

# **Ofcom Broadcast Bulletin**

**Issue number 106  
14 April 2008**

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## Introduction

Ofcom's Broadcasting Code ("the Code") took effect on 25 July 2005 (with the exception of Rule 10.17 which came into effect on 1 July 2005). This Code is used to assess the compliance of all programmes broadcast on or after 25 July 2005. The Broadcasting Code can be found at <http://www.ofcom.org.uk/tv/ifi/codes/bcode/>

The Rules on the Amount and Distribution of Advertising (RADA) apply to advertising issues within Ofcom's remit from 25 July 2005. The Rules can be found at <http://www.ofcom.org.uk/tv/ifi/codes/advertising/#content>

From time to time adjudications relating to advertising content may appear in the Bulletin in relation to areas of advertising regulation which remain with Ofcom (including the application of statutory sanctions by Ofcom).

It is Ofcom policy to state the full language used on air by broadcasters who are the subject of a complaint. Some of the language used in Ofcom Broadcast Bulletins may therefore cause offence.

## Note to Broadcasters

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### Changes to the Ofcom Broadcasting Code (“the Code”)

As required, from time to time it may be necessary for Ofcom to amend parts of the Code to take into account changes in legislation, regulatory practices and precedent. As Section 319 of the Communications Act 2003 (the Code, May 2005, Appendix 1, p.60) states:

“It shall be the duty of OFCOM to set, and from time to time to review and revise, such standards for the content of programmes to be included in television and radio services as appear to them best calculated to secure the standards objectives.”

Therefore, broadcasters, viewers, listeners and other interested parties are reminded to refer to the electronic version of the Code for the most up to date copy of any given section and related guidance.

This can be found at <http://www.ofcom.org.uk/tv/ifi/codes/bcode/>

Amongst the most significant changes since the Code was published in May 2005 are the following [additions are in **bold italics** and deletions are in ~~strike through~~]:

- Section Nine, Sponsorship (pp.49-52)

Principle (p.49):

***In this Principle, programmes include “channels” as defined below...***

Rules (p.50):

Meaning of “sponsored programme”, ***“sponsored channel”***, and ***“sponsor”***.

Prohibited and restricted sponsors (p.51):

Rule 9.2 ***No channel or programme*** may be sponsored by a sponsor that is not allowed to advertise on the relevant medium. ~~with the exception of betting and gaming companies.~~

Rule 9.3 has been deleted and thus Rules 9.4 to 9.15 have been renumbered accordingly (i.e. they are now Rule 9.3 to 9.14).

- Section Ten, Commercial References and Other Matters (pp.53-58)

Headline after 10.14 edited:

***Appeals for funds for programmes or services.***

Rule 10.15 has been deleted and thus Rules 10.16, 10.17, 10.18 are now 10.15, 10.16, 10.17.

## Standards cases

### Not in Breach

#### Catherine Tate Christmas Show

BBC1, 25 December 2007, 22:30

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##### Introduction

*Catherine Tate* is an established comedy sketch series normally broadcast on BBC2. Ofcom received 42 complaints about the second Christmas Special broadcast on Christmas Day 2007 at 22.30 on BBC1.

During the course of the episode, the caricature of an elderly woman living in a council flat was featured. The character appeared to be a good-natured pensioner, but the moment people's backs were turned she became bad tempered and foul-mouthed. Ofcom received complaints about the use of strong language in this sketch, particularly on Christmas Day.

Another sequence of sketches featured a family from Northern Ireland who had discovered that their son was gay. The family were seen going to great lengths to ensure that the community knew they were happy with their son's sexuality. Complainants objected to what they considered to be a stereotypical view of a family from Northern Ireland; for instance the family were seen exchanging Christmas presents such as a balaclavas and a knuckle-duster. However, they also gave their son a present of a chocolate penis.

The episode also featured a promiscuous auxiliary nurse, called Bernie, who attempted to seduce guest star George Michael.

We asked the BBC to respond to the complaints that the material was offensive in light of Rule 2.3 of the Code (generally accepted standards; justification by context).

##### Response

The BBC pointed out that there have now been three (frequently repeated) series on BBC television and two Christmas specials, establishing the show as a "landmark contemporary comedy". It said that the general tone of the programme is very well recognised, with several *Catherine Tate* characters having become iconic figures in their own right, to the extent that they are depicted on greetings cards and some of their catchphrases have been adopted into everyday use. In 2006 the profile of the show was such that the then Prime Minister, Tony Blair, agreed to take part in a sketch for *Comic Relief*, in which he claimed to be "not bovvered" by the character Lauren.

The broadcaster said that it was aware that the composition of audiences on Christmas Day is not typical, with a higher than usual proportion of children viewing together with their families at various times. It said that its Christmas Day programming is designed to take account of this.

At 22:30, *The Catherine Tate Christmas Show* was placed considerably later in the evening than the slots previously occupied by regular editions of the show - well after the watershed. The BBC pointed out that the number of children in the audience for 2007 *Catherine Tate Christmas Show* was thus less than for the equivalent show in 2005, and within the range for the regular series.

It did not agree with the complainants that the show contained material that was out of keeping with normal expectations. Most of the sketches featured well-established characters behaving in their usual fashion (though with some seasonal twists). For example, the Taylor family, featuring the character Nan, has appeared in numerous sketches, with Nan's catch phrase "*what a fucking liberty*" as the standard punch line. The twist in the Christmas show was the introduction of her daughter, Diane, who took after her mother to the extent of mirroring her language and attitudes. Although this led to the f-word being used more often than is usual for the Taylor family sketch, it did not lead to the use of stronger language than has regularly proved acceptable, in this sketch and in other elements of the series. As usual, the pre-transmission announcement alerted viewers to the content of the programme, on this occasion in the following terms: "*Plenty of presents still under the tree here on BBC1, including this. If the little ones are still up, be warned, there's strong language in the Catherine Tate Christmas Show*".

As to the use of this language on Christmas Day, the BBC said that it does not regard any word as being more obscene on one day than on another. It did take account of the different audience expectations on different occasions, but in its view it was not the general expectation of audiences that everything broadcast on Christmas Day should reflect its character as a religious festival. Meanwhile, it believed the scheduling of *The Catherine Tate Christmas Show* took due account of any expectations of differing family viewing patterns on 25 December.

Where the family from Northern Ireland was concerned, the BBC argued that, given the degree of exaggeration in this series of linked sketches, they could not reasonably have been interpreted as an attempt to stereotype any community in Northern Ireland. It believed that the sketches employed an established comedy tool of exaggerating an extreme attitude or situation - in this case sectarianism - to the point of absurdity and then undercutting it by the addition of incongruous elements. In the most extended of these sketches, the humour lay principally in the absurdity of juxtaposing the dark symbols of a campaign of terror, with the depiction of a loving exchange of family gifts on Christmas Day. Similarly, throughout the sketches, the family's endorsement and proclamation of their son's homosexuality stood in absurd contrast with their less than progressive attitudes in other matters.

It went on to say that all Catherine Tate's characters are extreme in some way, but that there was no suggestion that they are representative - that all elderly women swear like Nan Taylor, that all teenagers are as rude and disobliging as Lauren, or all nurses as incompetent and promiscuous as Bernie. It is the characters' very extremity which, in their view, guarded against their being taken as stereotypes of whole sections of the population.

## Decision

In respect of the broadcast of the most offensive language, Ofcom noted that both the series and the characters portrayed were well-established and in a comedy show. Ofcom took account of the concerns that this show was broadcast on Christmas Day. However, Ofcom bore in mind the fact that it had been broadcast a full hour and a half after the watershed and that there had been very clear information at the start, acknowledging that some children may be up because it was Christmas, but making clear that the programme included strong language. Overall, in Ofcom's view, this episode was typical of the *Catherine Tate Show* and would not have gone beyond the expectations of its usual audience. For those not familiar with the content, the information given at the start of the programme was adequate. Therefore, In Ofcom's view, any possible offence was justified by the context.

In the case of the family from Northern Ireland, we recognise that offence could be caused by focusing on any given community. However, in Ofcom's view, it would have been clear to the audience that, in a comedy show such as this, exchanging Christmas gifts of terrorist paraphernalia was absurd in the extreme. Comedy has a long tradition of engaging with challenging subjects and confronting taboos. In this respect, Ofcom must regulate potentially offensive material in a manner that best guarantees an appropriate level of "freedom of expression" – the broadcasters' right to transmit information and ideas and viewers' right to receive them. Any interpretation of the Code must be seen against this background. Ofcom must therefore seek an appropriate balance between the potential for harm and offence and the broadcaster's right to freedom of expression, taking into account, for example, such things as the context of any particular programme.

While it is appreciated that sensitivities still remain in Northern Ireland, comedy, especially satirical comedy, frequently explores the darker side of humanity. In our view, this was the effect achieved by this sequence of sketches and consequently they were not in breach of the Code.

## Not in Breach

## Fairness and Privacy Cases

### Upheld in Part

#### Complaint by Ms K on behalf of her son, Child K

*Child Chain Smoker, Channel 4, 28 June 2007*

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**Summary:** Ofcom has upheld part of the complaint of unfair treatment and upheld the complaint of unwarranted infringement of privacy

A documentary, called *Child Chain Smoker* concerned a 13 year old boy called Joel who had been smoking cigarettes since he was eight years old. Child K featured in the documentary as Joel's friend. Footage of Child K (aged 14 years) was shown together with the commentary "Joel usually seems to hang around with older boys like Acer and Child K" and "As with many kids, it was peer pressures that led to Joel's first cigarette". The footage was obtained and subsequently broadcast without the consent of Child K's mother, Ms K.

Ms K complained that her son was treated unfairly in the programme and that his privacy was unwarrantably infringed in the making and broadcast of the programme.

Ofcom found as follows:

- a) Ofcom found that Child K was treated unfairly in the programme as broadcast, as valid and informed consent was not obtained for Child K's contribution from an appropriate adult. Further, Ofcom considered the need for such consent was underscored by the serious and sensitive subject matter of the programme.
- b) Ofcom found no unfairness to Child K as a result of him being associated with the "peers" who had introduced Joel to smoking. The programme did not show Child K smoking and did not state that Child K introduced Joel to smoking. Further, Ofcom considered that if an association was made by viewers, it was not unfair given that Child K was part of a group of Joel's friends who smoked. The programme made clear that other influences in Joel's life, besides his peers had led to him start and continue smoking,
- c) Ofcom found that Child K's privacy was unwarrantably infringed in the making and broadcast of the programme. In Ofcom's view, Child K had a legitimate expectation of privacy which was heightened by the additional vulnerability afforded to him on account of his age, together with the sensitive subject matter of the programme. Valid consent was not obtained for Child K's contribution and it was not warranted to record or broadcast the footage.

#### Introduction

On 28 June 2007, Channel 4 broadcast *Child Chain Smoker*, a documentary programme about a 13 year old boy called Joel who had been smoking cigarettes since he was eight years old. The programme followed aspects of Joel's day to day life and examined how he became a smoker and what steps were being taken by his mother to help him stop smoking.



During the programme, Joel was shown walking in the street and then eating in a shopping centre with two of his friends, Acer and Child K. The programme's commentary said that "*Joel usually seems to hang around with older boys like Acer and Child K*". The commentary went on to state that Acer was also a heavy smoker, and footage of both Acer and Child K sitting with Joel was accompanied by the commentary "*As with many kids, it was peer pressure that led to Joel's first cigarette*".

Ms K is the mother of Child K who appeared in the programme and was referred to as Child K. Child K was 14 years old when the filming took place.

Ms K complained to Ofcom on her son's behalf that he was treated unfairly in the programme and that his privacy was unwarrantably infringed in both the making and broadcast of the programme.

## **The Complaint**

### **Ms K's complaint**

In summary, Ms K complained that Child K was treated unfairly in the programme in that:

- a) Child K, who was 14 years old at the time of filming, contributed to the programme without his mother's consent.
- b) Child K was unfairly associated with the "peers" who had introduced Joel to smoking. Ms K said that, as a result of the programme, people where she and her son lived believed that Child K was responsible for introducing Joel to smoking. This was untrue and therefore unfair to Child K.

Ms K complained that her son's privacy was unwarrantably infringed in both the making and broadcast of the programme in that:

- c) Child K, who was 14 years old at the time, was filmed and appeared in the programme without his mother's consent or knowledge.

### **Channel 4's case**

In summary, Channel 4 responded to the complaint as follows:

- a) With respect to Ms K's complaint that Child K contributed to the programme without her consent, Channel 4 accepted that, on the assumption that Child K was 14 years old at the time of filming, consent from his parent or guardian should have been obtained prior to him being involved in the programme. Channel 4 said that whilst all other contributors had consent forms signed by their parents, Child K's consent form was signed by him as he advised the producer that he was not under 16 years of age. Channel 4 also said that the producer considered Child K did not appear vulnerable or incapable of making informed decisions and looked older than 15 years of age.
- b) In regard to Ms K's complaint that Child K was unfairly associated with the "peers" who had introduced Joel to smoking, Channel 4 stated that it agreed that the sequence in which Child K appeared portrayed Joel and Child K as being "associated". Further, Channel 4 accepted that an impression was given that Joel started smoking after spending time with his "peers". Channel 4

contended that it was fair to make this claim in the broad sense of the expression “peer pressure”.

Channel 4 stated further that the sequence in question showed Joel and Acer smoking and discussing smoking. There was no discussion in the programme with Child K about smoking and the focus was on Acer and Joel. Channel 4 said that the programme did not make it explicit who had started Joel smoking and the term “peer pressure” was intended to be interpreted in the broad sense of the expression. Channel 4 then stated that even if Child K was considered to fall within Joel’s peer group (which it believed he clearly did) it did not believe that the association with Joel’s peer group was unfair to Child K taking into consideration the context of the programme and the material gathered and considered. Channel 4 referred to the full untransmitted material filmed and stated that this supported the notion that Joel started smoking due to peer pressure and also from being surrounded by smokers at home from a young age. Channel 4 concluded by stating that it would not be unfair or unreasonable to draw the inference that Child K played some part in Joel’s smoking, even in the broad sense that he was a smoker and appeared not to condemn Joel smoking in the material gathered.

- c) With respect to Ms K’s complaint that Child K’s privacy was infringed in the making and broadcast of the programme, Channel 4 stated that if Child K was under 16 years of age at the time of filming it accepted (in the absence of any public interest argument) that there was an unwarranted infringement of privacy.

Channel 4 stated that the programme makers’ failure to obtain consent from Ms K was not premised on a desire to deceive any party, but was due to the information provided to producers by Child K, namely, that he was not under 16 years of age. Channel 4 accepted that further checks should have been made in respect of Child K’s age. It also stated that immediate action was taken to prevent the programme from being re-broadcast.

## **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 unfair treatment in programmes, and from unwarranted infringement of privacy in the making and broadcast of programmes, included in such services.

In carrying out its duties, Ofcom has regard to the need to secure that the application of these standards is in a 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, consistent and targeted only at cases in which action is needed.

This case was considered by Ofcom’s Executive Fairness Group. In reaching a decision it considered a recording of the programme, the written submissions from both parties and unedited material provided by Channel 4.

- a) Ofcom first considered Ms K’s complaint that Child K was treated unfairly in the programme as broadcast because he was 14 years of age at the time of filming and he contributed to the programme without her consent.

In considering this head of complaint, Ofcom took account of Rule 7.1 of the Code, which states that broadcasters must avoid unjust or unfair treatment of individuals in programmes. Ofcom also took into account Practice 7.3 of the Code, which provides that where a person is invited to make a contribution to a programme they should normally be told matters such as the nature and purpose of the programme, the contribution they are expected to make and the areas of questioning. Taking measures such as these is likely to result in the consent that is given being 'informed consent'. Ofcom also had reference to Practice 7.4 of the Code, which provides that if a contributor is under sixteen, consent should normally be obtained from a parent or guardian, or other person of eighteen or over in loco parentis.

Ofcom noted that Child K signed a consent form for his contribution and informed the programme makers that he was not under 16 years of age. However, Ofcom also noted that according to Ms K's complaint, Child K was 14 years of age at the time of filming. In accordance with the Code, the programme makers should therefore have obtained consent from Ms K (or any other appropriate person as provided for pursuant to the Code). Based on the information before Ofcom, valid and informed consent was not obtained for Child K's contribution from an appropriate adult.

Ofcom noted that the programme was a documentary about Joel and his addiction to smoking. However, the programme also concerned a more general and serious examination of young children starting smoking and being unable to change their habits due to family circumstances and social pressures. In Ofcom's view the importance of obtaining valid consent for participation in this particular programme was underscored because of the serious and sensitive subject matter of the programme and because of the age of the contributors. Whilst Ofcom noted that Child K informed the programme makers that he was not under 16 years of age, Ofcom considered that they did not take sufficient measures to ensure they obtained appropriate consent for Child K's contribution in the programme.

Taking the factors referred to above into account, Ofcom considered Child K was treated unfairly by being included in a programme of a sensitive and serious nature without the programme makers having obtained valid and informed consent from the appropriate person.

- b) Ofcom next considered Ms K's complaint that Child K was unfairly associated with the "peers" who had introduced Joel to smoking.

In considering this head of complaint Ofcom took account of Rule 7.1 as detailed above in decision head (a). Ofcom also took into account Practice 7.9 of the Code, which states that broadcasters must 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.

Having viewed the footage of Child K and the accompanying transcript of the programme, Ofcom noted the following relevant excerpts:

Joel, Acer and Child K are shown sitting at cafe table eating chicken and chips in Trafford Centre food court.

Commentary: *"Joel usually seemed to hang around with older boys like Acer and Child K. Acer was also a heavy smoker."*

- Acer: *"Started when I was eleven, I'm fifteen now, well nearly sixteen."*
- Presenter: *"Would you say you're properly addicted then?"*
- Acer: *"Yeah. Because I can go without a cig, and then I just start getting agitated and all that."*
- Joel: *"See no the thing with me is I just don't give a f--- like I'm not bothered me."*
- Acer: *"You're not ars-d about stopping?"*
- Joel: *"Hell sh-- no, I aint gonna stop."*
- Commentary: *"As with many kids it was peer pressure that led to Joel's first cigarette."*

In Ofcom's view the focus of the sequence in which Child K was featured was notably on Joel and Acer and the interviewer's questions regarding being addicted to smoking were directed at Joel and Acer. Further, although in the untransmitted footage Child K admitted he was a smoker, there were no shots in which Child K was shown smoking and at no stage in the programme did Joel state that Child K introduced him to smoking.

Notwithstanding this, Ofcom recognised that there may have been a risk that viewers would have associated Child K with the "peers" who had introduced Joel to smoking because he was shown spending time with Joel and Acer (who is also a smoker) in the programme.

However, in Ofcom's view, the programme's portrayal of Child K as being associated with Joel's "peers" was not unfair given that he was part of a group of Joel's friends who smoked. Furthermore, in Ofcom's view, it was made clear in the programme that other influences in Joel's life, besides his peers had led to him start and continue smoking, in particular, his family circumstances. On this basis, Ofcom found that the section of the programme which included Child K did not unfairly associate him with the "peers" who had introduced Joel to smoking.

Accordingly, Ofcom found no unfairness to Child K in this respect.

- c) Ofcom next considered Ms K's complaint that the programme makers unwarrantably infringed Child K's privacy by filming and broadcasting footage of him without his mother's consent or knowledge. Ofcom first considered Ms K's complaint in respect of the making of the programme.

Rule 8.1 of the Code requires that any infringement of privacy in programmes, or in connection with obtaining material included in programmes, must be warranted.

In considering this head of complaint, Ofcom took account of Practice 8.20 of the Code which provides that broadcasters should pay particular attention to the privacy of people under sixteen. Ofcom also took account of Practice 8.22 which provides that persons under sixteen should not be questioned about

private matters without the consent of a parent, guardian or other person of eighteen or over in loco parentis, unless it is warranted to proceed without consent.

In Ofcom's view, the line to be drawn between the public's right to information and the citizen's right to privacy can sometimes be a fine one. When considering and adjudicating on a complaint of unwarranted infringement of privacy, Ofcom must therefore address itself to three distinct questions: First, whether there was a legitimate expectation of privacy, if so, whether there been an infringement of that privacy? And, if so, was it warranted?

Taking into account the Code provisions, Ofcom examined the footage of Child K. Whilst Ofcom recognised that Child K was filmed openly and in a public place, Ofcom considered Child K's expectation of privacy was heightened by the additional vulnerability afforded to him on account of his age (being 14 years old at the time of filming) and the subject matter of the programme. As discussed at decision head (a), Ofcom considered the subject matter of the programme to be of a sensitive nature, covering serious social issues pertaining to young children smoking. Taking into account these factors, Ofcom was satisfied that Child K had a legitimate expectation of privacy.

Ofcom considered Child K's privacy was infringed by the recording of the footage and further, that the infringement of his privacy was not warranted in the circumstances. In reaching this view, Ofcom considered that whilst Child K signed the consent form and informed the programme makers he was 16 years of age, the measures taken by the programme makers to ensure valid consent was obtained to record footage of Child K were not sufficient in the circumstances. In this regard, Ofcom noted that appropriate caution was taken by the programme makers in respect of the other participants in the programme and that whilst Child K may have appeared older than Joel or Acer, considerable caution regarding securing consent must always be taken where there is a risk of uncertainty regarding age. Further to this, Ofcom noted from the untransmitted material that Child K was questioned as to whether he smoked, when he started and for how long he had smoked. In Ofcom's view, the questioning related to issues of a private nature and, in view of Child K's age, this was not appropriate without appropriate consent. Consent ought to have been sought from the appropriate person for the interview with Child K.

For the reasons detailed above, together with the absence of any over-riding public interest in filming the specific footage of Child K, filming him was not warranted. Accordingly, Ofcom found that Child K's privacy was unwarrantably infringed in the making of the programme.

Ofcom next considered whether Child K's privacy was infringed in the broadcast of the programme. In considering this aspect of the complaint, Ofcom had particular reference to Practice 8.20, as set out above and to Practice 8.21 of the Code. Practice 8.21 provides that where a programme features an individual under 16 or a vulnerable person in a way that infringes privacy, consent must be obtained from a parent, guardian or other person of 18 or over in loco parentis and wherever possible, the individual concerned unless the subject matter is trivial or uncontroversial and the participation is minor, or it is warranted to proceed without consent.

For the reasons discussed above, namely Child K's age and the subject matter under discussion, Ofcom found that Child K had a legitimate expectation of privacy in relation to the broadcast of the material of him.

Ofcom considered Child K's privacy was infringed in the broadcast of the footage of him as he was visually identifiable and referred to by name in the programme. Further, as discussed at decision head (a), consent was not obtained from Ms K (or any other appropriate person) and the consent obtained from Child K was not considered valid in the circumstances. In Ofcom's view, it was not warranted to include footage of Child K in the programme without having sought the appropriate consent, particularly given the sensitive nature of the documentary's topic, namely underage smoking.

The complaint of unwarranted infringement of Child K's privacy in the broadcast of the programme was upheld.

**Accordingly, Ms K's complaint of unfair treatment of Child K was partly upheld and the broadcaster found to be in breach of Rule 7.1. The complaint of unwarranted infringement of Child K's privacy in the making and the broadcast of the programme was also upheld and the broadcaster found to be in breach of Rule 8.1.**

## Not Upheld

### Complaint by Mr Robert Winsor

*Channel 4 News, Channel 4, 25 January 2007*

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**Summary:** Ofcom has not upheld this complaint of unfair treatment by Mr Winsor.

This episode of *Channel 4 News* reported on the findings of the House of Commons Culture, Media and Sport Select Committee who criticised the way Call TV quiz services were conducted. The programme also included an interview with Mr Robert Winsor (a former employee of Big Game TV!) who alleged that the people who called the Call TV quiz services were not only gullible but also victims of deception. In response to Mr Winsor's comments, the programme included a statement from Big Game TV Limited ("BGTV") which stated that a police investigation carried out on the basis of Mr Winsor's allegations, "*concluded the case was without foundation and that no director or employee of the company would face any action*".

Mr Winsor complained that that he was treated unfairly in the programme as broadcast in that BGTV's statement was untrue and that its inclusion portrayed him as a "vindictive liar" and that he was not given an opportunity to respond.

In summary, Ofcom was satisfied that Channel 4 presented BGTV's statement as being BGTV's opinion and not as a matter of fact. It also took the view that there was no new information or substantive comment in that part of the programme that would have necessitated the programme makers' having to seek a further response from Mr Winsor.

Ofcom considered that it would have been clear to viewers that there were serious concerns from the relevant regulatory authorities on the manner in which the Call TV quiz services were being conducted and that Mr Winsor's contribution was in keeping with this. Ofcom found therefore that the inclusion of BGTV's statement, which referred only to the police investigation, would not have materially affected viewers' opinion of Mr Winsor's credibility or that of his testimony about his experiences of working for BGTV in a way that was unfair to him given this wider context.

### Introduction

On 25 January 2007, Channel 4 broadcast an edition of *Channel 4 News* which included two reports relating to dedicated Call TV quiz services. The first item reported on recent concerns about these quiz services the content of which consisted of quizzes and puzzles to which viewers were invited to participate by calling the programme with their answers. The report looked at: allegations that the nature of some of the questions was unfair; the difficulty callers had in getting on air to win the cash prizes; and, the profits made from the premium rate charges for the calls by the television companies producing the programmes. It also reported on the findings of the House of Commons Culture, Media and Sport Select Committee ("the Committee") which criticised the way in which Call TV quiz services were being conducted.

The second item included an interview with Mr Robert Winsor (described in the item as a "*former employee of the game show channel Big Game TV*") (Big Game TV! was a dedicated Call TV quiz service owned and operated by Big Game TV Limited)

which had given evidence to the Committee. Mr Winsor claimed that people who spent hundreds of pounds trying to get through to the quiz programmes were not only gullible, but were victims of deception. During the interview, Mr Winsor explained the practices allegedly used by the producers of Call TV quiz services and expressed his view that the industry needed to be regulated more tightly. Immediately after the interview, the programme's presenter stated that:

*"A spokesman for Big Game TV told Channel 4 News an eight month police investigation carried out, after Mr Winsor made his allegations, had concluded that the case was without foundation and that no director or employee of the company would face any action"*

Mr Winsor complained to Ofcom that he was treated unfairly in the programme.

## **The Complaint**

### **Mr Winsor's case**

In summary, Mr Winsor complained that he was treated unfairly in the programme as broadcast in that the statement from Big Game TV Limited ("BGTV"), in which it was said that the police had *"concluded that the case was without foundation"*, was untrue. Mr Winsor said that the inclusion of this statement portrayed him as a "vindictive liar" on national television and that he was not given an opportunity to respond.

### **Channel 4's case**

In summary, Channel 4 responded to the complaint as follows:

Channel 4 said that Mr Winsor, in interview, was given a very significant time within the programme to express his concerns, to make allegations about BGTV and to make criticisms of the internal working practices he experienced while working for the company. After the interview with Mr Winsor, the *Channel 4 News* presenter read out a statement provided by BGTV by way of a right to reply to the allegations made in the report.

In addition, Channel 4 referred to in the first news item in the programme in which the shortfalls in television quiz competitions had been highlighted as a growing matter of public concern. Channel 4 said that BGTV would have had an "open and shut" case against *Channel 4 News* for a breach of the Code if its statement had not been read out on air, or if it had not been given an opportunity to respond to the allegations in the programme.

Channel 4 said that Mr Winsor also complained that BGTV's assertion, that the case was *"without foundation"* should not have been broadcast. This, Channel 4 said, would have amounted to a material alteration to the short statement by BGTV and it would have been unfair to the company if *Channel 4 News* had changed or omitted this part of its response, particularly as this went to the issues raised in the report.

Channel 4 said that the item needed to make clear to viewers that BGTV was not subject to ongoing criminal investigations and that a police investigation was not being undertaken against them and BGTV was entitled to make this clear in its response. Also, the suggestion made by Mr Winsor that the statement read out implied that he was a "vindictive liar" was not a reasonable interpretation of what the statement from BGTV actually said. Channel 4 said that given the prominence given



to Mr Winsor and the serious allegations made by him in the item, it was highly unlikely that any reasonable viewer watching the programme would have drawn this conclusion.

Channel 4 said that the programme makers did check that there was a factual basis to BGTV's response – it was shown a letter stating the police would be taking no further action in the matter. Furthermore, Channel 4 said that there must be some finality to the making of a news report. It said that in any editorial report where there are inevitably disputed issues, but as a matter of practicality, there is not a duty on the broadcaster to go back and forwards *ad infinitum* on the factual disputes between the parties provided that both parties have been given a fair and timely opportunity to respond to the material facts. Channel 4 said that the company's statement did not raise any new or substantive matter that the programme makers felt it was necessary to seek Mr Winsor's further comments on. Channel 4 said that a broadcaster has to fairly reflect the claim and the response to the claim and that in this case, it was confident that *Channel 4 News* fully discharged this responsibility.

## 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 unfair treatment in programmes included 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.

This complaint was considered by Ofcom's Executive Fairness Group. In reaching a decision it considered a recording and transcript of the programme and the submissions from both parties.

Mr Winsor complained that he was treated unfairly in the programme as broadcast in that the statement included in the programme from BGTV, in which it was said that the police had "*concluded [that] the case was without foundation*" was untrue. Mr Winsor said that its inclusion portrayed him as a "vindictive liar" on national television and that he was not given an opportunity to respond.

In considering Mr Winsor's complaint, Ofcom took account of Practice 7.9 of the Code which states that before broadcasting a factual programme, broadcasters should take reasonable care to satisfy themselves that material facts have not been presented, disregarded or omitted in a way that is unfair to an individual or organisation. It also had regard to Practice 7.11 of the Code which states that if a programme alleges wrongdoing or incompetence or makes other significant allegations, those concerned should normally be given an appropriate opportunity to respond.

Ofcom noted that the programme reported on the alleged practices of deception used by some television quiz competition companies and that Mr Winsor's contribution to the programme added detail to this allegation by way of an example of how members of the public were allegedly deceived by BGTV. Ofcom noted that the programme contained a significant allegation against BGTV and that the programme makers of *Channel 4 News*, ITN, appropriately sought a response from BGTV who provided one in the form of a statement which was included in the programme.

Ofcom noted from Mr Winsor's complaint that he believed that the statement read out in the programme which stated that the police concluded that the case was "without foundation" was untrue and, as a result, was unfair to him and that he should have been given an opportunity to respond.

In considering this question, Ofcom noted Channel 4's response to the complaint in which it stated that it would have been a breach of Practice 7.9 of the Code (and so unfair to BGTV) if the programme had changed or omitted this part of BGTV's response. Ofcom recognised that the programme makers fulfilled their obligation in seeking BGTV's response to the allegations made by Mr Winsor in interview and in reflecting its response in the form of a statement in the item. However, Ofcom also recognised that programme makers and broadcasters must take reasonable care to satisfy themselves that responses and statements included in a programme are not presented in a way that could lead to unfairness to others.

In its consideration of this particular element of the complaint, Ofcom noted from Channel 4's statement in response to the complaint that the programme makers were shown a faxed statement sent by the police to BGTV which said that the police would not be taking any further action in the matter. A copy of this faxed statement was not provided to Ofcom. Ofcom noted the wording of BGTV's statement reported in the programme that the "*police investigation carried out on the basis of Mr Winsor's allegation concluded the case was without foundation*". Ofcom considered that Channel 4 presented BGTV's statement, that the police had found the allegations "without foundation", as BGTV's opinion and not as fact, and it took the view that there was no new information or substantive comment in this part of the programme that would have necessitated the programme makers' having to seek a further response from Mr Winsor.

Taking the context of the rest of the programme into account (namely the first item which reported on concerns raised about Call TV quiz services generally and criticism by the House of Commons Select Committee specifically), Ofcom was satisfied that the programme made it clear that there had been an investigation into the conduct of Call TV quiz services and that regulatory organisations were looking into the allegations that were being made. Ofcom considered that it would have been clear to viewers that there were serious concerns from the relevant regulatory authorities on the manner in which these services were being conducted and that Mr Winsor's contribution was in keeping with this. Ofcom was satisfied therefore that the inclusion of BGTV's statement, which referred only to the police investigation, would not have materially affected viewers' opinion of Mr Winsor's credibility or that of his testimony about his experiences of working for BGTV in a way that was unfair to him given this wider context.

Taking all the above factors into account, Ofcom found that the programme did not result in unfairness to Mr Winsor.

**Accordingly, Ofcom has not upheld Mr Winsor's complaint of unfair treatment in the programme as broadcast.**

## Other Programmes Not in Breach/Out of Remit

18 March to 7 April 2008

Programme	Trans Date	Channel	Category	No of Complaints
A Cook's Tour of Spain	20/03/2008	Channel 4	Animal Welfare	4
A Girls Guide to 21st Century Sex	20/03/2008	Five	Sex/Nudity	3
A Girl's Guide to 21st Century Sex	27/03/2008	Five	Sex/Nudity	2
A Place in the Sun Hotspots	01/04/2008	Channel 4	Inaccuracy/Misleading	1
Adam @ Breakfast	10/03/2008	Rock FM 97.4	Offensive Language	1
Afternoon Play - Myrrha	05/03/2008	BBC Radio 4	Religious Issues	1
Air Wick sponsorship of Emmerdale	-	ITV1	Harm/Food	4
Alan Carr's Celebrity Ding Dong	15/02/2008	Channel 4	Generally Accepted Standards	3
Alan Titchmarsh Show	11/03/2008	ITV1	Crime (payment)	1
Alex Zane Breakfast Show	13/03/2008	XFM	Generally Accepted Standards	1
All New You've Been Framed	01/03/2008	ITV1	Sex/Nudity	1
All New You've Been Framed	29/03/2008	ITV1	U18's in Programmes	1
Ant & Dec's Saturday Night Takeaway	08/03/2008	ITV1	Competitions	8
BBC News	20/03/2008	BBC1	Generally Accepted Standards	1
BBC News	09/03/2008	BBC1	Generally Accepted Standards	1
BBC News	26/02/2008	BBC Radio 2	Generally Accepted Standards	1
BBC News 24	30/03/2008	BBC News 24	Other	1
BOSC FM	11/03/2008	BOSC FM	Offensive Language	1
Benidorm	28/03/2008	ITV1	Religious Offence	1
Benidorm (trailer)	-	ITV1	Animal Welfare	1
Bionic Woman	18/03/2008	ITV2	Advertising	1
Brainiac: Science Abuse	07/03/2008	Sky One	Generally Accepted Standards	1
Breaking Into Tesco	03/03/2008	Five	Commercial References	1
Britain Sings Christmas	22/12/2007	ITV1	Other	1

CSI: Crime Scene Investigation	11/03/2008	Five	Animal Welfare	5
Carling Cup - Everton v Chelsea	23/01/2008	Sky Sports 1	Offensive Language	6
Carrie and David's Popshop	22/02/2008	CBeebies	Dangerous Behaviour	1
Casualty	15/03/2008	BBC1	Animal Welfare	5
Channel 4 News	25/03/2008	Channel 4	Generally Accepted Standards	1
Channel 4 News	20/03/2008	Channel 4	Crime (incite/encourage)	1
Channel 4 News	03/03/2008	Channel 4	Due Impartiality/Bias	1
Channel Report	05/02/2008	Channel TV	Due Impartiality/Bias	2
Clay	30/03/2008	BBC1	Generally Accepted Standards	1
Coleen's Real Women	12/03/2008	ITV2	Generally Accepted Standards	3
College Hill: Virginia State	18/03/2008	BET	Generally Accepted Standards	1
Come Dine With Me	05/03/2008	Channel 4	Offensive Language	3
Coronation Street	17/03/2008	ITV1	Generally Accepted Standards	1
Coronation Street	10/03/2008	ITV1	Generally Accepted Standards	1
Cutting Edge: Baby Bible Bashers	14/02/2008	Channel 4	U18's in Programmes	1
Dad Rock	28/03/2008	Rgu Radio Space	Generally Accepted Standards	1
Deal Or No Deal	04/03/2008	Channel 4	Sex/Nudity	1
Deal Or No Deal		Channel 4	Generally Accepted Standards	1
Dear Yelena Sergeyevna	22/12/2007	First Baltic Channel	Advertising	1
Delia	24/03/2008	BBC2	Commercial References	1
Desert Island Shipwreck	09/03/2008	Channel 4	Offensive Language	3
Dirty Sanchez: The Movie	23/02/2008	MTV	Sex/Nudity	1
Doctor Who? Tonight	17/03/2008	ITV1	Generally Accepted Standards	1
EastEnders	31/03/2008	BBC1	Generally Accepted Standards	3
EastEnders	27/03/2008	BBC1	Sex/Nudity	1
EastEnders	27/03/2008	BBC1	Generally Accepted Standards	1
EastEnders	16/03/2008	BBC1	Generally Accepted Standards	2
EastEnders	21/03/2008	BBC1	Generally Accepted Standards	2
EastEnders	17/03/2008	BBC1	Generally Accepted Standards	1

EastEnders	16/03/2008	BBC1	Violence	1
Elliot & Caroline's Breakfast Show	18/03/2008	BRMB	Generally Accepted Standards	1
Emmerdale	25/03/2008	ITV1	Violence	1
Emmerdale	10/03/2008	ITV1	Substance Abuse	1
Emmerdale	07/03/2008	ITV1	Violence	9
Everything Is Illuminated	26/03/2008	Sky Movies Indie	Generally Accepted Standards	1
F1: Australian Grand Prix	16/03/2008	ITV1	Commercial References	1
Fifth Gear	10/03/2008	Five	Dangerous Behaviour	1
Five News	04/03/2008	Five	U18 - Coverage of Sexual/other	1
Five News	19/03/2008	Five	Generally Accepted Standards	1
Football Tonight	02/04/2008	Sky Sports News	Due Impartiality/Bias	1
Freaky Friday	21/03/2008	BBC1	Religious Offence	1
Freshly Squeezed	29/02/2008	Channel 4	Dangerous Behaviour	1
Friday Night With Jonathan Ross	29/02/2008	BBC1	Offensive Language	1
Friday Night with Jonathan Ross	21/03/2008	BBC1	Generally Accepted Standards	4
GMTV	21/03/2008	ITV1	Due Impartiality/Bias	1
GMTV	20/03/2008	ITV1	Other	1
GMTV	05/03/2008	ITV1	Sex/Nudity	1
GMTV	14/03/2008	ITV1	Dangerous Behaviour	1
GMTV	06/02/2008	ITV1	Inaccuracy/Misleading	1
Gay to Z	05/03/2008	Channel 4	Generally Accepted Standards	1
George Galloway	07/03/2008	talkSport	Generally Accepted Standards	1
Gerry Anderson	20/03/2008	BBC Radio Foyle	Generally Accepted Standards	1
Gossip Girl (trailer)	11/03/2008	ITV2	Generally Accepted Standards	1
Great British Menu	20/03/2008	BBC2	Animal Welfare	1
H2O "What's It Gonna Be"	20/03/2008	The Hits	Sex/Nudity	1
Harry Hill's TV Burp	15/03/2008	ITV1	Generally Accepted Standards	1
He Kills Coppers	23/03/2008	ITV1	Crime (incite/encourage)	1
He Kills Coppers	30/03/2008	ITV1	Generally Accepted Standards	1
He Kills Coppers (trailer)	20/03/2008	ITV1	Crime (incite/encourage)	1
He Kills Coppers (trailer)	16/03/2008	ITV3	Violence	2
He Kills Coppers (trailer)	16/03/2008	ITV1	Generally Accepted Standards	1
Holby City	04/03/2008	BBC1	Other	1

Hollyoaks	31/03/2008	Channel 4	Generally Accepted Standards	4
Hollyoaks	01/04/2008	Channel 4	Generally Accepted Standards	1
Hollyoaks	24/03/2008	Channel 4	Substance Abuse	1
Hollyoaks	07/03/2008	Channel 4	Generally Accepted Standards	3
Hollyoaks	12/03/2008	Channel 4	Offensive Language	1
Horror Film Festival Promo	28/02/2008	Extreme Sports	Generally Accepted Standards	1
I'd Do Anything	15/03/2008	BBC1	Other	1
I'd Do Anything	29/03/2008	BBC1	Commercial References	1
ITV Evening News	24/03/2008	ITV1	Generally Accepted Standards	1
ITV News	27/02/2008	ITV1	Due Impartiality/Bias	1
Insight (trailer)	24/02/2008	UTV	Other	1
Iraq Season trailer	04/03/2008	Channel 4	Violence	1
Iraq Season trailer	05/03/2008	Channel 4	Violence	2
Iraq Season trailer	11/03/2008	Channel 4	Violence	1
It It Ain't Stiff	09/02/2008	BBC2	Offensive Language	1
Jaloos in Bradford	19/01/2008	DM Digital	Violence	3
James O'Brien	11/03/2008	LBC	Generally Accepted Standards	1
James Whale	05/03/2008	talkSport	Crime (incite/encourage)	1
Jeremy Vine	27/02/2008	BBC Radio 2	Crime (incite/encourage)	1
Jericho	09/01/2008	ITV4	Advertising	1
Jon Gaunt	11/02/2008	talkSport	Generally Accepted Standards	1
Jon Gaunt	25/03/2008	talkSport	Generally Accepted Standards	1
Kama Sutra	13/03/2008	The Hits	Sex/Nudity	2
Katy Brand's Big Ass Show	14/11/2007	ITV2	Substance Abuse	4
Keith Lemon's World Tour (trailer)	24/02/2008	ITV2	Generally Accepted Standards	2
Keith Lemon's World Tour (trailer)	18/03/2008	ITV2	Generally Accepted Standards	1
Keith Lemon's World Tour (trailer)	04/03/2008	ITV3	Sex/Nudity	1
Keith Lemon's World Tour (trailer)	07/03/2008	ITV2	Generally Accepted Standards	1
Keith Lemon's World Tour (trailer)	16/03/2008	ITV2	Generally Accepted Standards	2
Kerry Katona: Crazy in Love	24/03/2008	MTV1	Generally Accepted Standards	1
Kiss Mix	21/01/2008	Kiss	Offensive Language	1

Last Orders	07/03/2008	BBC2	Generally Accepted Standards	1
Lewis	09/03/2008	ITV1	Religious Offence	1
Lewis	16/03/2008	ITV1	Violence	1
Lewis	16/03/2008	ITV1	Dangerous Behaviour	1
Lost	02/03/2008	Sky One	Other	1
Love Soup	22/03/2008	BBC1	Offensive Language	1
Lovejoy	12/03/2008	ITV3	Offensive Language	1
Midlands Today	18/02/2008	BBC1 (Midlands)	Violence	1
Mischief Night	19/03/2008	Film4	Generally Accepted Standards	1
Mister Maker	07/03/2008	BBC1	Generally Accepted Standards	1
Most Haunted Live: Satan's City	29/03/2008	Living	Inaccuracy/Misleading	1
NCIS	07/03/2008	Five	Generally Accepted Standards	1
Neighbours (trailer)	08/03/2008	Five	Generally Accepted Standards	1
News	10/03/2008	ITV Wales	Generally Accepted Standards	1
News	18/11/2006	ATN Bangla TV	Other	1
News	22/03/2008	BBC Radio 5 Live	Generally Accepted Standards	1
News at Ten	01/04/2008	ITV1	Due Impartiality/Bias	1
News at Ten	10/03/2008	ITV1	Generally Accepted Standards	1
News at Ten	11/03/2008	ITV1	Commercial References	1
News at Ten	20/03/2008	ITV1	Generally Accepted Standards	1
Newsdrive	21/03/2008	BBC Radio Scotland	Generally Accepted Standards	24
Newsnight	05/03/2008	BBC2	Sex/Nudity	1
Newsnight Scotland	01/10/2007	BBC2	Inaccuracy/Misleading	1
Newsround Special	27/03/2008	BBC1	Violence	1
Panorama	10/03/2008	BBC1	Generally Accepted Standards	1
Pushing Daisies (trailer)	16/03/2008	ITV1	Generally Accepted Standards	1
QATAR Airways Sponsorship - Sky Weather	-	Sky News	Inaccuracy/Misleading	1
Quiz Call	-	Five	Competitions	1
Real Crime: Perverted World of Marc Dutroux	29/02/2008	ITV1	Generally Accepted Standards	1

Real Crime: Perverted World of Marc Dutroux	29/02/2008	ITV1	Advertising	1
Richard & Judy	03/03/2008	Channel 4	Animal Welfare	1
Richard & Judy	12/03/2008	Channel 4	Generally Accepted Standards	1
Richard & Judy	04/03/2008	Channel 4	Generally Accepted Standards	1
Rivers of Blood	08/03/2008	BBC2	Generally Accepted Standards	5
Rough Guide to ...Cities	14/01/2008	Five	Inaccuracy/Misleading	1
Russell Brand	22/03/2008	BBC Radio 2	Generally Accepted Standards	1
Saturday Scoreboard	01/03/2008	Radio Clyde 1	Generally Accepted Standards	1
Scotsport Fanzone	13/04/2006	ITV1	Generally Accepted Standards	1
Sexcetera	-	Virgin1	Sex/Nudity	1
Shameless	01/04/2008	Channel 4	Generally Accepted Standards	1
Shameless	18/03/2008	Channel 4	Generally Accepted Standards	1
Shannon Matthews: The Family's Story	20/03/2008	Channel 4	Other	1
Short Circuit	10/02/2008	Five	Other	1
Shroud of Turin	22/03/2008	BBC2	Due Impartiality/Bias	1
Simon Mayo	06/12/2007	BBC Radio 5 Live	Generally Accepted Standards	1
Skins	06/03/2008	Channel 4	Religious Offence	1
Skins	17/03/2008	E4	Sex/Nudity	1
Smallville	17/03/2008	ITV2	Violence	1
Snickers sponsorship of Superbowl	04/02/2008	TV6	Other	1
Soccer AM	01/03/2008	Sky Sports 1	Violence	1
Songs of Praise	09/03/2008	BBC1	U18's in Programmes	1
Sport Relief	14/03/2008	BBC1	Generally Accepted Standards	1
Sport Relief Does The Apprentice	12/03/2008	BBC1	Generally Accepted Standards	1
Sport Relief Does The Apprentice	14/03/2008	BBC1	Offensive Language	3
Sport Relief Does The Apprentice	12/03/2008	BBC1	Offensive Language	2
Star Trek: Deep Space Nine	18/02/2008	Virgin 1	Advertising	1
Stupid	14/03/2008	CBBC	Other	2
Terry Christian	01/03/2008	Talksport	Generally Accepted Standards	2
The Alan Titchmarsh Show	27/02/2008	ITV1	Generally Accepted Standards	1



The Alan Titchmarsh Show	10/03/2008	ITV1	Sex/Nudity	1
The Brit Awards 2008	20/02/2008	ITV1	Offensive Language	1
The Christian O'Connell Breakfast Show	05/03/2008	Virgin Radio	Sex/Nudity	1
The Daily Politics Show	26/03/2008	BBC2	Other	1
The Fake Trade	03/03/2008	Channel 4	Sex/Nudity	1
The Farm Revealed	26/02/2008	Channel 4	Due Impartiality/Bias	1
The Fixer	10/03/2008	ITV1	Violence	3
The George Lamb Show	12/03/2008	BBC Radio 6 Music	Generally Accepted Standards	1
The Girls Who Were Found Alive	28/02/2008	Channel 4	Generally Accepted Standards	4
The Inspector Lynley Mysteries	28/02/2008	UKTV Drama +1	Offensive Language	1
The Jeremy Kyle Show	25/03/2008	ITV1	Offensive Language	2
The Jeremy Kyle Show	07/03/2008	ITV2	Inaccuracy/Misleading	1
The Morning Line	22/03/2008	Channel 4	Generally Accepted Standards	1
The Passion	23/03/2008	BBC1	Generally Accepted Standards	1
The Passion of Girls Aloud	17/03/2008	ITV2	Crime (incite/encourage)	1
The Pete Price Phone In	16/03/2008	City Talk 105.9	Generally Accepted Standards	1
The Real Exorcist (trailer)	10/03/2008	Virgin1	Inaccuracy/Misleading	1
The Secrets of the 12 Disciples	23/03/2008	Channel 4	Generally Accepted Standards	5
The Simpsons	31/03/2008	Channel 4	Other	1
The Steve Wilkos Show	07/02/2008	Living	Generally Accepted Standards	1
The Westminster Hour	16/03/2008	BBC Radio 4	Due Impartiality/Bias	1
The Wire (trailer)	17/03/2008	FX +1	Violence	1
The Wright Stuff	07/03/2008	Five	Generally Accepted Standards	5
The Wright Stuff	12/03/2008	Five	Generally Accepted Standards	1
The Wright Stuff	18/02/2008	Five	Generally Accepted Standards	1
This Morning	11/03/2008	ITV1	Sex/Nudity	9
This Morning	12/03/2008	ITV1	Due Impartiality/Bias	1
This Morning (trailer)	11/03/2008	ITV1	Generally Accepted Standards	6
Today	04/04/2008	BBC Radio 4	Other	1

Tommy Boyd Breakfast Show	14/03/2008	Original 106	Generally Accepted Standards	1
Toonatick	16/03/2008	CITV	Sex/Nudity	1
Top Gear	16/03/2008	BBC2	Generally Accepted Standards	1
Trigger Happy TV	24/03/2008	Trouble	Generally Accepted Standards	1
Tropic of Capricorn	02/03/2008	BBC2	Unconscious influence/hypnosis/subliminal	4
Underdogs	25/03/2008	Channel 4	Offensive Language	1
Valley of the Sex Dolls	16/11/2007	Five	Sex/Nudity	3
Valley of the Sex Dolls	30/11/2007	Five	Sex/Nudity	1
Vanessa Feltz	01/04/2008	BBC London 94.9	Due Impartiality/Bias	1
Vanity Lair	09/03/2008	Channel 4	Generally Accepted Standards	2
Virgin on Demand Trailer	18/03/2008	Virgin 1	Other	1
WWE Smackdown	16/02/2008	Sky Sports 3	Generally Accepted Standards	1
Watchdog	10/03/2008	BBC1	Generally Accepted Standards	1
Weakest Link	20/03/2008	BBC1	Generally Accepted Standards	1
Weakest Link	05/03/2008	BBC1	Generally Accepted Standards	3
Weirdbeard Show	16/03/2008	BRFM	Offensive Language	1
White (trailer)		BBC2	Generally Accepted Standards	8
White Girl	10/03/2008	BBC2	Generally Accepted Standards	1
White Girl	10/03/2008	BBC2	Offensive Language	1
White Girl	10/03/2008	BBC2	Sex/Nudity	1
Wife Swap	02/03/2008	Channel 4	Animal Welfare	7
Wife Swap	02/03/2008	Channel 4	Sex/Nudity	1
Wildlife SOS	24/03/2008	Five	Animal Welfare	1
Wonderland	12/03/2008	BBC2	Generally Accepted Standards	6
XFM Free Marketeers	16/11/2007	XFM	Competitions	1