

# 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 objectives<sup>1</sup>. Ofcom also has a duty to ensure that On Demand Programme Services ("ODPS") comply with certain standards requirements set out in the Act<sup>2</sup>.

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 advertising<sup>3</sup>.
- 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.

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<sup>1</sup> The relevant legislation is set out in detail in Annex 1 of the Code.

<sup>2</sup> The relevant legislation can be found at Part 4A of the Act.

<sup>3</sup> 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.**

## Notice of Sanction

### The Hub

*Radio Dawn, 26 December 2016, 16:00*

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#### Introduction

Radio Dawn is a community radio station broadcasting to the Muslim community in Nottingham and the surrounding areas. The licence for this service is held by Karimia Ltd ("Karimia" or "the Licensee").

Ofcom has imposed a sanction on the Licensee following a breach of the Ofcom Broadcasting Code ("the Code"). This sanction related to the broadcast of a Nasheed<sup>1</sup> that suggested that violent acts committed by Muslim people against non-Muslim people would bring honour to Islam. The Nasheed also included references to non-Muslim people as "kufaar" (the Arabic word for disbeliever) and "kaafir I Murdaar" (meaning filthy disbelievers in Urdu). Given these terms were used in the context of a Nasheed that condoned violent action against people not of the Islamic faith, we also considered it amounted to hate speech and derogatory treatment towards non-Muslim people.

#### Summary of Decision

In its decision published on 7 August 2017 in issue 334 of the Broadcast and On Demand Bulletin<sup>2</sup>, Ofcom found that the content had breached Rules 3.1, 3.2, 3.3 and 2.3 of the Code:

- Rule 3.1: "Material likely to encourage or to incite the commission of crime to lead to disorder must not be included in television or radio services".
- Rule 3.2: "Material which contains hate speech must not be included in television and radio programmes except where it is justified by the context".
- Rule 3.3: "Material which contains abusive or derogatory treatment of individuals, groups, religions or communities, must not be included in television and radio services except where it is justified by the context".
- 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...discriminatory treatment or language (for example on the grounds of...religion...)".

In Ofcom's view, these breaches were serious, and we therefore considered the imposition of a statutory sanction. In considering the sanction, we recognised the potential for serious harm associated with broadcast content that is likely to encourage or incite crime or lead to disorder. We considered the seriousness of this case was compounded by the fact the material

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<sup>1</sup> A Nasheed is a piece of devotional vocal music that is sung either acapella or accompanied by percussion instruments.

<sup>2</sup> [https://www.ofcom.org.uk/data/assets/pdf\\_file/0014/105611/Issue-334-of-Ofcoms-Broadcast-and-On-Demand-Bulletin.pdf](https://www.ofcom.org.uk/data/assets/pdf_file/0014/105611/Issue-334-of-Ofcoms-Broadcast-and-On-Demand-Bulletin.pdf)

also constituted hate speech. We were also concerned that the Licensee had inadequate compliance processes in place at the time the breach occurred to protect listeners from this potentially harmful and offensive material.

In accordance with Ofcom's penalty guidelines, Ofcom decided that it was appropriate and proportionate in the circumstances to impose a financial penalty of **£2,000** on the Licensee in respect of these serious Code breaches (payable to HM Paymaster General). In addition, Karimia are directed to broadcast a statement of Ofcom's findings in this case, on a date and time to be determined by Ofcom.

The full decision was published on 27 February 2018 and is available at:

<https://www.ofcom.org.uk/about-ofcom/latest/bulletins/broadcast-bulletins/content-sanctions-adjudications/karimia-sanction-decision>

## Broadcast Standards cases

### In Breach

#### Drivetime

***Raaj FM, 18 December 2017, 17:20***

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#### Introduction

Raaj FM is a community radio station broadcasting to the local Panjabi community of Sandwell in the West Midlands. The licence for Raaj FM is held by Community Development Horizons Limited ("the Licensee").

Ofcom received two complaints about the broadcast of the Dr. Zeus track *Woofers* featuring Snoop Dogg. The track included two uses of the word "motherfuckers".

We considered this raised potential issues under the following rule of the Code:

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

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

#### Response

The Licensee apologised and accepted that the broadcast had breached Rule 1.14 of the Code. It said that the song in question was incorrectly labelled as the "radio version" and was not checked prior to broadcast.

The Licensee said it had taken steps to prevent such incidents from recurring, including reviewing its music playout policy to ensure checks are carried out on all songs before broadcast. It also confirmed that staff have been briefed on the reviewed policy and procedures.

#### Decision

Reflecting our duties under the Communications Act 2003<sup>1</sup>, Section One of the Code requires that people under eighteen are protected from unsuitable material in programmes.

Ofcom's 2016 research on offensive language<sup>2</sup> makes clear that the word "motherfucker" is considered by audiences to be amongst the most offensive language.

The Code states that the times "when children are particularly likely to be listening" to radio are "the school run and breakfast time, but might include other times". Ofcom's guidance on offensive language in radio states:

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<sup>1</sup> <http://www.legislation.gov.uk/ukpga/2003/21/section/319>

<sup>2</sup> [https://www.ofcom.org.uk/\\_data/assets/pdf\\_file/0022/91624/OfcomOffensiveLanguage.pdf](https://www.ofcom.org.uk/_data/assets/pdf_file/0022/91624/OfcomOffensiveLanguage.pdf)

“broadcasters should have particular regard to broadcasting content at the following times: between 06:00 and 19:00 from Monday to Fridays during school holidays”.

In this case the word “motherfuckers” was broadcast at 17:20 on a Monday during the school holidays and therefore at a time when children were particularly likely to be listening. Our Decision is that the broadcast was in breach of Rule 1.14.

**Breach of Rule 1.14**



## In Breach

### **Fast Freddie, the Widow and Me** **STV2, 30 December 2017, 11:30**

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#### **Introduction**

STV2 is television channel that broadcasts to audiences in Scotland. The licence for STV2 is held by STV Glasgow Limited ("the Licensee").

Ofcom received a complaint about the use of the word "fucking" in this programme. At 11:57, a character said:

*"No, just fucking bad luck".*

We considered that this raised potential issues under the following rule of the Code:

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

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

#### **Response**

The Licensee apologised for any offence caused. It said that the operator on duty had been unable to locate the programme in the media library. The Licensee explained that due to time pressures ahead of the Christmas period the operator did not request redelivery of the correct version of the programme but rather manually searched the STV production library. The Licensee said that this led to the post-watershed version of the programme being selected and then broadcast in error.

The Licensee assured Ofcom that this was "an isolated incident" and that it had reviewed its internal procedures and "addressed the matter with the individual concerned". It told Ofcom that it had also informed "relevant operators...of the incident and reminded [them] to follow correct procedure".

#### **Decision**

Reflecting our duties under the Communications Act 2003<sup>1</sup>, Section One of the Code requires that people under eighteen are protected from unsuitable material in programmes.

Ofcom's 2016 research on offensive language<sup>2</sup> makes clear that the word "fuck" and variations of it are considered by audiences to be amongst the most offensive language. Therefore, the use of the word "fucking" in this programme was a clear case of the most offensive language being broadcast before the watershed.

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<sup>1</sup> <http://www.legislation.gov.uk/ukpga/2003/21/section/319>

<sup>2</sup> [https://www.ofcom.org.uk/\\_data/assets/pdf\\_file/0022/91624/OfcomOffensiveLanguage.pdf](https://www.ofcom.org.uk/_data/assets/pdf_file/0022/91624/OfcomOffensiveLanguage.pdf)

Ofcom took into account the steps taken by the Licensee to prevent the recurrence of such incidents. However, our decision is that the broadcast was in breach of Rule 1.14.

**Breach of Rule 1.14**

## Advertising Scheduling

### In Breach

#### Advertising minutage

#### *FreeSports, various dates and times between 23 November 2017 and 1 January 2018*

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#### Introduction

FreeSports is a sports channel, the licence for which is held by Freesports Ltd ("Freesports" or "the Licensee").

Rule 2 of the Code on the Scheduling of Television Advertising (COSTA) states that:

"Time devoted to advertising and teleshopping spots on any channel in any clock hour must not exceed 12 minutes".

During routine monitoring Ofcom identified over 20 instances on FreeSports where the amount of advertising in a clock hour appeared to exceed the permitted allowance. Ofcom considered that this raised issues under Rule 2 of COSTA and therefore sought comments from the Licensee as to how the content complied with this rule.

#### Response

The Licensee gave the following explanation for why it had broadcast more than the permitted 12 minutes of advertising in a clock hour:

- the first was that it sometimes received programmes that had a shorter duration than anticipated. This resulted in advertising breaks starting earlier than scheduled. It explained, "For instance, a break during a three hour live programme that was scheduled to air at 23:01 many have actually began playing out at 22:58, therefore resulting in two additional minutes of commercials in clock hour 22 and two fewer commercial minutes in clock hour 23". Freesports said that this issue occurred with two specific programmes, which accounted for 15 of the instances identified by Ofcom;
- a further eight instances involved programmes overrunning, which resulted in last minute changes to its schedule. The Licensee explained that it receives new programmes on a daily basis and often the duration of these programmes will exceed slightly what it had anticipated. It said that to accommodate this, it "will tend to let [the following] programme start a minute or two later than scheduled". It said that the "knock-on effect" of this was that advertising planned for one clock hour "seeps into the following one"; and
- four incidents were the result of manual errors.

The Licensee stressed that it had not intentionally broadcast more advertising than permitted. It continued that, after Ofcom had made it aware of the issue, it identified the reason for the manual errors and had instigated new processes to prevent recurrence.

Further, it recognised that it needed to take steps to reduce its advertising minutage overall and had taken steps to address this.

### **Decision**

Reflecting our duties under the Communications Act 2003<sup>1</sup>, COSTA contains rules on the amount of advertising that can be broadcast, including a limit on the amount of advertising that can be shown during any clock hour.

In this case, more than 12 minutes of advertising were broadcast on 27 occasions. We therefore found that the Licensee breached Rule 2 of COSTA.

Ofcom is concerned that the Licensee's response suggested that it was not aware of the volume of advertising it was transmitting until notified by Ofcom. We remind Freesports that it is its responsibility to have adequate systems in place to ensure that the advertising it transmits complies with the rules set out in COSTA. We therefore welcome the Licensee's commitment to improve its compliance procedures. Ofcom will continue to monitor the Licensee's compliance with COSTA.

### **Breaches of Rule 2 of COSTA**

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<sup>1</sup> <http://www.legislation.gov.uk/ukpga/2003/21/section/322>

## Broadcast Licence Conditions Findings

### In Breach

#### Providing a service in accordance with 'Key Commitments' *Beyond Radio, 2 to 5 December 2017*

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##### Introduction

Beyond Radio is a community radio station licensed to provide a service for people in the Lancaster and Morecambe area. The licence is held by Proper Community Media (Lancaster) Limited ("PCML" or "the Licensee").

Like other community radio stations, PCML is required to deliver the 'Key Commitments' which form part of its licence<sup>1</sup>. These set out how the station will serve its target community and include a description of the programme service.

Ofcom received a complaint that PCML was not delivering some of the programming requirements set out in the station's Key Commitments.

We therefore requested recordings of three days of Beyond Radio's output, covering Saturday 2, Monday 4 and Tuesday 5 December 2017, as well as a programme schedule for 2 to 8 December 2017.

After listening to the output and assessing the programme schedule, it appeared that PCML was not delivering the following Key Commitment in full:

- Speech: "The main types of speech output broadcast over the course of each week are: community information, drama, documentaries, poetry and comedy."

The programme schedule showed that PCML was not delivering the following Key Commitment:

- Original Output<sup>2</sup>: "The service provides original output for a minimum of 16 hours per day."

Ofcom considered that this raised potential issues under Conditions 2(1) and 2(4) in Part 2 of the Schedule to PCML's 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

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<sup>1</sup> The Key Commitments are contained in an annex to PCML's licence. They can be viewed in full at: <http://static.ofcom.org.uk/static/radiolicensing/Community/commitments/cr100156.pdf>

<sup>2</sup> Original output is defined by Ofcom as 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, and neither does continuous music.

"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).

### Response

The Licensee accepted that it was not delivering the minimum number hours of original output or all the different types of speech output required by its Key Commitments, and expressed "disappointment and frustration" at its inability to do so.

PCML said that since Ofcom had contacted it about the matter, it had taken steps to prevent a recurrence by recruiting in excess of 20 volunteers and "simplify[ing] and reshap[ing]" its schedule in order to help it meet its speech and original output Key Commitments. The Licensee also explained that it has accelerated its investment in new facilities to enable to the wider creation of locally produced, pre-recorded content...".

### Decision

Reflecting our duties to ensure a diverse range of local radio services, community radio licensees are required to provide the specified licensed service.

During the monitored period, PCML failed to deliver its Key Commitments relating to speech output and the minimum amount of original output. The programme schedule highlighted the original programming broadcast across the week beginning 2 December 2017, with six hours on Saturday, ten hours on Sunday, six hours on Monday, ten hours on Tuesday, eight hours on Wednesday, 13 hours on Thursday, and 13 hours on Friday, instead of 16 hours per day. While Ofcom acknowledged that the service was providing speech output in the form of community information, there was no evidence of documentaries, drama or comedy being broadcast.

The Licensee was previously found in breach of Licence Conditions 2(1) and 2(4) on 17 July 2017 for failing to comply with its Key Commitments in relation to the provision of original locally-produced programming<sup>3</sup>. Following this, the Licensee assured Ofcom that it had plans in place to develop the speech content and increase the amount of original programming hours to meet its Key Commitments.

While we welcome the steps taken to develop the station, the Licensee was unable to meet its Key Commitments to broadcast original programming, and particular types of speech programming, and finds that PCML is again in breach of Licence Conditions 2(1) and 2(4).

We are therefore putting the Licensee on notice that Ofcom will to monitor this service again, and should further breaches of this type occur, we may consider further regulatory action including the imposition of a statutory sanction.

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<sup>3</sup> Issue 333 of Ofcom's Broadcast and On Demand Bulletin can be viewed at:  
[https://www.ofcom.org.uk/data/assets/pdf\\_file/0021/104637/Issue-333-of-Ofcoms-Broadcast-and-On-Demand-Bulletin.pdf](https://www.ofcom.org.uk/data/assets/pdf_file/0021/104637/Issue-333-of-Ofcoms-Broadcast-and-On-Demand-Bulletin.pdf)

We would remind all community radio licensees of the importance of ensuring they are practically able to deliver their Key Commitments, and that if they are unable to they should ask to change them accordingly<sup>4</sup>.

**Breaches of Licence Conditions 2(1) and 2(4) in Part 2 of the Schedule to the community radio licence held by Proper Community Media (Lancaster) Limited (licence number CR100156).**

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<sup>4</sup> There is a specific process, under which Ofcom can consider a request to change Key Commitments against various criteria before deciding whether to agree to it.

## In Breach

### Broadcast licensees' late and non-payment of licence fees *Various licensees*

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#### Introduction

Ofcom is partly funded by the broadcast licence fees it charges television and radio licensees. Ofcom has a statutory obligation to ensure that the fees paid by licensees meet the cost of Ofcom's regulation of broadcasting. The approach Ofcom takes to determining licensees' fees is set out in the Statement of Charging Principles.<sup>1</sup> Detail on the fees and charges payable by licensees is set out in Ofcom's Tariff Tables.<sup>2</sup>

The payment of a licence fee and payment made on time is a requirement of a broadcasting licence.<sup>3</sup>

- 1) 'The Licensee shall pay to Ofcom such fees as Ofcom may determine in accordance with the tariff fixed by it and for the time being in force under Section 87 (3) of the 1990 Act as Ofcom shall from time to time publish in such manner as it considers appropriate.
- 2) Payment of the fees referred to...above shall be made in such manner and at such times as Ofcom shall specify...'

Failure by a licensee to pay its licence fee when required represents a significant and fundamental breach of a broadcast licence, as it means that Ofcom may be unable properly to carry out its regulatory duties.

#### In Breach – late payment

The following licensees failed to pay their annual licence fees by the required payment date. These licensees have therefore breached Condition 3(2) of their licences.

The outstanding payments have now been received by Ofcom. Ofcom will not be taking any further regulatory action in these cases.

Licensee	Service Name	Licence Number
Alias Music and Community Projects CIC	1 Brighton FM	DP101321
An individual	Anker Radio	LRSL101712
An individual	UWS Radio	LRSL000098
An individual	Canterbury Hospital Radio	LRSL000052
Betar Bangla Limited	Betar Bangla Radio	CR000222
DeveronFM Limited	Deveron FM	CR000265

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<sup>1</sup> [http://stakeholders.ofcom.org.uk/binaries/consultations/socp/statement/charging\\_principles.pdf](http://stakeholders.ofcom.org.uk/binaries/consultations/socp/statement/charging_principles.pdf)

<sup>2</sup> [https://www.ofcom.org.uk/\\_data/assets/pdf\\_file/0029/99614/Tariff-Tables-2017-18-.pdf](https://www.ofcom.org.uk/_data/assets/pdf_file/0029/99614/Tariff-Tables-2017-18-.pdf)

<sup>3</sup> As set out in Licence Condition 3 for radio licensees and Licence Condition 4 for television licensees.



Licensee	Service Name	Licence Number
Dunoon Radio Limited	Dunoon Community Radio	CR000136
Pirate FM Limited	Pirate 2/Pirate Oldies	DP000084
St Mathews Community Solution Centre Limited	EAVA FM	CR000178
The Panjabi Centre Limited	Desi Radio	RLCS000142
Town and Country Markets Limited	Cornucopia Radio	LRSL101783
West Herts Hospitals NHS Trust	HHR Hemel Hospital Radio	LRSL000172
Youth Community Media	Youthcomm Radio	CR000053

### In Breach – non-payment

The following licensees failed to pay their annual licence fees. These licensees have therefore been found in breach of Conditions 4(1) and 4(2) of their licences.

Licensee	Service Name	Licence Number
A&A Inform Limited	Russian Hour	TLCS000680

As Ofcom considers these to be serious and continuing licence breaches, **Ofcom is putting these licensees on notice that this contravention of their licences will be considered for the imposition of a statutory sanction, which may include a financial penalty.**

## Complaints assessed, not investigated

Here are alphabetical lists of complaints that, after careful assessment, Ofcom has decided not to pursue between 12 and 25 February 2018 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
Benefits Britain: Life on the Dole	5SELECT	20/01/2018	Generally accepted standards	1
Can't Pay? We'll Take it Away!	5Star	12/02/2018	Generally accepted standards	1
Can't Pay? We'll Take it Away!	5Star	13/02/2018	Generally accepted standards	1
Sikh Ethics	Akaal Channel	14/08/2017	Generally accepted standards	1
Black Girls Rock	BET Black Ent Tv	11/02/2017	Generally accepted standards	1
Premier League Football: Huddersfield vs Bournemouth	BT Sport 1	11/02/2018	Nudity	1
Capital Radio News	Capital Radio	10/02/2018	Generally accepted standards	1
Will Manning	Capital Radio	12/02/2018	Offensive language	1
Teen Titans Go	Cartoon Network	13/02/2018	Race discrimination/offence	1
The Amazing World of Gumball	Cartoon Network	25/01/2018	Harm	1
Pointless	Challenge	21/01/2018	Animal welfare	1
#Vote 100	Channel 4	06/02/2018	Due impartiality/bias	1
Channel 4 News	Channel 4	16/01/2018	Due impartiality/bias	1
Channel 4 News	Channel 4	12/02/2018	Generally accepted standards	1
Channel 4 News	Channel 4	13/02/2018	Due impartiality/bias	1
Channel 4 News	Channel 4	20/02/2018	Due impartiality/bias	1
Derry Girls	Channel 4	01/02/2018	Generally accepted standards	1
First Dates Hotel	Channel 4	29/01/2018	Gender discrimination/offence	1
Hunted	Channel 4	08/02/2018	Offensive language	1
My Millionaire Migrant Boss (trailer)	Channel 4	07/02/2018	Race discrimination/offence	1

Programme	Service	Transmission Date	Categories	Number of complaints
Supersoppers Savers Special	Channel 4	21/02/2018	Materially misleading	2
The Bulger Killers: Was Justice Done?	Channel 4	05/02/2018	Generally accepted standards	7
The Bulger Killers: Was Justice Done?	Channel 4	05/02/2018	Materially misleading	1
Bargain Loving Brits Abroad	Channel 5	15/02/2017	Generally accepted standards	1
Blind Date (trailer)	Channel 5	03/02/2018	Sexual material	1
Can't Pay? We'll Take it Away!	Channel 5	13/02/2018	Materially misleading	1
Celebrity Big Brother	Channel 5	26/01/2018	Race discrimination/offence	1
Celebrity Big Brother	Channel 5	26/01/2018	Sexual orientation discrimination/offence	6
Celebrity Big Brother	Channel 5	27/01/2018	Sexual orientation discrimination/offence	29
Celebrity Big Brother	Channel 5	28/01/2018	Sexual orientation discrimination/offence	49
Celebrity Big Brother	Channel 5	29/01/2018	Sexual orientation discrimination/offence	5
Celebrity Big Brother	Channel 5	30/01/2018	Sexual orientation discrimination/offence	2
Celebrity Big Brother	Channel 5	02/02/2018	Voting	7
Celebrity Big Brother's Bit on the Side	Channel 5	25/01/2018	Sexual orientation discrimination/offence	7
Celebrity Big Brother's Bit on the Side	Channel 5	26/01/2018	Generally accepted standards	1
Channel 5 News	Channel 5	10/02/2018	Race discrimination/offence	1
GPs: Behind Closed Doors	Channel 5	07/02/2018	Offensive language	1
Programming	Channel 5	13/02/2018	Other	1
The Nightmare Neighbour Next Door	Channel 5	19/02/2018	Offensive language	2
The Secret Life of Puppies	Channel 5	17/02/2018	Animal welfare	1
The Wright Stuff	Channel 5	09/02/2018	Materially misleading	1
The Wright Stuff	Channel 5	12/02/2018	Other	1
Thomas & Friends	Channel 5	17/02/2018	Generally accepted standards	1
N Power Go Green Energy Fix's sponsorship of Afternoons on Classic FM	Classic FM	01/02/2018	Commercial communications on radio	1

Programme	Service	Transmission Date	Categories	Number of complaints
TFL advertisements	Classic FM	19/02/2018	Political advertising	1
RuPaul's Drag Race All Stars	Comedy Central	03/02/2018	Advertising placement	1
Dave Gorman's Modern Life is Goodish	Dave	06/02/2018	Offensive language	1
Unspun (trailer)	Dave	12/02/2018	Generally accepted standards	1
Wallander (trailer)	Drama	03/02/2018	Materially misleading	1
Celebs Go Dating	E4	09/02/2018	Generally accepted standards	1
Hollyoaks	E4	08/02/2018	Crime and disorder	1
Hollyoaks	E4	14/02/2018	Dangerous behaviour	7
Men in Black	E4	17/02/2018	Offensive language	1
Heart Breakfast with Matt and Michelle	Heart FM (Berkshire)	18/01/2018	Race discrimination/offence	1
Heart North West Breakfast Show	Heart North West	22/01/2018	Generally accepted standards	1
Breakfast Update	Hermitage FM	01/02/2018	Generally accepted standards	1
Drive Time	Hitmix Radio	18/01/2018	Race discrimination/offence	1
Advertisement	ITV	13/02/2018	Advertising/editorial distinction	1
Advertisements	ITV	14/02/2018	Advertising minutage	1
Britain's Brightest Family	ITV	14/02/2018	Generally accepted standards	1
Coronation Street	ITV	31/01/2018	Materially misleading	1
Coronation Street	ITV	07/02/2018	Materially misleading	1
Coronation Street	ITV	09/02/2018	Generally accepted standards	1
Coronation Street	ITV	09/02/2018	Violence	1
Coronation Street	ITV	12/02/2018	Other	1
Coronation Street	ITV	14/02/2018	Dangerous behaviour	1
Coronation Street	ITV	14/02/2018	Generally accepted standards	2
Coronation Street	ITV	19/02/2018	Drugs, smoking, solvents or alcohol	1
Coronation Street	ITV	Various	Crime and disorder	1
Coronation Street	ITV	Various	Violence	1
Coronation Street	ITV	16/02/2018	Generally accepted standards	1
Dancing on Ice	ITV	11/02/2018	Gender discrimination/offence	3
Dancing on Ice	ITV	11/02/2018	Nudity	1

Programme	Service	Transmission Date	Categories	Number of complaints
Dancing on Ice	ITV	11/02/2018	Sexual material	4
Fangbone	ITV	03/02/2018	Violence	1
Good Morning Britain	ITV	07/01/2018	Generally accepted standards	1
Good Morning Britain	ITV	05/02/2018	Generally accepted standards	1
Good Morning Britain	ITV	07/02/2018	Generally accepted standards	1
Good Morning Britain	ITV	13/02/2018	Gender discrimination/offence	1
Good Morning Britain	ITV	20/02/2018	Due accuracy	1
Good Morning Britain	ITV	20/02/2018	Due impartiality/bias	1
Good Morning Britain	ITV	20/02/2018	Sexual material	1
ITV News	ITV	14/02/2017	Due impartiality/bias	1
ITV News	ITV	25/01/2018	Violence	1
ITV News	ITV	08/02/2018	Race discrimination/offence	1
ITV News	ITV	17/02/2018	Due impartiality/bias	1
ITV News	ITV	19/02/2018	Due impartiality/bias	1
James Bulger: A Mother's Story	ITV	08/02/2018	Generally accepted standards	1
James Martin's Saturday Morning	ITV	10/02/2018	Race discrimination/offence	1
Loose Women	ITV	08/01/2018	Generally accepted standards	1
Loose Women	ITV	08/02/2018	Generally accepted standards	3
Loose Women	ITV	13/02/2018	Generally accepted standards	1
Loose Women	ITV	16/02/2018	Generally accepted standards	1
Loose Women	ITV	16/02/2018	Offensive language	1
Loose Women	ITV	20/02/2018	Gender discrimination/offence	1
Loose Women	ITV	22/02/2018	Generally accepted standards	1
Lorraine	ITV	14/02/2018	Competitions	1
Marcella	ITV	19/02/2018	Generally accepted standards	14
Marcella	ITV	19/02/2018	Other	2
Marcella	ITV	19/02/2018	Violence	1
Peston on Sunday	ITV	11/02/2018	Due impartiality/bias	1
Six Nations Live	ITV	04/02/2018	Generally accepted standards	1

Programme	Service	Transmission Date	Categories	Number of complaints
Six Nations Live: England v Wales	ITV	10/02/2018	Due impartiality/bias	1
Six Nations Live: England v Wales	ITV	10/02/2018	Race discrimination/offence	2
Survival of the Fittest (trailer)	ITV	11/02/2018	Scheduling	2
The Brit Awards 2018	ITV	21/02/2018	Crime and disorder	89
The Brit Awards 2018	ITV	21/02/2018	Dangerous behaviour	1
The Brit Awards 2018	ITV	21/02/2018	Generally accepted standards	4
The Brit Awards 2018	ITV	21/02/2018	Race discrimination/offence	1
The Brit Awards 2018 (trailer)	ITV	05/02/2018	Sexual material	1
The Chase	ITV	14/02/2018	Generally accepted standards	1
The Chase	ITV	15/02/2018	Materially misleading	1
The Chase	ITV	19/02/2018	Competitions	1
The Jeremy Kyle Show	ITV	07/02/2018	Crime and disorder	1
The Jeremy Kyle Show	ITV	13/02/2018	Generally accepted standards	1
The Jeremy Kyle Show	ITV	13/02/2018	Scheduling	1
This Morning	ITV	05/02/2018	Due impartiality/bias	2
This Morning	ITV	06/02/2018	Generally accepted standards	1
This Morning	ITV	09/02/2018	Gender discrimination/offence	2
This Morning	ITV	12/02/2018	Materially misleading	7
Through the Keyhole	ITV	20/01/2018	Generally accepted standards	1
Through the Keyhole	ITV	02/02/2018	Sexual orientation discrimination/offence	1
Through the Keyhole	ITV	17/02/2018	Race discrimination/offence	1
Trauma	ITV	14/02/2018	Dangerous behaviour	2
Trauma	ITV	14/02/2018	Materially misleading	5
Meridian Today	ITV Meridian	01/01/2018	Other	1
Celebrity Juice	ITV2	25/01/2018	Animal welfare	1
Jurassic World	ITV2	11/02/2018	Other	1
Release the Hounds (trailer)	ITV2	06/02/2018	Scheduling	1
Survival of the Fittest	ITV2	11/02/2018	Gender discrimination/offence	1
Two and a Half Men	ITV2	24/01/2018	Sexual material	1

Programme	Service	Transmission Date	Categories	Number of complaints
You've Been Framed	ITV2	26/01/2018	Generally accepted standards	1
The Guilty	ITV3	12/02/2018	Religious/Beliefs discrimination/offence	1
The Nun's Story	ITV3	18/02/2018	Generally accepted standards	1
World Grand Prix Snooker	ITV4	21/02/2018	Other	1
Botched by Nature	ITVBe	14/01/2018	Disability discrimination/offence	1
Botched Post Op	Kanal 11	12/02/2018	Gender discrimination/offence	1
Breakfast Beats	Kiss	30/01/2018	Sexual material	1
Clive Bull	LBC 97.3 FM	14/02/2018	Violence	1
James O'Brien	LBC 97.3 FM	06/12/2017	Due impartiality/bias	1
James O'Brien	LBC 97.3 FM	02/02/2018	Generally accepted standards	1
James O'Brien	LBC 97.3 FM	05/02/2018	Generally accepted standards	1
James O'Brien	LBC 97.3 FM	07/02/2018	Race discrimination/offence	1
Maajid Nawaz	LBC 97.3 FM	03/02/2018	Generally accepted standards	1
Maajid Nawaz	LBC 97.3 FM	13/02/2018	Generally accepted standards	1
Nigel Farage	LBC 97.3 FM	01/01/2017	Generally accepted standards	1
Nigel Farage	LBC 97.3 FM	07/02/2018	Crime and disorder	2
Shelagh Fogarty	LBC 97.3 FM	20/02/2018	Race discrimination/offence	1
Steve Allen	LBC 97.3 FM	04/02/2018	Generally accepted standards	1
Steve Allen	LBC 97.3 FM	09/02/2018	Race discrimination/offence	1
Zayn: Best of British	MTV	03/02/2018	Scheduling	1
The Essential 80s – The Number 2s	Now 80s	21/01/2018	Nudity	1
Trzecia Strona	Polish Radio London (PRL)	31/01/2018	Gender discrimination/offence	2
Shezow	Pop Max	13/02/2018	Offensive language	1
The Chris Moyles Show	Radio X	31/01/2018	Generally accepted standards	1
Ghost Adventures	Really	07/02/2018	Disability discrimination/offence	1
Sam FM Breakfast	Sam FM South Coast	09/02/2018	Race discrimination/offence	1

Programme	Service	Transmission Date	Categories	Number of complaints
Gary Fitz, Here	Secklow Sounds	04/02/2018	Offensive language	1
Britannia	Sky Atlantic	18/01/2018	Religious/Beliefs discrimination/offence	1
Press Preview	Sky News	18/02/2018	Due impartiality/bias	1
Sky News	Sky News	25/01/2018	Generally accepted standards	3
Sky News	Sky News	07/02/2018	Due accuracy	1
Sky News	Sky News	07/02/2018	Due impartiality/bias	1
Sky News	Sky News	13/02/2018	Due accuracy	1
Sky News	Sky News	15/02/2018	Due accuracy	1
Sunrise	Sky News	03/02/2018	Due impartiality/bias	1
Sunrise	Sky News	17/02/2018	Violence	1
Sky Sports Sunday Football	Sky Sports Football	04/02/2018	Disability discrimination/offence	1
The Simpsons	Sky1	23/01/2018	Offensive language	1
The Simpsons	Sky1	26/01/2018	Offensive language	2
Hive's sponsorship of the Smooth Drive Home	Smooth Radio	02/01/2008	Commercial communications on radio	1
Burlesque	Sony Movie Channel	29/01/2018	Sexual material	1
Steg's Morning Show	Sunny Govan Radio 103.5 FM	14/02/2018	Sexual material	1
The Late Night Alternative with Iain Lee	Talk Radio	24/01/2018	Sexual orientation discrimination/offence	1
Alan Brazil Sports Breakfast	Talksport	05/02/2018	Race discrimination/offence	1
Jim White	Talksport	20/02/2018	Offensive language	1
Programming	Talksport	07/02/2018	Race discrimination/offence	1
The People Under The Stairs	The Horror Channel	14/02/2018	Generally accepted standards	1
Fifty Shades of Grey	TV3 Sweden	04/02/2018	Generally accepted standards	1
AncestryDNA advertisement	Various	Various	Political advertising	5
Casillero del Diablo's sponsorship of Movies For Men	Various	08/02/2018	Religious/Beliefs discrimination/offence	1
Programming	Various	Various	Generally accepted standards	1
Programming	Various	Various	Other	1
Various	Various	Various	Gender discrimination/offence	1



Programme	Service	Transmission Date	Categories	Number of complaints
Auschwitz: The Nazis and the Final Solution	Yesterday	02/02/2018	Scheduling	1

For more information about how Ofcom assesses complaints about content standards on television and radio programmes, go to:

[https://www.ofcom.org.uk/\\_data/assets/pdf\\_file/0020/55109/breaches-content-standards.pdf](https://www.ofcom.org.uk/_data/assets/pdf_file/0020/55109/breaches-content-standards.pdf)

### 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
Ill Manors	BBC iPlayer	12/02/2018	Generally accepted standards	1
BBC News	BBC 1	12/09/2017	Due impartiality/bias	1
Rellik	BBC 1	16/10/2017	Violence	1
The Apprentice	BBC 1	06/12/2017	Gender discrimination/offence	1
Newsnight	BBC 2	01/11/2017	Gender discrimination/offence	1
10 Puppies and Us	BBC 2	03/08/2017	Sexual material	1
BBC News	BBC News Channel	18/12/2017	Due impartiality/bias	1
BBC News	BBC News Channel	17/01/2018	Religious/Beliefs discrimination/offence	1

For more information about how Ofcom assesses complaints about content standards on BBC broadcasting services and BBC ODPS, go to:

[https://www.ofcom.org.uk/\\_data/assets/pdf\\_file/0002/100100/Procedures-for-investigating-breaches-of-content-standards-on-BBC-broadcasting-services-and-BBC-on-demand-programme-services.pdf](https://www.ofcom.org.uk/_data/assets/pdf_file/0002/100100/Procedures-for-investigating-breaches-of-content-standards-on-BBC-broadcasting-services-and-BBC-on-demand-programme-services.pdf)

## Complaints assessed under the General Procedures for investigating breaches of broadcast licences<sup>1</sup>

<b>Licensee</b>	<b>Licensed service</b>	<b>Categories</b>
Bay TV Swansea Limited	Swansea Bay TV	Programming Commitments (local TV)
Big City Radio CIC	Big City Radio	Key Commitments
ITV Broadcasting Limited	ITV Hub	Television Access Services

For more information about how Ofcom assesses complaints about broadcast licences, go to:  
[https://www.ofcom.org.uk/\\_data/assets/pdf\\_file/0019/31942/general-procedures.pdf](https://www.ofcom.org.uk/_data/assets/pdf_file/0019/31942/general-procedures.pdf)

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<sup>1</sup> This table was amended after publication to correct a factual inaccuracy.

## 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.

For more information about what Ofcom's rules cover, go to: <https://www.ofcom.org.uk/tv-radio-and-on-demand/how-to-report-a-complaint/what-does-ofcom-cover>

### Complaints about television or radio programmes

For more information about how Ofcom assesses complaints about television and radio programmes, go to:

[https://www.ofcom.org.uk/\\_data/assets/pdf\\_file/0020/55109/breaches-content-standards.pdf](https://www.ofcom.org.uk/_data/assets/pdf_file/0020/55109/breaches-content-standards.pdf)

Programme	Service	Transmission Date	Categories	Number of complaints
Advertisements	BT Sport	14/02/2018	Advertising content	1
Advertisement	Challenge	16/02/2018	Advertising content	1
Advertisement	Channel 4	11/02/2018	Advertising content	1
Programming	Channel 4	16/02/2018	Outside of remit	1
Advertisement	Classic FM	20/02/2018	Advertising content	1
Advertisement	E4	14/02/2018	Advertising content	3
Advertisement	E4	15/02/2018	Advertising content	1
Advertisement	Gold	20/02/2018	Advertising content	1
Teleshopping	High Street TV	10/02/2018	Teleshopping	1
Advertisement	ITV	10/02/2018	Advertising content	2
Advertisement	ITV	22/02/2018	Advertising content	1
Advertisements	ITV	02/02/2018	Advertising content	1
Coronation Street	ITV	n/a	Outside of remit	1
The Brit Awards 2018	ITV	21/02/2018	Outside of remit	3
Advertisement	ITV3	11/02/2018	Advertising content	1
Advertisement	More4	13/02/2018	Advertising content	1
Advertisement	n/a	19/02/2018	Advertising content	1
Advertisement	Sky Sports	11/02/2018	Advertising content	1
Advertisement	Sky Sports News	14/02/2018	Advertising content	1
Advertisement	Sony Movie Channel	Various	Advertising content	1
Advertisement	Sony Movies + 1	19/02/2018	Advertising content	1
Programming	Various	11/02/2018	Outside of remit	1
Advertisement	W	13/02/2018	Advertising content	1

## 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 News	BBC services	Various	Due impartiality/bias	1
BBC TV Brexit coverage	BBC services	Various	Due impartiality/bias	1
BBC News	BBC 1	12/02/2018	Generally accepted standards	1
BBC News	BBC 1	20/02/2018	Due impartiality/bias	1
Casualty	BBC 1	17/02/2018	Generally accepted standards	1
Countryfile	BBC 1	10/09/2017	Other	1
Countryfile	BBC 1	11/02/2018	Violence	1
Doctors	BBC 1	31/01/2018	Information/Warnings	1
East Midlands Today	BBC 1	11/01/2018	Due impartiality/bias	1
EastEnders	BBC 1	13/02/2018	Generally accepted standards	2
Great Edinburgh Cross Country	BBC 1	13/01/2018	Due impartiality/bias	1
Look East	BBC 1	19/02/2018	Offensive language	1
Programming	BBC 1	Various	Gender discrimination/offence	1
Question Time	BBC 1	01/02/2018	Due impartiality/bias	1
Question Time	BBC 1	22/02/2018	Due impartiality/bias	1
The Andrew Marr Show	BBC 1	18/02/2018	Due impartiality/bias	1
Party Political Broadcast by the Scottish Conservatives	BBC 1 Scotland	07/02/2018	Due accuracy	1
Reporting Scotland	BBC 1 Scotland	06/11/2017	Due impartiality/bias	1
1066 A Year To Conquer England	BBC 2	17/02/2017	Race discrimination/offence	1
Football Focus	BBC 2	17/02/2018	Generally accepted standards	1
Girls on the Edge	BBC 2	22/02/2018	Under 18s in programmes	1
Newsnight	BBC 2	03/01/2018	Due impartiality/bias	1
The Mash Report	BBC 2	01/02/2018	Due impartiality/bias	1

<b>Programme</b>	<b>Service</b>	<b>Transmission or Accessed Date</b>	<b>Categories</b>	<b>Number of Complaints</b>
The Mash Report	BBC 2	01/02/2018	Generally accepted standards	1
Coconut	BBC 3	12/12/2017	Crime and disorder	1
Panorama	BBC iPlayer	21/02/2018	Due impartiality/bias	1
Word of Mouth	BBC Radio 4	05/02/2018	Race discrimination/offence	1
Horrible Histories	CBBC	09/02/2018	Scheduling	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 between 12 and 25 February 2018.

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

Programme	Service	Transmission date
The Christian O'Connell Breakfast Show	Absolute Radio 90s	08/02/2018
Jesus Sanctuary Ministries	BEN TV	Various
Gold Rush	Discovery	19/01/2018
Free Jaggi Now	KTV	06/01/2018
Indian Law	KTV	14/01/2018

For more information about how Ofcom assesses complaints and conducts investigations about content standards on television and radio programmes, go to:

[https://www.ofcom.org.uk/\\_data/assets/pdf\\_file/0020/55109/breaches-content-standards.pdf](https://www.ofcom.org.uk/_data/assets/pdf_file/0020/55109/breaches-content-standards.pdf)

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

Programme	Service	Transmission date
Can't Pay? We'll Take it Away!	5 Star	8 October 2017
The Report: Problem Leases	BBC iPlayer	13 April 2017
Can't Pay? We'll Take it Away!	Channel 5	20 August 2017
News	New Vision TV	24 November 2017
Power Play	New Vision TV	21 November 2017

For more information about how Ofcom considers and adjudicates upon Fairness and Privacy complaints about television and radio programmes, go to:

[https://www.ofcom.org.uk/\\_data/assets/pdf\\_file/0031/57388/fairness-privacy-complaints.pdf](https://www.ofcom.org.uk/_data/assets/pdf_file/0031/57388/fairness-privacy-complaints.pdf)

For information about how Ofcom considers and adjudicates upon Fairness and Privacy complaints on BBC Broadcasting Services and BBC ODPS, go to:

[https://www.ofcom.org.uk/\\_data/assets/pdf\\_file/0003/100101/Procedures-for-the-consideration-and-adjudication-of-Fairness-and-Privacy-complaints.pdf](https://www.ofcom.org.uk/_data/assets/pdf_file/0003/100101/Procedures-for-the-consideration-and-adjudication-of-Fairness-and-Privacy-complaints.pdf)