, including that the violent content appeared in a topical discussion series that deals with social issues of relevance to South Asian communities living in the UK and was broadcast on a channel that is aimed at the Sikh community within the UK. We also took into account that during the programme,

² In Ofcom's 2016 research on offensive language, respondents considered "bastard" strong language and generally unacceptable pre-watershed, particularly when used aggressively as was the case in *Sangeen Mamlay*.

the presenters did alert viewers to the fact that the programme would include videos showing examples of violence arising from marital disputes.

However, we also considered the audience expectations for this channel and of *Sangeen Mamlay* more generally and concluded that audiences were unlikely to have expected graphic violent content of this nature, accompanied by the aggressive use of offensive language, on this programme and channel at this time of day. In particular, we considered that significant offence would have been caused by the fact that in this case, men were carrying out acts of violence, or were aggressively threatening or calling for such acts to be carried out against the vulnerable young people shown in both videos. For example, in the second video, a man was shown aggressively slapping a young woman twice with significant force. Further, in the first video, a male bystander said: *"Hit her in the face!"* and in the second video, one of the male assailants said:

"Make a video of this motherfucker! Call her parents. Go and bring them. I will fuck your sister".

"I will rip your face! You should shut your mouth. I will rip your face!"

Once again, we took into account that the content had been scheduled for a post-watershed timeslot and human error had resulted in the wrong version being played at 16:00. KTV accepted that the version that was broadcast included "unsuitable material". We also took into account the steps the Licensee said it had taken to ensure future compliance.

However, it is Ofcom's Decision that the offensive content was not justified by the context and was therefore in breach of Rule 2.3.

Breaches of Rules 1.11, 1.14 and 2.3

In [Issue 370 of the Broadcast and On Demand Bulletin](#) (page 7) Ofcom recorded a licence condition breach against the Licensee. In issue 373 of the Bulletin, Ofcom then recorded five Code and other licence condition breaches against the Licensee. We said in [Issue 373 of the Broadcast and On Demand Bulletin](#) (pages 8, 23, 29, 40 and 99) that Ofcom considered that the breaches, taken overall, represented a very serious compliance failure on the part of the Licensee. We therefore put KTV on notice that we would consider the breaches for the imposition of a statutory sanction. **We are minded also to consider these breaches for the imposition of a statutory sanction.**

In Breach

The Town Shootout

FreeSports, 16 February 2019, 19:30

Introduction

FreeSports is a channel that provides free-to-air sports programming. Its licence is held by Freesports Limited ("Freesports" or "the Licensee"). *The Town Shootout* comprised live coverage of a pool tournament, which was broadcast from a snooker and pool club in Wigan.

Ofcom received a complaint about offensive language used regularly by members of the audience. The live coverage was four hours in duration. Members of the audience were audible throughout, cheering and swearing, using the words "*fuck*" and "*fucking*" approximately five times within the first 22 minutes and several times during the rest of the programme.

At approximately 20:10 the match commentator said:

"You can see plenty of crowd interaction. You're gonna see this all night long".

At approximately 20:15, he said:

"I just want to apologise if you hear any swearing coming from the crowd. It is a live audience out there and they are all in very boisterous mood".

Ofcom considered the broadcast raised issues under the following Code rules:

- Rule 1.14: "The most offensive language must not be broadcast before the watershed..."
- Rule 2.3: "In applying generally accepted standards broadcasters must ensure that material which may cause offence is justified by the context... Such material may include, but is not limited to, offensive language... Appropriate information should also be broadcast where it would assist in avoiding or minimising offence".

Ofcom requested comments from the Licensee about how the programme complied with this rule.

Response

The Licensee said the programme showed professional competitive pool and the language in question "was part of the background mix and not dominant as part of the broadcast". It explained that, "while the location [had] a live audience and the crowd noise was included in the broadcast to represent the atmosphere in the venue...the primary and significantly louder part of the mix was the live commentary of the matches".

Freesports said that the programme was not targeted at children and less than 5,000 under-16s viewed it, although this did not negate its responsibilities as a licensee. The Licensee

added that it “fully acknowledge[d] that on this occasion, some offensive language may have been heard by the audience and believe[d] that the live apology on-air would have addressed concerns”. It said the commentator had apologised “at the most obvious point of offensive language being broadcast”, adding that it considered the commentator was unaware of the offensive language at other times, as it was “part of the background noise during certain points of the match”.

Freesports said it would, nevertheless, “seek to ensure that in the future, further steps are taken to minimise the disruptive and offensive language that may come from the audience during such events”. The Licensee added that the programme’s production company “has a strong and reputable history in providing live sports broadcasts and commentary”, but it had “emphasised with them the need for vigilance in these circumstances to prevent such language being carried in the audio stream even as part of the background noise”.

The Licensee said it sincerely regretted that the offensive language was broadcast and added that, to minimise the risk of recurrence in its coverage of future tournaments, Freesports had asked the organisers to warn the audience prior to broadcast against the use of offensive language and eject transgressors from the venue.

Decision

Reflecting our duties under the Communications Act 2003 ([section 319](#)), Section One of the Code requires that people under eighteen are protected from unsuitable material in programmes. Section Two of the Code requires that generally accepted standards are applied to provide adequate protection for members of the public from the inclusion of harmful or offensive material.

Ofcom takes account of the audience’s and the broadcaster’s right to freedom of expression set out in Article 10 of the European Convention on Human Rights. In carrying out its duties, Ofcom must seek to balance the broadcaster’s freedom to broadcast potentially offensive content and the requirement in the Code to ensure that material which may cause offence is justified by the context.

Rule 1.14

Rule 1.14 requires that the most offensive language must not be broadcast before the watershed on television.

Ofcom’s 2016 research on offensive language¹ clearly indicates that the word “fuck” and variations of it are considered by audiences to be amongst the most offensive language.

We acknowledged that *The Town Shootout* was not targeted at children. Nevertheless, the repeated uses of the words “fuck” and “fucking” throughout the first 22 minutes (and several times afterwards) of a four-hour live pool tournament were clear examples of the most offensive language being broadcast before the watershed.

Ofcom therefore considered the broadcast was in breach of Rule 1.14.

¹ On 30 September 2016, Ofcom published updated research in this area ([Attitudes to potentially offensive language and gestures on television and on radio](#))

Rule 2.3

Under Rule 2.3 of the Code, and as set out above, material which has the potential to offend may be broadcast, as long as its inclusion in a programme is justified by the context. The Code makes clear that context includes such factors as: the editorial content of the programme; the degree of offence likely to be caused by the material; the service on which the content was broadcast; the time of broadcast; and the likely expectations of the audience.

We first assessed whether the material had the potential to cause offence.

As set out above, Ofcom's research indicates that viewers consider the language used in this programme to be among the most offensive. As it continued throughout the four hours of live pool tournament coverage, it was clear to Ofcom that the language within this broadcast had the potential to cause offence.

Ofcom then considered whether the offence was justified by the context.

Ofcom took into account that the language under consideration came from members of the audience during live pool tournament coverage and that the Licensee said "crowd noise was included in the broadcast to represent the atmosphere in the venue". We accepted that the commentary formed "the primary and significantly louder part of the mix" and we took into account that the commentator broadcast a prompt apology following the broadcast of the clearest instance of most offensive language. Further, we took into account the actions taken by Freesports to avoid recurrence.

Ofcom acknowledged that Freesports is a dedicated sports channel and its viewers may therefore expect some unforeseen offensive language during live sports coverage. However, in this instance, we considered the repeated use of offensive language on a free-to-air channel over an extended period from the early evening onwards was likely to have exceeded those expectations.

It was therefore Ofcom's view that the likely offence was not justified by the context, in breach of Rule 2.3.

Breaches of Rules 1.14 and 2.3

In Breach

Breakfast Show

Harbour Radio 107.4, 21 February 2019, 09:45

Introduction

Harbour Radio is a community radio service providing music and programmes of interest to listeners in Great Yarmouth, Norfolk. The licence for the service is held by Harbour Radio CIC Limited ("Harbour Radio" or "the Licensee").

A complainant alerted Ofcom to the broadcast of the most offensive language in the song *Nine Point Nine* by Example. Ofcom identified one use of the phrase "*fucked up*" in this song.

We considered the material raised potential issues under the following Code rule:

Rule 1.14: "The most offensive language must not be broadcast...when children are particularly likely to be listening..."

We requested the Licensee's comments on how the broadcast complied with this rule.

Response

Harbour Radio accepted that this broadcast of offensive language did not comply with the Code, and it offered its "sincerest apologies".

The Licensee said that this error occurred because "an offensive word was contained within the lyrics of a song outside of [its] knowledge". It added that it "will always endeavour to ensure broadcast content is appropriate" for the time of broadcast and to prevent such an issue reoccurring, it had removed the track *Nine Point Nine* from Harbour Radio's overnight playlist to ensure it cannot be played out again. Harbour Radio added that it would be reviewing its "overnight playlists in a systematic way and on an ongoing basis".

Decision

Reflecting our duties under the [Communications Act 2003](#), Section One of the Code requires that people under eighteen are protected from unsuitable material in programmes.

Ofcom takes account of the audience's and the broadcaster's right to freedom of expression set out in Article 10 of the European Convention on Human Rights.

Rule 1.14 requires that the most offensive language must not be broadcast on radio when children are particularly likely to be listening.

Ofcom's [2016 research on offensive language](#) indicates that the word "fuck" and variations of it are considered by audiences to be amongst the most offensive language.

Ofcom's published [Guidance on offensive language on radio](#) states that the period "when children are particularly likely to be listening" includes the times "between 06:00 and 19:00... from Monday to Fridays during school holidays".

The inclusion of the word “fucked” in a song broadcast at 09:45 on a Thursday during half-term school holidays was therefore a clear example of the most offensive language being broadcast on radio at a time when children were particularly likely to be listening.

We took into account that this had occurred due to an error, and the steps the Licensee said it was taking so that an incident of this nature did not recur.

Nevertheless, Ofcom's Decision is that the broadcast breached Rule 1.14.

Breach of Rule 1.14

In Breach

Keep Breakfast

Keep 106, 14 February 2019, 08:50

Introduction

Keep 106 is a community radio station serving Dorchester and the surrounding area. Its licence is held by Ridgeway Community Radio ("RCR" or "the Licensee"). *Keep Breakfast* broadcasts news, weather, travel and music on weekdays between 08:00 and 10:00.

Ofcom received a complaint about offensive comments made by the presenter, when referring to a news article about a heroin addict who had been convicted of manslaughter and robbery. The presenter said:

"I was reading this bit in the paper... another of these drug things. A heroin addict was yesterday convicted of mugging and killing a 100 year-old Holocaust survivor for a £20 fix. The Polish-born lady survived the Nazi concentration camp Dachau but died after her neck was broken by Arthur Waszkiewicz. She managed to climb up and make it to the church, where she worshipped daily in Normanton in Derby, but died of pneumonia nine days later as a result of her injuries.

She prayed for her attacker before she passed away. Prayed for her attacker... must be nuts.

The 40 year-old who took her green handbag containing £180 was found guilty of manslaughter and robbery. He is warned he will receive a lengthy jail sentence at Derby Crown Court.

Why bother with a jail sentence? Somebody like that... they ought to either just go out and buy loads of heroin and stuff it down his throat until he blows his mind, or just hang him, have done with it. The only way to treat these people, I think".

Ofcom considered that this material raised issues under Rule 2.3 of the Code:

Rule 2.3: "In applying generally accepted standards broadcasters must ensure that material which may cause offence is justified by the context...Appropriate information should also be broadcast where it would assist in avoiding or minimising offence".

Ofcom requested comments from the Licensee about how the content complied with this rule.

Response

The Licensee considered the content was justified by the context.

RCR said the material was a "current genuine news story of the day, from a national newspaper, with an over emotional response from [the] presenter, not the station". It added that the presenter's suggestion to "go out and buy loads of heroin and stuff it down [the

attacker's] *throat until he blows his mind*" "had not suggested anything out of the ordinary for this individual in relation to the substance he already takes" (as a heroin addict). The Licensee said the presenter's suggestion that someone should "*hang him*" was "not considered violent" and was "only an emotional response relative to an 'eye for an eye' based on historic punishment". It also said that the audience of the station is small and "over 50 years in age (demographic)", adding that "children (not target audience) would be in school by this point".

The Licensee said it had taken steps after "recognising the issue", adding that it had: temporarily suspended the presenter; completed additional training, reminding on-air presenters of "the need for more temperate language"; and "re-issued Ofcom broadcasting codes and revised the presenters guide to [its] voluntary presenters".

In response to Ofcom's Preliminary View, the Licensee said it accepted our findings, and that it planned to hold "additional training sessions" to be delivered by "professional broadcasters with many years of experience" for on-air members, in addition to revising their training policy.

Decision

Reflecting our duties under the Communications Act 2003 ([Section 319](#)), Section Two of the Code requires 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 of harmful or offensive material.

Ofcom has taken account of the audience's and the broadcaster's right to freedom of expression set out in Article 10 of the European Convention on Human Rights. Ofcom must seek an appropriate balance between ensuring members of the public are adequately protected from material which may be considered offensive on one hand and the right to freedom of expression on the other.

Rule 2.3 requires that broadcasters must ensure that material which may cause offence is justified by the context. Context includes, for example, the editorial content of the programme, the service on which it is broadcast, the time of broadcast and the likely expectation of the audience. This rule places no restrictions on the subjects covered by broadcasters, or the manner in which such subjects are treated, as long as potentially offensive content is justified by the context.

Ofcom first considered whether the presenter's comments concerning the attacker and his victim had the potential to cause offence.

The presenter established that the victim was religious, when he referred to the fact that following the attack "*she had managed to climb up and make it to the church where she worshipped daily*". Later, he referred to the victim having prayed for her attacker, after which he commented dismissively:

"Prayed for her attacker – must be nuts".

Ofcom considered this comment equating the victim's religious practice with mental illness was likely to cause offence, especially to those with religious belief.

The presenter concluded his coverage of the news story by reporting that the attacker was likely to receive a lengthy jail sentence, after which he commented:

"Why bother with a jail sentence? Somebody like that, they ought to either just go out and buy loads of heroin and stuff it down his throat until he blows his mind or just hang him, have done with it. The only way to treat these people, I think".

The presenter had questioned the likely sentence the attacker was to receive by suggesting that he should be put to death by forcible overdose or hanging. Although this was clearly his personal view, Ofcom considered these comments advocating a violent, forcible death for the attacker and other addicts were likely to cause offence.

Ofcom then went on to consider whether the presenter's comments were justified by the context.

Ofcom took into account the Licensee's submission that the presenter was referring to a contemporary news story and his personal comments were "an over emotional response from [him], not the station". However, in our view, this did not, of itself, mitigate the offence likely to have been caused, and we took into account that the presenter represented the editorial voice of the station to listeners. Further, it is the Licensee's responsibility to ensure that all content it broadcasts, to whatever it relates and whoever's view it may represent, complies with the Code.

Ofcom was concerned by RCR's view that the presenter's reference to administering the attacker with an overdose of heroin "had not suggested anything out of the ordinary for this individual in relation to the substance he already takes", and the Licensee's argument that the presenter's suggestion to hang the attacker was "not considered violent" and was "only a form of emotional response relative to an 'eye for an eye' based on historic punishment". Ofcom disagreed. We considered the presenter's suggestions that the attacker should be forcibly administered a drug overdose, with probable fatal effect, and that the attacker and other addicts should be hanged, went well beyond what listeners were likely to expect to hear on a breakfast show on this community radio station. In reaching this view, we took into account that [Keep 106's Key Commitments](#) state that the station "promotes social cohesion...".

Ofcom acknowledged that RCR's audience was mainly over the age of 55. However, we did not consider this was likely to have mitigated any offence the presenter caused.

The Code does not prohibit controversial views or comments from being included in programmes just because they have the potential to cause offence. To do so would, in our view, be a disproportionate restriction of the broadcaster's right to freedom of expression and the audience's right to receive information and ideas. However, broadcasters must ensure that potentially offensive content complies with the Code by providing sufficient context, including by challenging controversial views as appropriate.

Ofcom acknowledged the steps that the Licensee said it had taken in response to the complaint and would take in response to Ofcom's Preliminary View. Nevertheless, Ofcom's Decision is that there was insufficient context to justify the presenter's potentially offensive comments, in breach of Rule 2.3 of the Code.

Breach of Rule 2.3

Broadcast Licence Conditions cases

In Breach

Compliance procedures (retention of recordings)

West Hull Community Radio Limited

Introduction

West Hull Community Radio is a radio service for the West Hull communities of Riverside, West and Wyke areas. The licence is held by West Hull Community Radio Limited ("WHCR" or "the Licensee").

Like other community radio stations, WHCR is required to deliver 'Key Commitments', which form part of its licence. These set out how the station will serve its target community and deliver social gain (community benefits), and also include a description of the programme service.

Ofcom received a complaint about WHCR's compliance with its Key Commitments. We therefore asked the Licensee to provide recordings of the content broadcast on 12, 13 and 14 November 2018, as well as programme schedules for the week 12 to 18 November 2018, to determine whether the service was broadcasting in accordance with these requirements.

WHCR explained that the service had experienced problems with its recording equipment which meant that it was unable to provide the requested recordings.

Ofcom considered the Licensee's failure to record its output over this period and provide the recordings to Ofcom on request, raised potential issues under Licence Condition 15(2) 'Compliance' of the licence which states:

"The Licensee shall adopt procedures and ensure that such procedures are observed by those involved in providing the Licenced Service for the purposes of ensuring that programmes included in the Licensed Service comply in all respects with the provisions of this Licence, the 1990 Act, the 1996 Act and the Communications Act....

The Licensee shall, without prejudice to the generality of the foregoing, ensure that:

- (a) there are sufficient persons involved in providing the Licensed Service who are adequately versed in the requirements of this Licence, the 1990 Act, the 1996 Act and the Communications Act and all relevant codes and guidelines as may be drawn up and from time to time revised by Ofcom and that such persons are able to ensure compliance with such requirements on a day-to-day basis;"

We requested comments from WHCR on how it was complying this licence condition.

Response

WHCR explained that during the week in question, it had suffered a power cut that "knocked out all of the equipment". The Licensee said that, when power was restored, it discovered

that its recording equipment had also been down, which meant that the station's output had not been recorded.

The Licensee went on to explain that it now had a new system that "constantly tracks and records the station's output". It added that the station manager was "on hand to address any technical issues should they arise" and that it was "entirely confident" that the issue would not occur again in future.

Decision

It is important that all licensees establish and maintain procedures which secure compliance with their licence conditions, including procedures to make and keep recordings of their output for a specific number of days after broadcast, and to comply with any request by Ofcom to produce those recordings.

In this case WHCR was unable to provide recordings for 12, 13 and 14 November 2018.

Ofcom considered that while the power cut was outside of the Licensee's control, it appeared that it had failed to check that its recording system was working once the power had been restored.

Ofcom noted the steps the Licensee had since taken to upgrade its recording equipment to prevent a similar problem in the future. However, during the week in question, the Licensee failed to have procedures in place to ensure it could make and retain recordings of its output as required by its licence. The failure by the Licensee to make and provide the material prevented us from assessing it.

Ofcom's Decision was therefore that the Licensee is in breach of Licence Condition 15(2).

Ofcom is putting the Licensee on notice that we will monitor this service again to check its compliance with the above licence condition in future.

Breach of Licence Condition 15(2) to the community radio licence held by West Hull Community Radio Limited (Licence number CR000056)

In Breach

Compliance procedures (retention of recordings) *Wythenshawe Community Media*

Introduction

Wythenshawe FM is a community radio station licensed to provide a service to “the people of Wythenshawe and Northenden”. The licence is held by Wythenshawe Community Media (“WCM” or “the Licensee”).

Ofcom received a Fairness and Privacy complaint about a programme broadcast on the service on 15 August 2018. Ofcom therefore requested a recording of the programme from the Licensee to assess the content.

In response, WCM explained that, due to an issue with its recording software, it had not been retaining recordings of its output for the full 42 days from the date of broadcast, which is a requirement on radio broadcasters under Section 117 of the Broadcasting Act 1996. As a result, it was unable to provide Ofcom with a recording of the requested programme.

Ofcom considered that the Licensee’s inability to provide the recordings raised potential issues under Condition 15(2) ‘Compliance’ of the licence, which states:

“The Licensee shall adopt procedures and ensure that such procedures are observed by those involved in providing the Licenced Service for the purposes of ensuring that programmes included in the Licensed Service comply in all respects with the provisions of this Licence, the 1990 Act, the 1996 Act and the Communications Act...”.

The Licensee shall, without prejudice to the generality of the foregoing, ensure that:

- (a) there are sufficient persons involved in providing the Licensed Service who are adequately versed in the requirements of this Licence, the 1990 Act, the 1996 Act and the Communications Act and all relevant codes and guidelines as may be drawn up and from time to time revised by Ofcom and that such persons are able to ensure compliance with such requirements on a day-to-day basis;”.

We requested comments from the Licensee on how it was complying with the above licence condition.

Response

The Licensee explained that an issue with its software had resulted in some of the oldest files being automatically deleted which meant that recordings were being saved for only 39 from the date of broadcast. It also explained to Ofcom that “the recording software configuration has been resolved” and it now had systems in place to ensure recordings were being retained for the required period.

Decision

It is important that all licensees establish and maintain procedures which secure compliance with their licence conditions, including procedures to make and keep recordings of their output for a specific number of days after broadcast, and to comply with any request by Ofcom to produce those recordings.

WCM's inability to provide Ofcom with the material requested is significant because it impeded Ofcom's ability to assess whether a particular broadcast raised potential issues under the relevant codes. This affected Ofcom's ability to carry out its statutory duties in regulating broadcast content.

Ofcom's Decision is that the failure by the Licensee to have procedures in place to retain its output for the period required by its licence meant that the Licensee was in breach of Licence Condition 15(2).

Additionally, we are putting the Licensee on notice that Ofcom will monitor this service again to check its compliance with this licence condition.

Breach of Licence Condition 15(2) in the community radio licence held by Wythenshawe Community Media (licence number CR000024)

In Breach

Providing a service in accordance with 'Key Commitments' *Secklow Sounds CIC, 14 to 20 January 2019*

Introduction

Secklow Sounds is a community radio station licensed to provide a service for "for the people of Milton Keynes. The licence is held by Secklow Sounds CIC ("Secklow Sounds" or "the Licensee").

Like other community radio stations, Secklow Sounds is required to deliver 'Key Commitments', which form part of its [licence](#). These set out how the station will serve its target community and deliver social gain (community benefits), and also include a description of the service.

Ofcom received two complaints that the station was not broadcasting the service described in its Key Commitments, in particular, that it was not delivering its programming requirements relating to the provision of speech content and original output¹. We therefore requested recordings of three days of Secklow Sounds' output from 14, 15 and 16 January 2019 and a programme schedule for the week 14 to 20 January 2019.

Having listened to the recordings and having assessed the programme schedule provided by the Licensee, it appeared that Secklow Sounds was not delivering the following Key Commitments in full:

- Speech: "The main types of speech output broadcast over the course of each week are; local news, weather, travel updates..."
- Original output: "The service provides original output for a minimum of 100 hours per week".

Ofcom considered this raised potential issues under Conditions 2(1) and 2(4) in Part 2 of the Schedule to Secklow Sounds' licence. These state, respectively:

"The Licensee shall provide the Licensed Service specified in the Annex for the licence period" (Section 106(2) of the Broadcasting Act 1990); and

"The Licensee shall ensure that the Licensed Service accords with the proposals set out in the Annex so as to maintain the character of the Licensed Service throughout the licence period" (Section 106(1) of the Broadcasting Act 1990).

We requested comments from Secklow Sounds on how it was complying with these conditions, with reference to the specific Key Commitments set out above.

¹ Original output is output that is first produced for and transmitted by the service, and excludes output that was transmitted elsewhere before. Original output can be live, pre-recorded or 'voice-tracked'. Repeat broadcasts of original output do not count towards the minimum requirement.

Response

Secklow Sounds said that all of its content apart from news bulletins were produced by the service including “live or recorded music and speech, voice-tracked inspirational clips and music, or music and sermons”. It added that some voice-tracked content was being used while “a batch of new people” were being trained to “take over with live presentation”.

The Licensee said that if it had misunderstood the definition of original content by including “voice-recorded links and pre-recorded clips, such as motivational soundbites” as voice-tracked original output, it would like to work with Ofcom on this after the investigation is concluded to understand what can be counted as original output.

In relation to the requirements of the speech content element of its Key Commitments, Secklow Sounds said that there were “elements” of this requirement within the Drivetime and morning shows, but that this content “will not be the majority content for those or any other shows”. The Licensee added that a “promised supply agreement for local news... has not materialised”.

Secklow Sounds referred to the fact that it was found [in breach of its Key Commitments on 17 December 2018](#) and that, in response to that investigation, it had supplied Ofcom with a “progression plan”. It said that the station was not so “brazen to nonchalantly ignore that so quickly” and that it wished to “assure Ofcom of our continued effort to recruit new volunteers to meet our stated Commitments”.

The Licensee advised that it is “actively reviewing the schedule with a view to increasing the ‘live’ content” and offered to provide quarterly updates to Ofcom on its progress. However, the Licensee also indicated that it intended to submit a request to Ofcom to reduce its minimum number of hours of original output per week.

Decision

Reflecting our duties to ensure a diverse range of local radio services, community radio licensees are required to provide the specified licensed service. This is the fundamental purpose for which a community radio licence is granted.

During the week 14 to 20 January 2018, it was clear to Ofcom that Secklow Sounds had failed to meet the minimum requirement for the broadcast of original output as set out in its Key Commitments. We found that five hours of content which could be defined as original output by Ofcom was broadcast on 14 January, three hours on 15 January, and five hours on 16 January. The rest of the broadcast output was made up of either repeated programmes or programmes featuring automated music with pre-recorded station idents and advertisements. Moreover, the programme schedule supplied by the station for the week 14 to 20 of January 2019 indicated that these types of programmes made up the majority of those scheduled for broadcast over the course of the week.

The Licensee appeared to fundamentally misunderstand the meaning of original output. Ofcom does not consider that an automated playout of continuous music with no speech content other than advertisements or “voice-recorded links and pre-recorded clips, such as motivational soundbites” constitute original output. We therefore concluded that, while the service was required to broadcast a minimum of 100 hours of original content over the course of the week, the content of the three days we monitored together with the

programme schedule for the week 14 to 20 January indicated that it had only broadcast 25 hours of original output as defined by Ofcom.

Additionally, we found that there was no local news, travel or weather being broadcast on the days we monitored, and there was no evidence provided by the Licensee that the requirement for it to provide this content was met elsewhere over the course of the week.

Ofcom's Decision was therefore that the Licensee was in breach of Licence Conditions 2(1) and 2(4).

Secklow Sounds had previously been found in breach of its licence for failing to meet its Key Commitments in relation to the provision of original output in December 2018. The Licensee referred in its response to a "progression plan" it had put in place as a result of the previous breach. As stated in that published [Decision](#), Secklow Sounds told Ofcom it had a plan in place to increase its original output to 124 hours per week by January 2019.

We note that Licensee plans to submit a request to reduce the minimum number of hours of original output per week. We suggest that the Licensee submits that request as a matter of urgency so that Ofcom can consider it.

Breaches of Licence Conditions 2(1) and 2(4) in Part 2 of the Schedule to the community radio licence held by Secklow Sounds CIC, licence number CR10077

Broadcast Fairness and Privacy cases

Not Upheld

Complaint by Mr Altaf Hussain, made on his behalf by Mr Adil Ghaffar *Voice of Dunya, Dunya TV, 2 November 2018*

Summary

Ofcom has not upheld this complaint by Mr Altaf Hussain¹, made on his behalf by Mr Adil Ghaffar, of unjust or unfair treatment in the programme as broadcast.

The programme included an interview with Lord Nazir Ahmed, in which he said that Mr Hussain, who is based in the UK, issued "orders" to his supporters in Pakistan to take part in political violence and civil disruption.

Ofcom considered that, in the particular circumstances and given the context in which the comments were made, the comments about Mr Hussain would not have materially or adversely altered viewers' perceptions of him in a way that was unfair. We therefore found that material facts were not presented, omitted or disregarded in a way that resulted in unjust or unfair treatment to Mr Hussain in the programme as broadcast.

Programme summary

On 2 November 2018, Dunya TV broadcast an edition of its news programme, *Voice of Dunya*. Dunya TV is an Urdu language channel. The licence for the service is held by Dunya News Limited (or "Dunya TV"). As the programme was broadcast in Urdu, Ofcom provided an English translation to the complainant and the broadcaster for comment. No comments on the translation were received, and therefore the parties were informed that Ofcom would use this translation for the purposes of deciding whether or not to entertain the complaint, and for any subsequent investigation.

The programme featured a discussion between the presenter and guests about religious protests and civil disturbance in Pakistan. These protests had been triggered by the decision of Pakistan's Supreme Court to acquit Ms Asia Bibi, a Christian woman who had been accused of blasphemy. At one point in the programme, the following exchange occurred between the presenter and one of the guests, Lord Nazir Ahmed.

Presenter: *"Welcome back. The situation is very worrying. Lord Ahmed, please guide us a bit. Whether it is Ahsan Iqbal, Saad Rafique or Fawad Chaudhry², when they speak a bit or issue a statement on this matter, the Supreme Court summons them and tells them: why should you not be charged with contempt of court under Article 6?³ However, while the statements of Mr*

¹ Founder and leader of Pakistani political party, the *Muttahida Qaumi Movement* (MQM).

² Pakistani politicians.

³ Article 6 of the Constitution of Pakistan, relating to High Treason.

Khadim Hussein Rizvi are on record, can't he be summoned? After his recent statements, can't Article 6 be applied to him?

Lord Ahmed: *I think that firstly, Mr Khadim Hussain Rizvi⁴ should be arrested. He should be kept in custody and he should be prosecuted – because his videos have gone viral worldwide and in India too, in which he is [seen] hurling invective – for the kind of language he employs and the way he challenges the writ of the state.*

Presenter: *Lord Ahmed, one point of the National Action Plan⁵ was that material which spreads religious hatred or provokes emotions will be withheld. Following events of this nature, does it seem to you that the National Action Plan too has failed?*

Lord Ahmed: *You see, incitement to violence and incitement to any form of anarchy is a violation of law anyway. However, the National Action Plan was not acted upon, and this is the time to do it. I agree with the speech of Mr Saad Rafique in the National Assembly – it was very good. In the beginning, it was balanced, though in the end he did turn it into his political statement. However, he asked for a bit of a reduction in strictness and called for negotiations. Negotiations must be carried out with people, except when they are promoting violence. It is the same as when Altaf Hussain used to speak from here [i.e. London] and corpses would fall over there [i.e. Pakistan]. Do you need people like this all the time – whether it is Rizvi or Altaf or other such people who sit and issue orders? Kill two or four or ten people; shut down the shops; block the motorways? This cannot happen for long now. I think that if you want to move to a new phase, because major political parties have agreed on this and it is a good thing that today, the PTI, together with the Pakistan People's Party, the Muslim League N and large political parties..." [sentence unfinished].*

During this exchange between the presenter and Lord Ahmed, the programme showed footage of protests in Pakistan. The programme also showed captions referring to ongoing disruption in Pakistan and condemned religious extremism.

The discussion of civil unrest and religious extremism continued for the rest of the programme. There was no further reference to Mr Hussain.

Summary of the complaint and the broadcaster's response

Complaint

Mr Ghaffar complained that Mr Hussain was treated unjustly or unfairly in the programme as broadcast because Lord Ahmed said that Mr Hussain "sits in the UK and incites violence" in Pakistan, sending orders "to kill people", "to close shops", and "to halt traffic on the motorways". Mr Ghaffar described the comments as false and malicious and said that the

⁴ A preacher and founding chairman of the Tehreek-e-Labbaik Pakistan, a religious political party.

⁵ The National Action Plan was agreed by all Pakistani political parties in 2014 with the intention of combatting religious extremism.

comments made by Lord Ahmed implied that Mr Hussain was “the head of some sort of criminal wing” and suggested that his political party supported violence.

Broadcaster's response

Dunya TV said that Mr Altaf Hussain has been a fugitive from an Anti-Terrorism Court in Pakistan on charges of “murder, targeted killings, treason, inciting violence and hate speeches” since 2015. It said that this information, along with the verdicts against Mr Hussain, has been widely reported on news, internet sites and “in the media globally for several years”. Dunya TV provided links to several online news articles which referred to the wider context of the allegations made against Mr Altaf Hussain. These included reports which related to:

- the [Lahore High Court banning images of Mr Hussain and Mr Hussain's speeches](#) from “all electronic and print media” in 2015;
- the [closure of MQM's offices in Karachi by city officials in August 2016](#), following riots and violence which were allegedly inspired by Mr Hussain's speeches;
- an [investigation conducted by the British Crown Prosecution Service in 2017](#) into potential hate speech committed by Mr Hussain; and,
- further [general information regarding criminal allegations made against Mr Hussain](#) including that he had incited violence in Pakistan over a number of years.

The broadcaster said that Lord Ahmed's comments, therefore, were “fair and accurate” and acceptable in the context of the discussion regarding Pakistan's rule of law, freedom of the press, and general security. It said that the comments were not unfair to Mr Altaf Hussain.

Dunya TV also said that, on 23 May 2013, Baroness Sayeeda Warsi, the British Minister of State for Foreign and Commonwealth Affairs, had commented that the Metropolitan Police had received a number of complaints about Mr Hussain's speeches in London “in which he is alleged to have threatened peaceful protesters with violence”.

Dunya TV said that it abides by the Code and respects the integrity of every British citizen. Dunya TV also said that Mr Hussain's complaint should be considered in the context of available public information concerning Mr Hussain's self-imposed exile in the UK, and the public reports of how he “issued orders to his political supporters in Karachi via Skype”.

Ofcom's Preliminary View

Ofcom prepared a Preliminary View that Mr Hussain's complaint should not be upheld. Both parties were given the opportunity to make representations on the Preliminary View, but neither chose to do so.

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 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 our decision, we carefully considered all the relevant material provided by both parties. This included a recording of the programme as broadcast, a translated transcript of it and both parties' written submissions.

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 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.

We considered Mr Hussain's complaint that he was treated unjustly or unfairly in the programme as broadcast.

In considering this complaint, we had particular regard to Practice 7.9 of the Code:

"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...".

Ofcom's role is to consider whether the broadcaster took reasonable care not to present, disregard or omit material facts in a way that resulted in unfairness to Mr Hussain. 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 case including, for example, the seriousness of any allegations and the context within which they were presented in the programme.

Therefore, Ofcom began by considering whether the comments complained about had the potential to materially and adversely affect viewers' opinions of Mr Hussain in a way that was unfair. To do so, it is fundamental that Ofcom takes into account all of the relevant context. In considering this case, we began by examining the overall background context in which the programme was broadcast.

We took into account that the complainant appeared to be a well-known and controversial political figure who, prior to the broadcast of the programme, had already been the subject of considerable media and public attention. In particular, from the material provided to us by the broadcaster, we took into account that in 2015 the High Court of Lahore banned the inclusion of Mr Hussain's speeches or images of Mr Hussain in print and broadcast media. We also took into account that the headquarters of the MQM in Karachi were closed by officials in August 2016, following riots and violence which were allegedly inspired by Mr Hussain's speeches. We also considered the broadcaster's statement that allegations about Mr Hussain's political influence over his followers in Pakistan have existed "in the media globally for several years". From our own assessment of [relevant news sources](#), we observed that the complainant was convicted *in absentia* of inciting violence by an Anti-Terrorism Court in Pakistan in 2015 and sentenced to 81 years in prison.

As set out in the "Programme summary" above, the programme included the following comments from Lord Ahmed:

"Altaf Hussain used to speak from here [i.e. London] and corpses would fall over there [i.e. Pakistan]. Do you need people like this all the time – whether it is Rizvi or Altaf or other such people who sit and issue orders? Kill two or four or ten people; shut down the shops; block the motorways?"

We considered that these statements could reasonably be understood by viewers to imply that in the past, Mr Hussain had deliberately incited his supporters in Pakistan to political violence and civil disruption.

In our view, these comments, when considered in isolation from the wider context, had the clear potential to materially and adversely affect viewers' opinions of Mr Hussain. This is because the comments implied that Mr Hussain had encouraged his supporters in Pakistan to commit violent and criminal acts. However, in this case, we considered that the references included in the programme to inciting violence in Pakistan were contextualised. As set out above, Mr Hussain has for many years been the subject of numerous media reports which have alleged that he uses his political influence in Pakistan to incite his supporters to commit acts of violence. We considered that, due to the prominent position that Mr Hussain has held in the political life of Pakistan, viewers were likely to have been already aware of the extensive allegations that had been made against Mr Hussain, and of the criminal proceedings that had been taken against him in Pakistan. Therefore, taking into account the broader context of widespread public awareness as set out above, we considered that, on balance, Lord Ahmed's comments were unlikely to materially and adversely affect viewers' opinions of Mr Hussain in a way that was unfair to him.

We also considered that a mitigating factor in this case was the brevity of Lord Ahmed's remark. Although the remark contained a potentially serious allegation against Mr Hussain, namely that he had incited violence and civil disruption in Pakistan, there was no further mention of Mr Hussain throughout the remainder of the programme. Moreover, the subject matter of the discussion throughout most of the programme had no direct relevance to Mr Hussain.

Therefore, given all the above factors, Ofcom considered that material facts were not presented, omitted, or disregarded in a way that resulted in unfairness to Mr Hussain. Therefore, in the particular circumstances of this case, Ofcom considered that Mr Hussain was not treated unjustly or unfairly in the programme as broadcast.

Ofcom has not upheld this complaint by Mr Hussain, made on his behalf by Mr Ghaffar, of unjust or unfair treatment in the programme as broadcast.

Not Upheld

Complaint by Ms D, made on behalf of her daughter (a minor) *Sky News, Sky News, 9 November 2018*

Summary

Ofcom has not upheld Ms D's complaint, made on behalf of her daughter (a minor), of unwarranted infringement of privacy.

The programme included a news report about a fatal knife attack that had taken place in south London. CCTV footage of the incident was shown in which the complainant's daughter was visible briefly. She was not named or referred to in the report. The complainant said that her daughter's privacy was unwarrantably infringed in connection with the obtaining of material included in the programme and in the programme as broadcast.

Ofcom found that the complainant's daughter did not have a legitimate expectation of privacy in connection with the obtaining and the subsequent broadcast of the footage of her and that therefore there was no unwarranted infringement of her privacy.

Programme summary

On 9 November 2018, Sky News broadcast a news report about a fatal knife attack that had taken place in London the previous week. The presenter introduced the report as follows:

"As London deals with a wave of knife crime, CCTV footage has emerged of the moment one of the latest victims was fatally attacked. 15 year-old Jay Hughes was stabbed outside a chicken shop in south London on Thursday last week. The footage was shared online, with a message urging authorities to act upon the violence".

The presenter then introduced Ms Lisa Holland, a Sky News reporter, and explained that the footage would not be shown in full. A banner was shown which read: *"Footage posted online of moment 15 year-old Jay Hughes was stabbed in Bellingham in southeast London on Thursday last week"*. Ms Holland said:

"We've decided to, after careful consideration, show excerpts of it because it is being so widely shared on social media, with a message from people to say: 'look at this, it's absolutely shocking', and that they want it to make a difference and to get the message out there that not enough is being done to tackle knife crime. Now, we think that the footage was filmed by somebody on their mobile phone of the actual CCTV outside this chicken shop in southeast London, a week ago yesterday at 5.30pm".

Several brief clips of CCTV footage of the attack were then shown. This was low quality CCTV footage which had been recorded from an elevated position outside the front of the shop, and where the attack subsequently took place. The first of these clips showed the person identified by Ms Holland as the victim walking out of the shop door, and what appeared to be a school girl (the complainant's daughter) walking past him as she entered the shop. This footage showing the girl was on screen for approximately two seconds.

Further clips of the events surrounding the attack were shown, but none of the other clips contained footage of the complainant's daughter. The complainant's daughter was not named or referred to in the programme.

Ms Holland then continued, and the wording of tweets was shown on screen:

"I said that we decided to share excerpts of the video because it had such an impact amongst Jay's friends and within the community. A couple of tweets to illustrate that. The person who shared that video tweeted out: 'I don't normally push this topic, but this is something that the authorities must see and act upon as soon as possible. It's already out of control and emergency meetings must be done as soon as possible. We need to stop this'. Somebody else tweeting: 'This is disgusting, it has completely shaken our community to its core. Harsher punishments need to be put into action, more stop and search' which is interesting because, of course, stop and search is hugely controversial. 'To be killed in such a cowardly act is absolutely awful'".

Ms Holland gave some statistics on knife crime, and concluded the report by saying:

"Obviously, tackling this issue, lots of different solutions, but within communities themselves, and obviously the hope of putting this video out there on social media is that somehow it will just shock people into saying 'enough is enough'".

The report concluded and no further footage of the complainant's daughter was shown.

Summary of the complaint and the broadcaster's response

Complaint

- a) Ms D complained that her daughter's privacy was unwarrantably infringed in connection with the obtaining of material included in the programme because leaked CCTV footage of a fatal knife attack, which showed her daughter to be nearby at the time of the attack, was obtained without consent.
- b) Ms D also complained that her daughter's privacy was unwarrantably infringed in the programme as broadcast because CCTV footage of a fatal knife attack, which showed her daughter to be nearby at the time of the attack, was included in the programme without consent.

Ms D explained that the footage was shown repeatedly on Sky News throughout the day, and that a local Councillor had complained about it to the broadcaster. Ms D said that the broadcaster had said that it would blur out the image, but that this had not been done. The complainant's daughter was 12 years old at the time the programme was broadcast and was "...very scared as she knows now that people know she was there".

Broadcaster's response

Sky UK Limited ("Sky") said that, in its view, the footage of the complainant's daughter did not identify her to anyone other than to someone "extremely close to her, such as her mother". It said that the footage was "very indistinct" and that the complainant's daughter's head was only visible for 1.9 seconds. Sky said that at the precise moment of the showing of the footage that included the complainant's daughter, Ms Holland said "we can show you the

first clip which we think is Jay Hughes there with his back to the CCTV". Sky said that the viewers were therefore drawn to the victim coming out of the shop, rather than the fleeting shot of a girl who had just gone in.

Sky said that as a piece of video that lasted for 1.9 seconds, there was "significantly less chance of identification" than there was from a still image of the footage, which Sky said, in its view, did not identify the complainant's daughter either. Sky said that none of the other clips surrounding the attack contained footage of the complainant's daughter, and that the complainant's daughter was not named or referred to in the programme.

Sky said that later in the footage, another young woman came into view and could be seen walking past the victim, appearing on camera for approximately five seconds. Sky said it did not consider that any young person who appeared incidentally in the scene was identifiable and therefore it did not originally blur either of the two women, as it considered both were impossible to identify. However, Sky said that it subsequently received a request from Ms D on the afternoon of 9 November 2018 to blur her daughter, which Sky agreed to even though it remained of the view that the complainant's daughter appeared incidentally in the scene and was not identifiable. Sky said that it had acted in good faith and had sought to engage co-operatively with Ms D's concerns. However, it received a call later that day from someone representing Ms D, who said that Sky was still running the video unblurred. Sky said that, on investigating this it became apparent that there had been a misunderstanding. The producer who supervised the blurring of the image had mistakenly believed that the complainant's daughter was the other young woman who appeared in the footage as she was on screen for longer than the complainant's daughter, was there at the same time as the victim, and was more prominent in the sequence than any other passer-by. Sky said that it had apologised to the complainant when it realised that it had blurred the wrong person and that the complainant's daughter was the other girl who was seen "very fleetingly" at the start of the video.

Sky said that the footage included in the programme did not identify the complainant's daughter and therefore did not raise any privacy concerns. Sky said it was entirely accepted that the complainant could have recognised her own daughter in the video for "obvious reasons" and because of local knowledge about the incident and circumstances. However, Sky said that no one other than someone who was extremely close to her would have been able to identify the complainant's daughter from the broadcast footage. The footage lasted for under two seconds and was phone footage of some already blurry CCTV footage that revealed no distinguishing facial features. Sky reiterated that it did not name her or give any details about the complainant's daughter. It said that the complainant's daughter was not in the street when the stabbing took place and would not have been seen by any of the attackers.

Ofcom's Preliminary View

Ofcom prepared a Preliminary View in this case that the complaint made of unwarranted infringement of privacy should not be upheld. Both parties were given the opportunity to make representations on the Preliminary View, but neither chose to do so.

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 and unwarranted infringement of privacy in, or in connection with the obtaining of material included 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, we carefully considered all the relevant material provided by both parties. This included a recording and transcript of the programme as broadcast and both parties' written submissions.

In Ofcom's view, the individual's right to privacy has to be balanced against the competing right of the broadcaster to freedom of expression. Neither right as such has precedence over the other and where there is a conflict between the two, it is necessary to intensely focus on the comparative importance of the specific rights. Any justification for interfering with or restricting each right must be taken into account and any interference or restriction must be proportionate.

This is reflected in how Ofcom applies Rule 8.1 of the Code, which states that any infringement of privacy in programmes or in connection with obtaining material included in programmes must be warranted.

In addition to this rule, Section Eight (Privacy) 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 8.1 and failure to follow these practices will only constitute a breach where it results in an unwarranted infringement of privacy.

We took into account that at the time the footage of the complainant's daughter was filmed and broadcast, she was under the age of 16. In assessing both heads of complaint, Ofcom therefore had particular regard to the following practices of the Code:

Practice 8.20 states:

"Broadcasters should pay particular attention to the privacy of people under sixteen".

Practice 8.21 states:

"Where a programme features an individual under sixteen or a vulnerable person in a way that infringes privacy, consent must be obtained from: a parent, guardian or other person of eighteen or over in loco parentis; and wherever possible, the individual concerned; unless the subject matter is trivial or uncontroversial and the participation minor or it is warranted to proceed without consent".

- a) Ofcom first considered Ms D's complaint that her daughter's privacy was unwarrantably infringed in connection with the obtaining of material included in the programme because leaked CCTV footage of a fatal knife attack, which showed her daughter to be nearby at the time of the attack, was obtained without consent.

In considering this aspect of the complaint, we also had particular regard to Practice 8.5 which states:

“Any infringement of privacy in the making of a programme should be with the person’s and/or organisation’s consent or be otherwise warranted”.

We first considered the extent to which the complainant’s daughter had a legitimate expectation of privacy in the particular circumstances in which the material included in the programme had been obtained.

The Code’s statement on the meaning of “legitimate expectation of privacy” makes clear that such an expectation:

“...will vary according to the place and nature of the information, activity or condition in question, the extent to which it is in the public domain (if at all) and whether the individual concerned is already in the public eye. There may be circumstances where people can reasonably expect privacy even in a public place...”.

The test applied by Ofcom as to whether a legitimate expectation of privacy arises is objective: it is fact sensitive and always be judged in light of the circumstances in which the individual concerned finds him or herself.

We therefore considered the nature of the material obtained and included in the programme. We took into account that the complainant’s daughter was captured in CCTV footage going into a chicken shop shortly before a fatal knife attack took place in the street outside. We understood that this footage had been copied and distributed via mobile phone and shared on social media.

It was not made clear from either party’s submissions whether, at the time of the incident, the complainant’s daughter was specifically aware that she was being recorded by a CCTV camera, although there was no question that she was in a public place at the time. Taking into account that that she was filmed going into a chicken shop as the eventual victim of a fatal knife attack passed her on his way out, and that the same footage later showed the victim being attacked on the street outside the shop, we considered that footage obtained by the broadcaster captured the complainant’s daughter in what could reasonably be considered to be a sensitive situation. We also had regard to the fact that she was 12 years old at the time and was therefore likely to be more vulnerable than an adult recorded on CCTV footage in similar circumstances. This is recognised in Practice 8.20, which sets an expectation that broadcasters should pay particular attention to the privacy of people under sixteen.

In assessing whether the complainant’s daughter had a legitimate expectation of privacy in the obtaining of the material by the broadcaster, we considered the nature of the information about her that was captured. We observed from the footage that the recording showed the complainant’s daughter only fleetingly as she entered the shop – the footage which included her lasted not more than two seconds. It was of low quality and was therefore indistinct, and her facial features were not clear. No other information about her or her appearance was recorded and nothing particularly distinctive about her was revealed by the footage. Given this, we did not consider that the filming captured any personal information about the complainant’s daughter that could give rise to a legitimate expectation of privacy. Accordingly, we did not consider that the

complainant's daughter had a legitimate expectation of privacy in relation to the obtaining of the footage of her included in the programme. It was not necessary, therefore, for the broadcaster to have obtained Ms D's consent in the making of the programme.

Having reached the view that there was no legitimate expectation of privacy in the obtaining of the material included in the programme, it was not necessary for Ofcom to consider whether any infringement into the privacy of the complainant's daughter was warranted.

Ofcom's decision is therefore that the complainant's daughter's privacy was not unwarrantably infringed in connection with the obtaining of this material for inclusion in the programme.

- b) Ofcom next considered Ms D's complaint that her daughter's privacy was unwarrantably infringed in the programme as broadcast because CCTV footage of a fatal knife attack, which showed her daughter to be nearby at the time of the attack, was included in the programme without consent.

In considering this complaint, we had regard to Practice 8.21, as set out previously, and Practice 8.6 of the Code, which states:

"If the broadcast of a programme would infringe the privacy of a person or organisation, consent should be obtained before the relevant material is broadcast, unless the infringement of privacy is warranted".

We first considered the extent to which the complainant's daughter had a legitimate expectation of privacy in relation to footage of her being included in the programme.

As in head a) above, the test applied by Ofcom as to whether a legitimate expectation of privacy arises in relation to inclusion of footage in the programme as broadcast is objective: it is fact sensitive and must always be judged in light of the circumstances in which the individual concerned finds him or herself.

We took into account that the complainant's daughter was a minor and that the footage showed her in the vicinity of a crime scene shortly before a fatal knife attack took place outside the chicken shop she was filmed going into. For the same reasons as above, we considered that she was shown in a sensitive situation. We recognised that she may have been identifiable as a result of the inclusion of the footage in the programme to a very small and limited number of people who knew her and had knowledge of the incident shown in the report. However, we also took into account that: she was shown only fleetingly in the footage, it was of low quality and was therefore indistinct, her facial features were not clear, no other information about her or her appearance was included in the footage, and nothing particularly distinctive about her was revealed by the broadcast.

Given this, Ofcom considered that the complainant's daughter did not have a legitimate expectation of privacy in relation to the footage of her included in the programme. It was not necessary, therefore, for the broadcaster to have obtained her mother's consent to broadcast the footage.

Having reached the view that there was no legitimate expectation of privacy in relation to the broadcast of the footage included in the programme it was not necessary for Ofcom to consider whether any infringement into the privacy of the complainant's daughter was warranted.

Ofcom's decision is therefore that the privacy of the complainant's daughter was not unwarrantably infringed in the programme as broadcast.

Ofcom has not upheld Ms D's complaint, made on behalf of her daughter (a minor), of unwarranted infringement of privacy in connection with the obtaining of material included in the programme and in the programme as broadcast.

Complaints assessed, not investigated

Here are alphabetical lists of complaints that, after careful assessment, Ofcom has decided not to pursue between 22 April and 5 May 2019 because they did not raise issues warranting investigation.

Complaints assessed under the Procedures for investigating breaches of content standards for television and radio

Programme	Service	Transmission Date	Categories	Number of complaints
8 Out of 10 Cats	4Music	15/04/2019	Disability discrimination/offence	1
Rich Kids Go Homeless	5Star	24/04/2019	Generally accepted standards	1
The Cannibal in the Jungle	Animal Planet	21/04/2019	Materially misleading	1
Forged in Fire	Blaze	20/04/2019	Dangerous behaviour	1
Programming	BritAsia TV	13/03/2019	Offensive language	1
ESPN FC	BT Sport / ESPN	23/04/2019	Offensive language	1
Live Heineken Champions Cup: Saracens v Munster	BT Sport 1	20/04/2019	Sexual orientation discrimination/offence	1
Programming	BT Sport 1	14/04/2019	Religious/Beliefs discrimination/offence	1
Live: UEFA Europa League Football	BT Sport 3	02/05/2019	Other	1
Celebrity SAS: Who Dares Wins for Stand Up for Cancer	Channel 4	28/04/2019	Offensive language	1
Celebrity SAS: Who Dares Wins for Stand Up to Cancer	Channel 4	07/04/2019	Generally accepted standards	1
Celebrity SAS: Who Dares Wins for Stand Up to Cancer	Channel 4	07/04/2019	Offensive language	1
Celebrity SAS: Who Dares Wins for Stand Up to Cancer	Channel 4	14/04/2019	Race discrimination/offence	2
Celebrity SAS: Who Dares Wins for Stand Up to Cancer	Channel 4	21/04/2019	Materially misleading	1
Celebrity SAS: Who Dares Wins for Stand Up to Cancer	Channel 4	21/04/2019	Offensive language	1
Channel 4 News	Channel 4	05/03/2019	Due impartiality/bias	1
Channel 4 News	Channel 4	06/03/2019	Elections/Referendums	1

Programme	Service	Transmission Date	Categories	Number of complaints
Channel 4 News	Channel 4	08/03/2019	Due impartiality/bias	1
Channel 4 News	Channel 4	05/04/2019	Due impartiality/bias	1
Channel 4 News	Channel 4	08/04/2019	Religious/Beliefs discrimination/offence	1
Channel 4 News	Channel 4	09/04/2019	Due impartiality/bias	1
Channel 4 News	Channel 4	14/04/2019	Elections/Referendums	1
Channel 4 News	Channel 4	16/04/2019	Elections/Referendums	1
Channel 4 News	Channel 4	18/04/2019	Due accuracy	1
Channel 4 News	Channel 4	21/04/2019	Due impartiality/bias	1
Channel 4 News	Channel 4	23/04/2019	Elections/Referendums	1
Channel 4 News	Channel 4	24/04/2019	Due impartiality/bias	2
Channel 4 News	Channel 4	24/04/2019	Generally accepted standards	1
Channel 4 News	Channel 4	26/04/2019	Generally accepted standards	1
Come Dine with Me	Channel 4	15/04/2019	Offensive language	1
Dispatches – Skipping School: Britain's Invisible Kids	Channel 4	04/02/2019	Due impartiality/bias	117
Dispatches: When the Immigrants Leave	Channel 4	08/04/2019	Materially misleading	1
Dispatches: When the Immigrants Leave	Channel 4	08/04/2019	Race discrimination/offence	1
F1 Australian GP Qualifying Highlights	Channel 4	16/03/2019	Product placement	1
Food Unwrapped Goes Vegan	Channel 4	23/04/2019	Materially misleading	1
Formula 1: Bahrain GP highlights	Channel 4	31/03/2019	Product placement	1
Four in a Bed	Channel 4	17/04/2019	Religious/Beliefs discrimination/offence	1
Four in a Bed	Channel 4	19/04/2019	Generally accepted standards	1
Gogglebox	Channel 4	26/04/2019	Generally accepted standards	1
Gogglebox	Channel 4	26/04/2019	Violence	1
Great British Car Journeys	Channel 4	n/a	Offensive language	1
Leaving Neverland: Michael Jackson and Me	Channel 4	06/03/2019	Materially misleading	2
Mission Ignition	Channel 4	06/04/2019	Materially misleading	1
Mums Make Porn (trailer)	Channel 4	18/03/2019	Sexual material	7
Naked Beach	Channel 4	11/04/2019	Nudity	18

Programme	Service	Transmission Date	Categories	Number of complaints
Naked Beach	Channel 4	18/04/2019	Nudity	6
Naked Beach	Channel 4	25/04/2019	Nudity	10
Sex Tape	Channel 4	26/04/2019	Generally accepted standards	1
Sunday Brunch	Channel 4	07/04/2019	Dangerous behaviour	1
Teen Wolf	Channel 4	14/04/2019	Offensive language	1
The Big Narstie Show	Channel 4	12/04/2019	Generally accepted standards	1
The Great British School Swap	Channel 4	16/04/2019	Generally accepted standards	1
The Great British School Swap	Channel 4	16/04/2019	Materially misleading	1
The Great British School Swap	Channel 4	16/04/2019	Race discrimination/offence	2
The Great British School Swap	Channel 4	23/04/2019	Generally accepted standards	1
The Great British School Swap	Channel 4	23/04/2019	Race discrimination/offence	2
Blind Date	Channel 5	14/04/2019	Generally accepted standards	1
Blind Date	Channel 5	28/04/2019	Sexual material	1
Channel 5 News	Channel 5	02/05/2019	Gender discrimination/offence	1
Cruising with Jane McDonald	Channel 5	28/04/2019	Animal welfare	1
Dangerous Dog Owners and Proud	Channel 5	23/04/2019	Materially misleading	1
Diana	Channel 5	06/04/2019	Materially misleading	1
Flaunting My Fat for Cash	Channel 5	16/04/2019	Generally accepted standards	1
Friends	Channel 5	23/04/2019	Sexual material	1
Jeremy Vine	Channel 5	25/04/2019	Elections/Referendums	1
Neighbours	Channel 5	25/04/2019	Dangerous behaviour	1
Party Election Broadcast by the Liberal Democrats	Channel 5	26/04/2019	Elections/Referendums	1
Traffic Cops	Channel 5	04/02/2019	Materially misleading	1
Wannabe Porn Stars: The Sex Business	Channel 5	22/04/2019	Sexual material	7
Project Z	CITV	30/03/2019	Scheduling	1
Your Face or Mine	Comedy Central	27/03/2019	Generally accepted standards	1
Red Bull Soapbox Racing	Dave	27/04/2019	Offensive language	1
Sliced (trailer)	Dave	20/04/2019	Dangerous behaviour	1

Programme	Service	Transmission Date	Categories	Number of complaints
Top Gear	Dave	25/03/2019	Sexual orientation discrimination/offence	1
Hollyoaks	E4	25/04/2019	Generally accepted standards	1
Hollyoaks	E4	26/04/2019	Race discrimination/offence	1
Made in Chelsea	E4	16/04/2019	Generally accepted standards	1
The Big Bang Theory	E4	01/05/2019	Offensive language	1
Casumo's sponsorship of late night films on Film4	Film4	23/04/2019	Violence	1
Boogie in the Morning	Forth 1	02/04/2019	Scheduling	1
American Dad (trailer)	Fox	09/04/2019	Offensive language	1
Fright Night (trailer)	Horror Channel	03/04/2019	Sexual material	1
Nurul Quran	Iqra Bangla	14/03/2019	Crime and disorder	1
Britain's Got Talent	ITV	06/04/2019	Sexual material	1
Britain's Got Talent	ITV	13/04/2019	Generally accepted standards	1
Britain's Got Talent	ITV	20/04/2019	Dangerous behaviour	7
Britain's Got Talent	ITV	20/04/2019	Generally accepted standards	1
Britain's Got Talent	ITV	20/04/2019	Scheduling	1
Britain's Got Talent	ITV	20/04/2019	Sexual material	12
Britain's Got Talent	ITV	20/04/2019	Sexual orientation discrimination/offence	1
Britain's Got Talent	ITV	27/04/2019	Advertising/editorial distinction	1
Comparethemarket's sponsorship of Coronation Street	ITV	22/04/2019	Sponsorship credits	1
Coronation Street	ITV	05/04/2019	Generally accepted standards	1
Coronation Street	ITV	12/04/2019	Generally accepted standards	1
Coronation Street	ITV	12/04/2019	Sexual orientation discrimination/offence	1
Coronation Street	ITV	14/04/2019	Generally accepted standards	1
Coronation Street	ITV	15/04/2019	Materially misleading	1
Coronation Street	ITV	19/04/2019	Due impartiality/bias	1
Coronation Street	ITV	26/04/2019	Violence	1
Emmerdale	ITV	01/04/2019	Generally accepted standards	1
Emmerdale	ITV	01/04/2019	Scheduling	1

Programme	Service	Transmission Date	Categories	Number of complaints
Emmerdale	ITV	02/04/2019	Generally accepted standards	1
Emmerdale	ITV	09/04/2019	Generally accepted standards	1
Emmerdale	ITV	11/04/2019	Generally accepted standards	16
Emmerdale	ITV	16/04/2019	Sexual orientation discrimination/offence	1
Emmerdale	ITV	25/04/2019	Generally accepted standards	1
Emmerdale	ITV	25/04/2019	Violence	1
Emmerdale (trailer)	ITV	13/04/2019	Generally accepted standards	1
Good Morning Britain	ITV	19/03/2019	Transgender discrimination/offence	2
Good Morning Britain	ITV	26/03/2019	Elections/Referendums	1
Good Morning Britain	ITV	08/04/2019	Offensive language	2
Good Morning Britain	ITV	09/04/2019	Generally accepted standards	4
Good Morning Britain	ITV	09/04/2019	Religious/Beliefs discrimination/offence	1
Good Morning Britain	ITV	10/04/2019	Generally accepted standards	1
Good Morning Britain	ITV	12/04/2019	Generally accepted standards	1
Good Morning Britain	ITV	15/04/2019	Offensive language	1
Good Morning Britain	ITV	22/04/2019	Elections/Referendums	1
Good Morning Britain	ITV	29/04/2019	Generally accepted standards	4
In for a Penny	ITV	20/04/2019	Sexual material	1
In for a Penny	ITV	27/04/2019	Gender discrimination/offence	4
In for a Penny	ITV	27/04/2019	Generally accepted standards	1
In for a Penny	ITV	27/04/2019	Nudity	5
ITV News	ITV	22/03/2019	Due impartiality/bias	1
ITV News	ITV	05/04/2019	Gender discrimination/offence	1
ITV News	ITV	15/04/2019	Due impartiality/bias	1
ITV News	ITV	17/04/2019	Generally accepted standards	1
ITV News	ITV	17/04/2019	Suicide and self harm	1
Live Racing: Grand National Festival	ITV	06/04/2019	Animal welfare	8

Programme	Service	Transmission Date	Categories	Number of complaints
Loose Women	ITV	28/02/2019	Generally accepted standards	2
Loose Women	ITV	15/04/2019	Religious/Beliefs discrimination/offence	2
Loose Women	ITV	30/04/2019	Age discrimination/offence	1
Lorraine	ITV	15/04/2019	Generally accepted standards	7
Martin Clunes: My Travels and Other Animals	ITV	18/04/2019	Animal welfare	1
News at Ten	ITV	20/03/2019	Due impartiality/bias	1
Party Election Broadcast by the Labour Party	ITV	17/04/2019	Elections/Referendums	1
Party Election Broadcast by the Labour Party	ITV	29/04/2019	Elections/Referendums	2
Party Election Broadcast by the Liberal Democrats	ITV	16/04/2019	Generally accepted standards	1
Party Election Broadcast by the Liberal Democrats	ITV	26/04/2019	Elections/Referendums	1
Programming	ITV	25/04/2019	Scheduling	1
Programming	ITV	02/05/2019	Competitions	1
Save Money: Lose Weight	ITV	19/03/2019	Materially misleading	2
The All New Monty (trailer)	ITV	27/04/2019	Nudity	1
The Chase	ITV	21/03/2019	Race discrimination/offence	1
The Chase	ITV	24/04/2019	Materially misleading	1
The Jeremy Kyle Show	ITV	22/03/2019	Under 18s in programmes	1
The Jonathan Ross Show	ITV	20/04/2019	Race discrimination/offence	3
The Martin Lewis Money Show Live: Brexit Special	ITV	02/04/2019	Due impartiality/bias	1
The Widow	ITV	16/04/2019	Generally accepted standards	1
The Widow	ITV	22/04/2019	Violence	1
This Morning	ITV	03/04/2019	Materially misleading	1
This Morning	ITV	12/04/2019	Competitions	1
This Morning	ITV	14/04/2019	Materially misleading	3

Programme	Service	Transmission Date	Categories	Number of complaints
This Morning	ITV	15/04/2019	Materially misleading	1
This Morning	ITV	29/04/2019	Generally accepted standards	1
This Morning	ITV	30/04/2019	Generally accepted standards	2
What Would Your Kid Do?	ITV	14/04/2019	Under 18s in programmes	1
Britain's Got Talent (trailer) / The Naked Beach (trailer)	ITV / Channel 4	11/04/2019	Scheduling	1
Granada Reports	ITV Granada	18/04/2019	Privacy	2
ITV News London	ITV London	28/03/2019	Due impartiality/bias	1
ITV News London	ITV London	30/04/2019	Elections/Referendums	1
ITV News Tyne Tees	ITV Tyne Tees	08/04/2019	Due accuracy	1
Britain's Got More Talent	ITV2	14/04/2019	Generally accepted standards	1
Celebrity Juice	ITV2	25/04/2019	Generally accepted standards	1
Family Guy / American Dad (trailer)	ITV2	26/04/2019	Gender discrimination/offence	1
Through the Keyhole	ITV2	09/04/2019	Animal welfare	1
You've Been Framed	ITV2	03/04/2019	Age discrimination/offence	1
You've Been Framed Unleashed	ITV2 +1	11/04/2019	Religious/Beliefs discrimination/offence	1
Benidorm	ITV4	06/04/2019	Disability discrimination/offence	1
The Only Way is Essex	ITVBe	14/04/2019	Gender discrimination/offence	1
The Real Housewives of Cheshire	ITVBe	29/04/2019	Generally accepted standards	1
Ex on the Beach (trailer)	Kanal 5 (Sweden)	02/04/2019	Generally accepted standards	1
James O'Brien	LBC 97.3 FM	15/04/2019	Due impartiality/bias	1
James O'Brien	LBC 97.3 FM	16/04/2019	Elections/Referendums	1
James O'Brien	LBC 97.3 FM	17/04/2019	Elections/Referendums	1
James O'Brien	LBC 97.3 FM	23/04/2019	Generally accepted standards	1
Maajid Nawaz	LBC 97.3 FM	14/04/2019	Elections/Referendums	1
Nick Ferrari	LBC 97.3 FM	05/04/2019	Offensive language	1
Nick Ferrari	LBC 97.3 FM	05/04/2019	Race discrimination/offence	1
Shelagh Fogarty	LBC 97.3 FM	05/04/2019	Due impartiality/bias	1
Shelagh Fogarty	LBC 97.3 FM	11/04/2019	Generally accepted standards	1

Programme	Service	Transmission Date	Categories	Number of complaints
Steve Allen	LBC 97.3 FM	17/04/2019	Race discrimination/offence	1
Patrick Christys	Love Sport Radio	26/03/2019	Generally accepted standards	1
Devon and Cornwall	More4	22/04/2019	Generally accepted standards	1
Devon and Cornwall	More4	29/04/2019	Generally accepted standards	1
Naked Attraction	More4	22/04/2019	Nudity	1
The Good Fight	More4	11/04/2019	Generally accepted standards	1
The Good Fight	More4	11/04/2019	Race discrimination/offence	1
Northsound News	Northsound 1	25/04/2019	Elections/Referendums	1
Truth Exposed	Peace TV	12/04/2019	Hatred and abuse	1
Britain's Most Evil Killers	Pick	14/04/2019	Generally accepted standards	1
Monkey Life	Pick	28/04/2019	Offensive language	1
Dog Detectives	Quest	06/04/2019	Animal welfare	1
4til7 Thang	Radio X	05/04/2019	Religious/Beliefs discrimination/offence	1
Johnny Vaughn	Radio X	21/03/2019	Generally accepted standards	1
Watching the Hawks	RT	12/04/2019	Due impartiality/bias	1
Fish Town	Sky Atlantic	04/04/2019	Offensive language	1
Game of Thrones	Sky Atlantic	22/04/2019	Sexual material	1
All Out Politics	Sky News	29/03/2019	Offensive language	7
All Out Politics	Sky News	09/04/2019	Due impartiality/bias	2
All Out Politics	Sky News	10/04/2019	Due impartiality/bias	1
All Out Politics	Sky News	17/04/2019	Elections/Referendums	1
All Out Politics	Sky News	18/04/2019	Generally accepted standards	7
All Out Politics	Sky News	18/04/2019	Offensive language	1
All Out Politics	Sky News	26/04/2019	Elections/Referendums	1
All Out Politics	Sky News	29/04/2019	Elections/Referendums	1
Press Preview	Sky News	22/04/2019	Due impartiality/bias	1
Press Preview	Sky News	22/04/2019	Generally accepted standards	1
Sky News	Sky News	22/03/2019	Due accuracy	6
Sky News	Sky News	07/04/2019	Due accuracy	2
Sky News	Sky News	07/04/2019	Due impartiality/bias	1
Sky News	Sky News	12/04/2019	Elections/Referendums	1
Sky News	Sky News	14/04/2019	Due accuracy	1
Sky News	Sky News	15/04/2019	Due impartiality/bias	72

Programme	Service	Transmission Date	Categories	Number of complaints
Sky News	Sky News	20/04/2019	Due accuracy	1
Sky News	Sky News	20/04/2019	Due impartiality/bias	2
Sky News	Sky News	21/04/2019	Due impartiality/bias	1
Sky News	Sky News	22/04/2019	Due impartiality/bias	1
Sky News	Sky News	23/04/2019	Generally accepted standards	1
Sky News	Sky News	25/04/2019	Due impartiality/bias	1
Sky News with Kay Burley	Sky News	23/04/2019	Race discrimination/offence	1
Sophy Ridge	Sky News	28/04/2019	Elections/Referendums	1
Sunrise	Sky News	09/04/2019	Sexual orientation discrimination/offence	1
The Pledge	Sky News	18/03/2018	Generally accepted standards	1
Slam City (trailer)	Sky Sports Arena	22/03/2019	Race discrimination/offence	1
MNF: Chelsea v West Ham	Sky Sports Main Event	08/04/2019	Race discrimination/offence	1
Extremely Wicked, Shockingly Evil and Vile (trailer)	Sky1	16/04/2019	Advertising content	1
Secret Window	Sony Movie Channel	13/04/2019	Offensive language	1
Can't Pay? We'll Take It Away!	Spike	08/04/2019	Generally accepted standards	1
Studio 66 TV	Studio 66	18/04/2019	Participation TV	1
Studio 66 TV	Studio 66	24/04/2019	Participation TV - Harm	1
Emmerdale (trailer)	STV	20/04/2019	Violence	1
STV News at Six	STV	30/04/2019	Drugs, smoking, solvents or alcohol	1
The All New Monty (trailer)	STV	26/04/2019	Sexual material	1
John Nicholson	Talk Radio	17/04/2019	Religious/Beliefs discrimination/offence	1
Jim White	Talksport	19/04/2019	Race discrimination/offence	1
Joyce Meyer: Enjoying Everyday Life	TBN UK	22/04/2019	Scheduling	1
Advertisements	Various	01/01/2019	Advertising minutage	1
News	Various	29/04/2019	Due impartiality/bias	1
Programming	Various	05/04/2019	Generally accepted standards	1
The Dog Whisperer	Various	n/a	Animal welfare	1

How Ofcom assesses complaints about content standards on television and radio programmes

Complaints assessed under the Procedures for investigating breaches of content standards on BBC broadcasting services and BBC ODPS.

Programme	Service	Transmission Date	Categories	Number of complaints
Question Time	BBC 1	17/01/2019	Due impartiality/bias	2
Question Time	BBC 1	21/02/2019	Due impartiality/bias	1
Programming	BBC channels	n/a	Due impartiality/bias	1
Programming	BBC channels	n/a	Gender discrimination/offence	1
5 Live Drive	BBC Radio 5	17/04/2019	Elections/Referendums	1

How Ofcom assesses complaints about content standards on BBC broadcasting services and BBC ODPS

Complaints assessed under the General Procedures for investigating breaches of broadcast licences

Here is an alphabetical list of complaints that, after careful assessment, Ofcom has decided not to pursue between 22 April and 5 May 2019 because they did not raise issues warranting investigation.

Licensee	Licensed service	Categories	Number of complaints
Discovery Corporate Services Limited	Discovery	Television Access Services	1
Sky UK Limited	Sky On Demand and catch up programmes	Television Access Services	1

How Ofcom assesses complaints about broadcast licences

Complaints assessed under the Procedures for investigating breaches of rules for On Demand programme services

Service provider	Categories	Number of complaints
Family Guy (trailer)	Generally accepted standards	1
Runaways	Protection of under 18s	1

How Ofcom assesses complaints about on demand services

Complaints outside of remit

Here are alphabetical lists of complaints received by Ofcom that fell outside of our remit. This is because Ofcom is not responsible for regulating the issue complained about. For example, the complaints were about the content of television, radio or on demand adverts or an on demand service that does not fall within the scope of regulation.

Programme	Service	Transmission Date	Categories	Number of complaints
Advertisement	5Star	29/04/2019	Advertising content	1
Advertisement	5USA	01/05/2019	Advertising content	1
Advertisement	All 4	14/04/2019	Advertising content	1
Advertisement	All 4	24/04/2019	Advertising content	1
BBC News	BBC 1	12/04/2019	Outside of remit	24
Zoe Ball Breakfast Show	BBC Radio 2	25/04/2019	Outside of remit	1
Advertisement	Channel 4	27/04/2019	Advertising content	1
Channel 4 News	Channel 4	29/03/2019	Outside of remit	1
Channel 4 News	Channel 4	24/04/2019	Outside of remit	1
The Great British School Swap (pre-tx)	Channel 4	16/04/2019	Outside of remit	1
Traitors	Channel 4	23/03/2019	Outside of remit	1
Uncovered	Channel 4 News Facebook	29/04/2019	Due impartiality/bias	1
Advertisement	Channel 5	18/04/2018	Advertising content	1
Advertisement	Classic FM	28/04/2019	Advertising content	1
Uttaran	Colors Rishtey	02/05/2019	Outside of remit	1
Advertisement	Dave	12/04/2019	Advertising content	1
Made in Chelsea	E4	15/04/2019	Outside of remit	1
Advertisement	Heart Radio (North East)	14/04/2019	Advertising content	1
Advertisement	ITV	12/04/2019	Advertising content	1
Advertisement	ITV	13/04/2019	Advertising content	1
Advertisement	ITV	15/04/2019	Advertising content	1
Advertisement	ITV	24/04/2019	Advertising content	1
Advertisement	ITV	26/04/2019	Flashing images/risk to viewers who have PSE	1
Coronation Street	ITV	29/04/2019	Outside of remit	1
Advertisement	ITV Hub	n/a	Advertising content	1
Advertisement	ITV3	16/04/2019	Advertising content	1
Advertisement	ITV3	23/04/2019	Advertising content	1
Advertisement	ITV4	10/04/2019	Advertising content	1
Advertisement	ITVBe	01/05/2019	Advertising content	1
Veet's sponsorship of The Only Way is Essex	ITVBe	21/04/2019	Outside of remit	1
Advertisement	More4+1	30/04/2019	Advertising content	1
Advertisement	My5	01/04/2019	Advertising content	1
Advertisement	My5	17/04/2019	Advertising content	1

Programme	Service	Transmission Date	Categories	Number of complaints
After Life	Netflix	08/03/2019	Generally accepted standards	2
After Life	Netflix	24/04/2019	Suicide and self harm	1
Bonding (trailer)	Netflix	26/04/2019	Protection of under 18s	1
The Debt Collector	Netflix	08/04/2019	Generally accepted standards	1
Sky News	Sky News website	15/04/2019	Other	1
Advertisement	Sky Sports F1	28/04/2019	Advertising content	1
Advertisement	Sky Sports News	02/05/2019	Advertising content	1
Advertisement	Sky Sports PL HD	26/04/2019	Advertising content	1
Advertisement	Spike	02/05/2019	Advertising content	1
Programming	Studio 66	09/01/2019	Outside of remit	1
Namma Ooru Hero	Sun TV	21/04/2019	Outside of remit	1
Advertisement	Various	18/04/2019	Advertising content	1
Programming	Various	19/04/2019	Outside of remit	1
Programming	Various	20/04/2019	Outside of remit	1

[More information about what Ofcom's rules cover](#)

BBC First

The BBC Royal Charter and Agreement was published in December 2016, which made Ofcom the independent regulator of the BBC.

Under the BBC Agreement, Ofcom can normally only consider complaints about BBC programmes where the complainant has already complained to the BBC and the BBC has reached its final decision (the 'BBC First' approach).

The complaints in this table had been made to Ofcom before completing the BBC's complaints process.

Complaints about BBC television, radio or on demand programmes

Programme	Service	Transmission or Accessed Date	Categories	Number of Complaints
BBC Breakfast	BBC 1	20/04/2019	Race discrimination/offence	1
BBC News	BBC 1	05/12/2018	Generally accepted standards	1
BBC News	BBC 1	23/01/2019	Due accuracy	1
BBC News	BBC 1	12/04/2019	Crime and disorder	1
BBC News	BBC 1	12/04/2019	Due impartiality/bias	1
BBC News	BBC 1	12/04/2019	Elections/Referendums	2
BBC News	BBC 1	18/04/2019	Offensive language	1
BBC News	BBC 1	20/04/2019	Due impartiality/bias	1
BBC News	BBC 1	21/04/2019	Due accuracy	1
BBC News	BBC 1	21/04/2019	Due impartiality/bias	2
BBC News	BBC 1	23/04/2019	Elections/Referendums	2
BBC News	BBC 1	27/04/2019	Offensive language	1
BBC News	BBC 1	29/04/2019	Animal welfare	1
BBC News	BBC 1	Various	Due impartiality/bias	1
Climate Change: The Facts	BBC 1	18/04/2019	Materially misleading	2
Daily Politics	BBC 1	08/04/2019	Due impartiality/bias	1
EastEnders	BBC 1	01/03/2019	Generally accepted standards	1
EastEnders	BBC 1	22/04/2019	Dangerous behaviour	1
EastEnders	BBC 1	n/a	Product placement	1
Have I Got News for You	BBC 1	25/04/2019	Elections/Referendums	1
Line of Duty	BBC 1	21/04/2019	Violence	1
Party Election Broadcast by the Labour Party	BBC 1	29/04/2019	Elections/Referendums	1
Pointless Celebrities	BBC 1	20/04/2019	Generally accepted standards	1
Question Time	BBC 1	21/03/2019	Due impartiality/bias	1

Programme	Service	Transmission or Accessed Date	Categories	Number of Complaints
Question Time	BBC 1	04/04/2019	Due impartiality/bias	1
Question Time	BBC 1	06/04/2019	Due impartiality/bias	1
Question Time	BBC 1	25/04/2019	Elections/Referendums	7
Sex on the Couch	BBC 1	26/04/2019	Generally accepted standards	1
The Andrew Marr Show	BBC 1	14/04/2019	Elections/Referendums	92
The Andrew Marr Show	BBC 1	14/04/2019	Generally accepted standards	1
The Graham Norton Show	BBC 1	26/04/2019	Generally accepted standards	1
Programming	BBC 1 / BBC 2	Various	Due impartiality/bias	1
BBC News	BBC 1 / BBC News channel	20/02/2019	Due impartiality/bias	1
BBC Newsline	BBC 1 Northern Ireland	27/01/2019	Due accuracy	1
BBC Scotland News	BBC 1 Scotland	04/04/2019	Due impartiality/bias	1
BBC News	BBC 1/ BBC News channel	12/04/2019	Elections/Referendums	1
Daily Politics	BBC 2	30/04/2019	Due accuracy	1
Frankie Boyle's New World Order	BBC 2	25/04/2019	Generally accepted standards	1
Panorama: The Gatwick Drone Attack	BBC 2	19/04/2019	Materially misleading	1
Politics Live	BBC 2	12/04/2019	Elections/Referendums	1
Sign Zone: The Archbishop of Canterbury's New Year message	BBC 2	01/01/2019	Due impartiality/bias	1
SNP Conference	BBC 2	27/04/2019	Elections/Referendums	1
The Hairy Bikers' Chicken & Egg	BBC 2	24/03/2019	Religious/Beliefs discrimination/offence	1
BBC News	BBC channels	n/a	Due accuracy	1
BBC News	BBC channels	23/04/2019	Due impartiality/bias	1
BBC Weather	BBC channels	15/03/2019	Other	1
Programming	BBC channels	01/04/2019	Due impartiality/bias	1
Programming	BBC channels	26/04/2019	Elections/Referendums	1
Programming	BBC channels	29/04/2019	Due impartiality/bias	1
Programming	BBC channels	n/a	Elections/Referendums	1
Programming	BBC channels	Various	Due impartiality/bias	2
Politics Live	BBC iPlayer	12/04/2019	Elections/Referendums	1
Question Time	BBC iPlayer	17/04/2019	Elections/Referendums	1
Two Doors Down	BBC iPlayer	01/05/2019	Generally accepted standards	1
BBC News	BBC London	12/03/2019	Materially misleading	1
BBC Breaking News	BBC News channel	21/04/2019	Due accuracy	1
BBC News	BBC News channel	21/04/2019	Due impartiality/bias	1
BBC News	BBC News channel	22/04/2019	Due accuracy	1

Programme	Service	Transmission or Accessed Date	Categories	Number of Complaints
BBC News	BBC News channel	27/04/2019	Elections/Referendums	1
Politics Live	BBC Parliament	12/04/2019	Elections/Referendums	1
Vanessa Feltz	BBC Radio 2	02/05/2019	Generally accepted standards	1
BBC News	BBC Radio 4	30/03/2019	Due impartiality/bias	1
Farming Today	BBC Radio 4	18/04/2019	Due impartiality/bias	1
Today	BBC Radio 4	26/04/2019	Elections/Referendums	1
Today	BBC Radio 4	29/04/2019	Due accuracy	1
Today	BBC Radio 4	Various	Due impartiality/bias	1
5 Live Breakfast	BBC Radio 5 Live	18/04/2019	Race discrimination/offence	1
BBC Radio 5 Live Breakfast	BBC Radio 5 Live	18/04/2019	Race discrimination/offence	1
Programming	BBC Radio 5 Live	05/02/2019	Generally accepted standards	1
Parliament	BBC Scotland	28/04/2019	Elections/Referendums	1
Programming	Various	Various	Other	1

Investigations List

If Ofcom considers that a broadcaster or service provider may have breached its codes, rules, licence condition or other regulatory requirements, it will start an investigation.

It is important to note that an investigation by Ofcom does not necessarily mean the broadcaster or service provider has done anything wrong. Not all investigations result in breaches of the codes, rules, licence conditions or other regulatory requirements being recorded.

Here are alphabetical lists of new investigations launched.

Investigations launched under the Procedures for investigating breaches of content standards for television and radio

Programme	Service	Transmission date
Khabar Din Bhar	ABP News	16/03/2019
Geo News	Geo News	15/03/2019
Bahrain Grand Prix	Sky Sports F1	30/03/2019
Advertising minutage	Sony Entertainment Television	Various

[How Ofcom assesses complaints and conducts investigations about content standards on television and radio programmes](#)

Investigations launched under the Procedures for the consideration and adjudication of Fairness and Privacy complaints

Programme	Service	Transmission date
PM	BBC Radio 4	04/02/2019
China 24	CCTV News	28/08/2013
News Desk	CCTV News	17/01/2016
News Hour	CCTV News	14/07/2014
The World Today	CGTN	11/02/2018
NVTV (ARY World)	NVTV (ARY World)	22/11/2018
Breaking News	Samaa	22/11/2018

Discontinued Investigation:

In [Issue 375 of Ofcom's Broadcast and On Demand Bulletin](#), Ofcom announced it would be launching an investigation under the Procedures for the consideration and adjudication of Fairness and Privacy complaints into an edition of *Judge Rinder's Crime Stories* broadcast on ITV on 7 January 2019. This investigation has been discontinued.