

Ofcom Broadcast Bulletin

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Contents

Introduction	3
<u>Notice of Revocation</u>	
Live 960 held by <i>Hoppr Entertainment Limited</i>	4
Standards cases	
<u>In Breach</u>	
News <i>Bangla TV, 30 September 2010, 6, 9, 13 and 14 October 2010, 22:00</i>	
Jonotar Moncho <i>Bangla TV, 5 October 2010 2010, 19:30</i>	5
ATN Bangla Europe News <i>ATN Bangla UK, 8 and 18 October 2010, 21:00</i>	10
News <i>Channel S, 6 October 2010, 22:00</i>	13
Election Hustings Programme <i>Bangla TV, 1 October 2010, 19:30</i>	17
Tony Soley <i>Apple AM, 5 January 2011, 10:00</i>	19
Broadcast Licence Condition cases	
<u>In Breach</u>	
Total Star (Bridgwater) <i>October to December 2010</i>	20
Fairness & Privacy cases	
There are no Fairness & Privacy adjudications in this Bulletin.	
Other programmes not in breach	23

Introduction

The Broadcast Bulletin reports on the outcome of investigations into alleged breaches of those Ofcom codes and licence conditions with which broadcasters regulated by Ofcom are required to comply. These include:

- a) Ofcom's Broadcasting Code ("the Code"), the most recent version of which took effect on 28 February 2011 and covers all programmes broadcast on or after 28 February 2011. The Broadcasting Code can be found at:
<http://stakeholders.ofcom.org.uk/broadcasting/broadcast-codes/broadcast-code/>.

Note: Programmes broadcast prior to 28 February 2011 are covered by the version of the Code that was in force at the date of broadcast.

- b) the Code on the Scheduling of Television Advertising ("COSTA") which came into effect on 1 September 2008 and contains rules on how much advertising and teleshopping may be scheduled in programmes, how many breaks are allowed and when they may be taken. COSTA can be found at:
<http://stakeholders.ofcom.org.uk/broadcasting/broadcast-codes/advert-code/>.

- c) certain sections of the BCAP Code: the UK Code of Broadcast Advertising, which relate to those areas of the BCAP Code for which Ofcom retains regulatory responsibility. These include:
- the prohibition on 'political' advertising;
 - sponsorship (see Rules 9.16 and 9.17 of the Code for television broadcasters);
 - 'participation TV' advertising. This includes long-form advertising predicated on premium rate telephone services – most notably chat (including 'adult' chat), 'psychic' readings and dedicated quiz TV (Call TV quiz services). Ofcom is also responsible for regulating gambling, dating and 'message board' material where these are broadcast as advertising¹; and
 - the imposition of statutory sanctions in advertising cases.

The BCAP Code can be found at:

www.bcap.org.uk/The-Codes/BCAP-Code.aspx

- d) other licence conditions which broadcasters must comply with, such as requirements to pay fees and submit information which enables Ofcom to carry out its statutory duties. Further information on television and radio licences can be found at: <http://licensing.ofcom.org.uk/tv-broadcast-licences/> and <http://licensing.ofcom.org.uk/radio-broadcast-licensing/>.

Other codes and requirements may also apply to broadcasters, depending on their circumstances. These include 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. Links to all these codes can be found at:

<http://stakeholders.ofcom.org.uk/broadcasting/broadcast-codes/>

It is Ofcom's policy to describe fully the content in television and radio programmes that is subject to broadcast investigations. Some of the language and descriptions used in Ofcom's Broadcast Bulletin may therefore cause offence.

¹ BCAP and ASA continue to regulate conventional teleshopping content and spot advertising for these types of services where it is permitted.

Notice of Revocation

Licence number: TLCS-851
Service name: Live 960
Licensee: Hoppr Entertainment Limited

Introduction

Hoppr Entertainment Limited held a TLCS licence under the Broadcasting Act 1990 for the television service Live 960.

Hoppr Entertainment Limited must, under condition 12 of its Licence, furnish Ofcom with such information as it may reasonably require for the purposes of exercising its licensing functions.

In addition, under condition 13 of its Licence, Hoppr Entertainment Limited must notify Ofcom of certain information relating to its directors and ownership structure. This includes (but is not limited to) information pertaining to changes, transactions or events that affect its own shareholdings, or the shareholding of any body corporate that controls it; or of any changes, transactions or events affecting its own directors, or the directors of any body corporate that controls it.

Decision

In late June/early July 2010 Hoppr Entertainment Limited underwent a change of control, and it submitted to Ofcom a Change of Control Notification form and signed declaration in accordance with Licence Condition 13 of its licence. Between July and November 2010 Ofcom sought further clarification from Hoppr Entertainment Limited as to its directors and ownership structure. A new Change of Control Notification form was submitted in August 2010 which raised further questions as to the ownership structure of Hoppr Entertainment Limited. Ofcom has repeatedly requested that Hoppr Entertainment Limited submit a Change of Control Notification form and signed declaration which clearly and accurately records its directors and ownership structure. Despite these requests, Hoppr Entertainment Limited has failed to comply.

This is a serious breach of Licence Conditions 12 and 13. As a result, Hoppr Entertainment Limited was notified that its licence was being considered for revocation, and it was given a period in which to provide the required information and to make representations regarding the proposed revocation. No response was received from Hoppr Entertainment Limited.

In order to maintain the integrity of the statutory licensing regime it is imperative that licensees comply with conditions 12 and 13 of their licences. On the basis of Hoppr Entertainment Limited's failure to comply with those conditions, Ofcom has considered that it is necessary, in the public interest, to revoke its licence.

Revocation of the Licence for Breach of Licence Conditions 12 and 13

Standards cases

In Breach

News

Bangla TV, 30 September 2010, 6, 9, 13 and 14 October 2010, 22:00

Jonotar Moncho

Bangla TV, 5 October 2010, 19:30

Introduction

Bangla TV provided a general family entertainment television service – principally in Bangla and occasionally in English – for the Bengali community in the UK¹.

During the recent Mayoral election campaign in the London Borough of Tower Hamlets², Ofcom received complaints about aspects of Bangla TV's election coverage.

We received three complaints that the programme *Jonotar Moncho* broadcast on 5 October 2010 ("the 5 October *Jonotar Moncho*") was biased towards the Labour party candidate, Helal Abbas. Ofcom also received a number of other complaints that Bangla TV's election coverage was not impartial. Ofcom therefore requested several editions of the channel's daily *News* programme (collectively "the News Programmes"), which featured coverage of the Tower Hamlets Mayoral Election Campaign.

It is a requirement that programmes dealing with elections, such as the Mayoral Election, must comply with the due impartiality rules as well as the specific rules set out in Section Six of the Code which apply during an 'election period'³. In particular, where broadcasters deal with 'constituency' matters they must comply with Rules 6.8 to 6.13 of the Code. These cover 'constituency report' or 'electoral area reports' (i.e. "items about [a candidates] particular constituency or electoral area" as defined by the Code). The Code states:

Rule 6.9: "If a candidate takes part in an item about his/her particular constituency, or electoral area, then candidates of each of the major parties must be offered the opportunity to take part. (However, if they refuse or are unable to participate, the item may nevertheless go ahead.); and

¹ Bangla TV (Worldwide) Limited, the channel's licensee, is in the process of being wound up under the provisions of the Insolvency Act 1986 following a ruling on 9 November 2010 by the High Court of Justice, Chancery Division, Leeds District Registry. Therefore, Bangla TV is no longer broadcasting.

² This election took place on 21 October 2010 and resulted in the first directly-elected executive mayor in Tower Hamlets.

³ In the case of the Tower Hamlets Mayoral Election, the 'election period' ran from 16 September 2010 (the last date of publication of notice of the election) to the close of poll on 21 October 2010.

Rule 6.11: “Any constituency or electoral area report or discussion after the close of nominations⁴ must include a list of all candidates standing, giving first names, surnames and the name of the party they represent or, if they are standing independently, the fact that they are an independent candidate. This must be conveyed in sound and/or vision”.

An independent translator viewed the News Programmes, and Ofcom found that programmes broadcast on:

- 30 September 2010, 6 October 2010 and 9 October 2010 featured the following election candidates: Helal Abbas (Labour party); and Lutfur Rahman (Independent);
- 13 October 2010 featured the Independent candidate, Lutfur Rahman, only; and
- 14 October 2010 featured the Labour party candidate, Helal Abbas, only.

In addition, Ofcom found that the current affairs programme, the 5 October *Jonotar Moncho*, comprised solely of an interview with the Labour party candidate, Helal Abbas.

For the reasons explained in the Decision, Ofcom considered the programmes above featuring election candidates were constituency reports and discussions.

We therefore asked Bangla TV for its comments under Rules 6.9 and 6.11 of the Code.

Response

With regard to the 5 October *Jonotar Moncho* in relation to Rule 6.9, Bangla TV said that it had accommodated the candidates from the Conservative party, Labour party and Liberal Democrat party in “clearly linked and timely programmes”. The broadcaster added that it had also invited, the Independent candidate, Lutfur Rahman onto an edition of this programme, but he did not appear, but that a representative of Lutfur Rahman had attended instead. Bangla TV did not provide comments on Rule 6.11.

However, despite repeated requests, Bangla TV did not provide any comments regarding: the News Programmes.

Decision

Ofcom’s Guidance to Section Six (Elections and Referendums) of the Code⁵ states that “There is no onus on broadcasters to do election coverage”. However, if broadcasters choose to cover election campaigns, they must ensure that they comply with the Rules set out in Section Six of the Code, and in particular the constituency and electoral area reporting Rules laid out in Rules 6.8 to 6.13 of the Code. These are specific Rules that apply when a broadcaster is covering a particular constituency

⁴ The date for the closure of nominations in this case was 24 September 2010.

⁵ See http://www.ofcom.org.uk/tv/ifi/guidance/bguidance/section6_2009.pdf.

(or electoral area⁶) report during an election period. Ofcom guidance to Section Six states that Rule 6.9 requires that if a candidate takes part in an item about his/her constituency or electoral area then the broadcaster must ensure that each of the major parties⁷ is offered an opportunity to take part. The guidance also states that a constituency (electoral area) report occurs when the report or the candidate focuses on his/her constituency (electoral area).

In addition, Rule 6.11 requires that if television broadcasters include constituency or electoral area reports in their programming, then the constituency or electoral area reports must include a list of all candidates⁸ standing, giving first names, surnames and their party labels.

The News Programmes

In relation to the News Programmes, we first had to determine whether they contained electoral area reports or discussions, as defined by the Code. In this case we noted that the news programmes broadcast on 30 September 2010, 6 October 2010 and 9 October 2010 included various statements from or coverage of: the Labour party candidate, Helal Abbas; and the Independent candidate, Lutfur Rahman. In addition, we noted that: the news programme broadcast on 13 October 2010 included statements from the Independent candidate, Lutfur Rahman; and the news programme broadcast on 14 October 2010 included statements from the Labour party candidate, Helal Abbas.

Having examined the programmes' content, as described above, we concluded that the News Programmes, by including contributions from the candidates named above, giving their views about their specific electoral area in which they were seeking election, included electoral area reports or discussions as defined in the Code. For example, in the programme broadcast on 6 October 2010, the Independent candidate, Lutfur Rahman, said how if elected, he would unite the people of Tower Hamlets.

In order to ensure compliance with Rule 6.9 of the Code, the Code makes clear that if a candidate is given an opportunity to discuss matters relating to his electoral area then broadcasters should ensure that other candidates from the major parties should also be offered an opportunity to take part. This ensures due impartiality is strictly maintained at the time of elections with respect to specific constituencies.

We noted that the broadcaster provided no comments on this point. In the programmes themselves there was no reference that: the Conservative party candidate; the Liberal Democrat party candidate; and, in relation to the programme broadcast on 13 October 2010, the Labour party candidate, had been offered the opportunity to take part in the electoral area reports. In summary, therefore, all five of the News Programmes did not contain contributions from the Conservative party and

⁶ The Code states: "Electoral area (for example electoral division, borough ward or other area) is the local government equivalent to the Parliamentary term 'constituency'".

⁷ See the meaning of major party set out in the Code immediately after Rule 6.2 which states that: "At present in the UK major parties are the Conservative Party, the Labour Party and the Liberal Democrats".

⁸ The full list of candidates in this case was: Neil King (Conservative party); Helal Abbas (Labour party); John Griffiths (Liberal Democrat party); Alan Duffell (Green party); and Lutfur Rahman (Independent).

Liberal Democrat party candidates. In addition, one of the News Programmes (broadcast on 13 October 2010) did not contain a contribution from the Labour party candidate. As a consequence, we considered that, by failing to include contributions from the major parties' candidates as outlined above, the News Programmes were in breach of Rule 6.9.

Given that the programmes were electoral area reports or discussions, we also had to ascertain whether the News Programmes had complied with Rule 6.11, which requires that electoral area reports or discussions must include a list of all the candidates standing (in sound and/or vision). In this case, Ofcom noted that the electoral area reports within the News Programmes did not include a list of all the candidates standing (in sound and/or vision) as required by the Code. Therefore, regarding the News Programmes, we considered that Bangla TV had breached Rule 6.11 of the Code.

5 October *Jonotar Moncho*

In relation to the 5 October *Jonotar Moncho*, we first had to determine whether it contained an electoral area report or discussion, as defined by the Code. Ofcom noted that this programme consisted of a 45 minute interview with the Labour party candidate, Helal Abbas, in which he was asked a range of questions relating to the on-going Tower Hamlets Mayoral Election. Given the above, we therefore considered that Helal Abbas was given the opportunity to give his views about the electoral area in which he was seeking election. Therefore, we considered that this programme was an electoral area report or discussion as defined in the Code.

In order to ensure compliance with Rule 6.9 of the Code, the Code makes clear that if a candidate is given an opportunity to discuss matters relating to his electoral area then broadcasters must ensure that other candidates from the major parties should also be offered an opportunity to take part. Bangla TV stated that it had interviewed both the Conservative and Liberal Democrat candidates during the election period on *Jonotar Moncho* on 28 September 2010 and 20 October 2010 respectively. Bangla TV also interviewed a representative of Lutfur Rahman, as he was not able to attend. Therefore, the broadcaster had ensured that Rule 6.9 of the Code had been complied with. We also note that the broadcaster informed viewers that the programme was also conducting interviews with the other mayoral candidates during the election period. Broadcasters should ensure, in line with Rule 5.6 of the Code⁹, that when they conduct a series of interviews with candidates for during the election period that they inform the audience of the other interviews.

Given that the 5 October *Jonotar Moncho* was an electoral area report or discussion, we also had to ascertain whether the programme had complied with Rule 6.11 of the Code, which requires that electoral area reports or discussions must include a list of all the candidates standing (in sound and/or vision). In this case, Ofcom noted that the 5 October *Jonotar Moncho*, although it contained an electoral area discussion did not include a full list of all the candidates standing (in sound and/or vision). The broadcaster did not point to Ofcom how it had specifically complied with Rule 6.11 of the Code. Therefore, regarding the 5 October *Jonotar Moncho*, we considered that Bangla TV had breached Rule 6.11 of the Code.

⁹ Rule 5.6 of the Code states: "The broadcast of editorially linked programmes dealing with the same subject matter (as part of a series in which the broadcaster aims to achieve due impartiality) should normally be made clear to the audience on air".

Conclusion

These breaches will be held on record and may be taken into account should any future application for a licence to broadcast be received from Bangla TV (Worldwide) Limited (if the company is not eventually liquidated), or from individuals associated with the company.

Breach of Rule 6.9 and Rule 6.11 (News Programmes)

Breach of Rule 6.11 (Jonotar Moncho)

In Breach

ATN Bangla Europe News

ATN Bangla UK, 8 and 18 October 2010, 21:00

Introduction

ATN Bangla UK (“ATN Bangla”) provides a general entertainment service from the Indian sub-continent for Asian communities in the UK and other countries across Europe. It broadcasts predominantly in Tamil, Bengali, English, Hindi and Punjabi.

During the recent Mayoral election campaign in the London Borough of Tower Hamlets¹, Ofcom received complaints about aspects of ATN Bangla’s election coverage. Two viewers complained that the coverage of the election was not impartial. Ofcom therefore requested a number of editions of the channel’s daily news programme *ATN Bangla Europe News*, which featured coverage of the Tower Hamlets Mayoral Election Campaign.

It is a requirement that programmes dealing with elections, such as the Mayoral Election, must comply with the due impartiality rules as well as the specific rules set out in Section Six of the Code which apply during an ‘election period’². In particular, where broadcasters deal with ‘constituency’ matters they must comply with Rules 6.8 to 6.13 of the Code. These cover ‘constituency report’ or ‘electoral area reports’ (i.e. “items about [a candidates] particular constituency or electoral area” as defined by the Code). The Code states:

Rule 6.11: “Any constituency or electoral area report or discussion after the close of nominations³ must include a list of all candidates standing, giving first names, surnames and the name of the party they represent or, if they are standing independently, the fact that they are an independent candidate. This must be conveyed in sound and/or vision”.

An independent translator viewed the programmes, and Ofcom found that:

- the programme broadcast on 8 October 2010 (“the 8 October Broadcast”) featured the following election candidates: Neil King (Conservative party); Helal Abbas (Labour party); and Lutfur Rahman (Independent); and
- the programme broadcast on 18 October 2010 (“the 18 October Broadcast”) featured the following election candidates: Helal Abbas (Labour party); and Lutfur Rahman (Independent).

¹ This election took place on 21 October 2010 and resulted in the first directly-elected mayor in Tower Hamlets.

² In the case of the Tower Hamlets Mayoral Election, the ‘election period’ ran from 16 September 2010 (the last date of publication of notice of the election) to the close of poll on 21 October 2010.

³ The date for the closure of nominations in this case was 24 September 2010.

For the reasons explained in the Decision, Ofcom considered the programmes above featuring election candidates were constituency reports and discussions. We therefore asked ATN Bangla for its comments under Rule 6.11 of the Code.

Response

ATN Bangla said “Under the code of 6.11 yes they are all offer[ed] the same and equal opportunity to...the news”.

Decision

Ofcom’s guidance to Section Six (Elections and Referendums) of the Code⁴ states that there is no onus on broadcasters to do election coverage. However, if broadcasters choose to cover election campaigns, they must ensure that they comply with the Rules set out in Section Six of the Code, and in particular the constituency and electoral area reporting Rules laid out in Rules 6.8 to 6.13 of the Code. These are specific Rules that apply when a broadcaster is broadcasting a particular constituency (or electoral area⁵) report during an election period.

Rule 6.11 requires that if television broadcasters include constituency or electoral area reports in their programming, then the constituency or electoral area reports must include a list of all candidates⁶ standing, giving first names, surnames and their party labels.

In this case, we first had to determine whether the programmes contained electoral area reports or discussions, as defined by the Code. We noted that the 8 October Broadcast featured various statements from: the Conservative party candidate, Neil King; the Labour party candidate, Helal Abbas; and the Independent candidate, Lutfur Rahman. In addition, the 8 October Broadcast referred to the Liberal Democrat party candidate, John Griffiths. We also noted that the 18 October Broadcast 2010 featured various statements from: the Labour party Candidate Helal Abbas; and the Independent candidate, Lutfur Rahman.

Having examined the programmes’ content, as described above, we concluded that both programmes, by including contributions from the candidates named above, giving their views about the electoral area in which they were seeking election, included electoral area reports or discussions as defined in the Code. For example, in the programme broadcast on 8 October 2010, the Conservative party candidate, Neil King, discussed how if elected, he would deal with central Government with regard to local government spending cuts. In the programme broadcast on 18 October 2010, the Labour party candidate, Helal Abbas said that, if elected, he would try and tackle housing issues.

Given that programmes were electoral area reports or discussions, we also had to ascertain whether the programmes had complied with Rule 6.11 of the Code, which requires that electoral area reports or discussions must include a list of all the

⁴ See http://www.ofcom.org.uk/tv/ifi/guidance/bguidance/section6_2009.pdf.

⁵ The Code states: “Electoral area (for example electoral division, borough ward or other area) is the local government equivalent to the Parliamentary term ‘constituency’”.

⁶ The full list of candidates in this case was: Neil King (Conservative party); Helal Abbas (Labour party); John Griffiths (Liberal Democrat party); Alan Duffell (Green party); and Lutfur Rahman (Independent).

candidates standing (in sound and/or vision). In this case, Ofcom noted that the electoral area reports within the programmes did not include a list of all the candidates standing (in sound and/or vision). For example, in the 8 October Broadcast, there was no mention of the Green party candidate; furthermore, in the 18 October Broadcast, there was no mention of the Conservative party candidate, Liberal Democrat party candidate, or Green party candidate. The broadcaster did not point to Ofcom how it had specifically complied with Rule 6.11 of the Code. Therefore, regarding the two editions of *ATN Bangla Europe News* under consideration, we considered that ATN Bangla had breached Rule 6.11 of the Code.

Breach of Rule 6.11

In Breach

News

Channel S, 6 October 2010, 22:00

Introduction

Channel S is a free-to-air satellite general entertainment channel aimed at the Bangladeshi community in the UK and Europe.

During the recent Mayoral election campaign in the London Borough of Tower Hamlets¹, Ofcom received complaints about aspects of Channel S's election coverage. Five viewers complained that the coverage of the elections was not impartial. Ofcom therefore requested from Channel S copies of editions of the channel's daily *News* programme, broadcast on 6 October 2010.

It is a requirement that programmes dealing with elections, such as the Mayoral Election, must comply with the due impartiality rules as well as the specific rules set out in Section Six of the Code which apply during an 'election period'². In particular, where broadcasters deal with 'constituency' matters they must comply with Rules 6.8 to 6.13 of the Code. These cover 'constituency report' or 'electoral area reports' (i.e. "items about [a candidates] particular constituency or electoral area" as defined by the Code). The Code states:

Rule 6.9: "If a candidate takes part in an item about his/her particular constituency, or electoral area, then candidates of each of the major parties must be offered the opportunity to take part. (However, if they refuse or are unable to participate, the item may nevertheless go ahead.)".

An independent translator viewed the edition of Channel S's *News* broadcast on 6 October 2010, and Ofcom found that it included a report which focused on the news that eight sitting Tower Hamlets Labour party councillors had resigned from the Labour party due to the deselection of Lutfur Rahman as the official Labour party candidate in the Tower Hamlets Mayoral Election, and his replacement by Helal Abbas, as the Labour party candidate. We also noted that the report: featured the Independent election candidate, Lutfur Rahman; and concluded by including a list (in sound and in vision) of the four other candidates, other than Lutfur Rahman, standing in the election³.

Ofcom considered whether the programme featured an election candidate, and constituted an 'electoral area report' (i.e. an item "about [a candidate's] particular constituency or electoral area" as defined by the Code), and therefore whether Rules

¹ This election took place on 21 October 2010 and resulted in the first directly-elected mayor in Tower Hamlets.

² In the case of the Tower Hamlets Mayoral Election, the 'election period' ran from 16 September 2010 (the last date of publication of notice of the election) to the close of poll on 21 October 2010.

³ The full list of candidates in this case was: Neil King (Conservative party); Helal Abbas (Labour party); John Griffiths (Liberal Democrat party); Alan Duffell (Green party); and Lutfur Rahman (Independent).

6.8 to 6.13 of the Code relating to 'Constituency coverage and electoral area coverage in elections' applied.

We asked Channel S for its comments under Rule 6.9 of the Code.

Response

Channel S said that the news report in question featured the Press Conference organised by eight Labour party local councillors in Tower Hamlets. These councillors had resigned from the Labour party in protest at the decision of the Labour party National Executive Committee (NEC) to deselect Lutfur Rahman, as the official Labour party candidate in the Tower Hamlets Mayoral Election. The broadcaster said that in the news report "Different activists and councillors gave their views how they felt Labour party members' rights were ignored by [the] NEC through imposing a candidate [Helal Abbas]".

Channel S said that Lutfur Rahman also spoke within the news item but "He was not interviewed by Channel S nor [did] he urge the voters to vote for him. He gave his views about how he felt with the [NEC's] decision". In addition, the news item ended with the news presenter reading out a list of the five election candidates running in the Tower Hamlets Mayoral Election.

In the broadcaster's opinion, Rule 6.9 did not apply to the news report "as Lutfur Rahman was not interviewed by Channel S and this was only...coverage of the press conference organised by the activists".

Decision

Ofcom's guidance to Section Six (Elections and Referendums) of the Code⁴ states that "There is no onus on broadcasters to do election coverage". However, if broadcasters choose to cover election campaigns, they must ensure that they comply with Rules set out in Section Six of the Code, and in particular the constituency and electoral area reporting Rules laid out in Rules 6.8 to 6.13 of the Code. These are specific Rules that apply when a broadcaster is broadcasting a particular constituency (or electoral area⁵) report during an election period. Ofcom guidance to Section Six states that Rule 6.9 requires that if a candidate takes part in an item about his/her constituency or electoral area then the broadcaster must ensure that each of the major parties⁶ is offered an opportunity to take part. The guidance also states that a constituency (electoral area) report occurs when the report or the candidate focuses on his/her constituency (electoral area).

We first had to determine whether the programme contained an electoral area report or discussion. We considered that the programme, by including a contribution from the Independent candidate named above, giving their views specifically about the

⁴ See http://www.ofcom.org.uk/tv/ifi/guidance/bguidance/section6_2009.pdf.

⁵ The Code states: "Electoral area (for example electoral division, borough ward or other area) is the local government equivalent to the Parliamentary term 'constituency'".

⁶ See the meaning of major party set out in the Code immediately after Rule 6.2 which states that: "At present in the UK major parties are the Conservative Party, the Labour Party and the Liberal Democrats".

electoral area in which they were seeking election, included an electoral area report or discussions as defined in the Code.

In order to ensure compliance with Rule 6.9 of the Code, the Code makes clear that if a candidate is given an opportunity to discuss matters relating to his electoral area then broadcasters must ensure that other candidates from the major parties should also be offered an opportunity to take part. This ensures due impartiality is strictly maintained at the time of elections with respect to specific constituencies. In this case, we noted that there were no contributions from the candidates of the Conservative party, Labour party, and Liberal Democrat party.

We noted that the broadcaster maintained that the news report in question was not an electoral area report, and that Rule 6.9 did not apply in this case because "Lutfur Rahman was not interviewed by Channel S and this was only...coverage of the press conference organised by the activists". However, just because the broadcaster had not organised the press conference which was included in the news report in questions does not obviate the need for the broadcaster to comply with Rule 6.9 of the Code.

Furthermore, Ofcom's guidance to Section Six of the Code states: "A useful test for broadcasters is to ask whether a report could be seen as promotional for a candidate within his/her constituency. If it is, then it requires input from, at least, the other main parties and potentially others depending on the constituency". In this case, the news item discussed a story about eight Labour party councillors resigning from the Labour party due to the deselection of Lutfur Rahman as the official Labour party candidate in the Tower Hamlets Mayoral Election, and his replacement by Helal Abbas, as the Labour party candidate.

We noted that the news report contained a number of statements from Labour party supporters, expressing their support for Lutfur Raman:

"Clearly, two Labour party candidates in Tower Hamlets: one which is the NEC choice; and one which is the members' choice. And so I am standing up for local members' rights, supporting the members' choice".

"A group of people have conspired and robbed him off his nomination. So this is the voice raised against this injustice by eight councillors in public".

"The Labour members selected Lutfur by voting in a democratic process. This is the reason behind my support for him".

"Unfortunately, I cannot support the imposed candidate by the Labour Party".

We considered that these statements could be characterised as framing the news report as principally being a story about internal Labour party politics, as opposed to a story principally focusing on the Tower Hamlets Mayoral Election campaign.

However, and importantly, we noted that at one point during the news report, the independent candidate, Lutfur Rahman said the following:

"Still in my heart, in my actions, the only values of mine are the Labour values. I want Tower Hamlets to move forward. I want houses to be built here. I want the kids to go to school and do well. I want crimes to stay low in our borough". (our emphasis)

We considered that the above statement by Lutfur Rahman, as a candidate in the Tower Hamlets Mayoral Election, appearing during the election period, could be seen as promoting the candidacy and policies of this particular candidate, in the context of his electoral area but not including any contributions from other candidates.

Therefore, we consider that the effect of Lutfur Rahman's statement would have been to turn this news item into a constituency or electoral area report, and therefore Rules 6.8 to 6.13 on constituency reporting (and in particular Rule 6.9) applied. In this context, we were mindful of Ofcom's published guidance to Section Six of the Code, which states: "It should be noted that a report could unintentionally become constituency-focussed, by merely promoting a candidate in a certain manner".

We considered that the effect of Lutfur Rahman's contribution to this news item was enough to turn the item into a report and discussion about electoral area matters concerning a candidate standing the Tower Hamlets Mayoral Election. Given this: the fact that there were no contributions from the candidates of the Conservative party, Labour party, and Liberal Democrat party; and the fact that the broadcaster had not stated that it had offered the opportunity to take part in the news item to the candidates of the Conservative party, Labour party, and Liberal Democrat party, we considered that the programme was in breach of Rule 6.9.

Breach of Rule 6.9

In Breach

Election Hustings Programme

Bangla TV, 1 October 2010, 19:30

Introduction

Bangla TV provided a general family entertainment television service – principally in Bangla and occasionally in English – for the Bengali community in the UK⁷.

During the recent Mayoral election campaign in the London Borough of Tower Hamlets⁸, Ofcom received complaints about aspects of Bangla TV's election coverage. For example, we received a complaint that the *Election Hustings Programme*, broadcast on 1 October 2010, had not been duly impartial.

It is a requirement that any programmes dealing with the Mayoral Election broadcast during the 'election period'⁹ had to comply with the Rules contained in Section Six of the Code, relating to Elections.

Ofcom asked Bangla TV for a recording of the *Election Hustings Programme*. Following repeated requests from Ofcom, Bangla TV failed to provide a recording of this programme. We therefore asked Bangla TV for its comments with regard to Licence Condition 11 (Retention and production of recordings) of its licence to broadcast, which states that:

- “(1) The Licensee shall adopt procedures acceptable to Ofcom for the retention and production of recordings in sound and vision of any programme which is the subject matter of a Standards Complaint...
- (2) In particular, the Licensee shall:
 - (a) make and retain or arrange for the retention of a recording in sound and vision of every programme included in the Licensed Service for a period of 60 days from the date of its inclusion therein; and
 - (b) at the request of Ofcom forthwith produce to Ofcom any such recording for examination or reproduction; and
 - (c) at the request of Ofcom forthwith produce to Ofcom any script or transcript of a programme included in the Licensed Service which he is able to produce to it.”

⁷ Bangla TV (Worldwide) Limited, the channel's licensee, is in the process of being wound up under the provisions of the Insolvency Act 1986 following a ruling on 9 November 2010 by the High Court of Justice, Chancery Division, Leeds District Registry. Therefore, Bangla TV is no longer broadcasting.

⁸ This election took place on 21 October 2010 and resulted in the first directly-elected executive mayor in Tower Hamlets.

⁹ In the case of the Tower Hamlets Mayoral Election, the 'election period' ran from 16 September 2010 (the last date of publication of notice of the election) to the close of poll on 21 October 2010.

Response

Despite repeated requests, Bangla TV did not provide any comments regarding the *Election Hustings Programme* in relation to Licence Condition 11.

Decision

Licence Condition 11 (Retention and production of recordings) of television licensable content service (TLCS) licences issued by Ofcom requires the Licensee to “make and retain or arrange for the retention of a recording in sound and vision of every programme included in the Licensed Service...” and “at the request of Ofcom forthwith produce to Ofcom any such recording for examination or reproduction”.

Ofcom noted that the broadcaster failed to provide the recording required and requested by Ofcom for us to reach a decision on the complaint we had received concerning the programme in question.

It is imperative that licensees have appropriate compliance procedures in place to deal with all such requests from Ofcom. Failure to meet this requirement seriously and significantly breached Licence Condition 11 of Bangla TV’s licence.

Conclusion

This breach will be held on record and may be taken into account should any future application for a licence to broadcast be received from Bangla TV (Worldwide) Limited (if the company is not eventually liquidated), or from individuals associated with the company.

Breach of Licence Condition 11

In Breach

Tony Soley

Apple AM, 5 January 2011, 10:00

Introduction

Apple AM is a hospital radio station, operating under a long term restricted service licence, and broadcasting in the Taunton area of Devon.

A listener complained that a presenter's comments about the Government and the VAT increase were politically biased.

Ofcom asked Apple AM for a recording of the programmes to assess the content.

Response

Apple AM explained that it was unable to obtain the recordings from its logging facility. It said that leaking water from a faulty air conditioning unit at its premises over the Christmas period had resulted in the logger failing. When the problem was identified on 8 January 2011, alternate recording arrangements were immediately put in place to avoid similar recurrence.

Ofcom acknowledged the information and formally asked Apple AM for any comments it wished to add in relation to the recording failure and Licence Condition 8(2)(a) contained in Part 2 of the Schedule of the licence which states:

"The Licensee shall:

- 8 (2) (a) make and retain, for a period of 42 days from the date of its inclusion therein, a recording of every programme included in the Licensed Service together with regular time reference checks."

Ofcom received no further comments from Apple AM.

Decision

In the absence of a recording we were unable to consider the complaint. It is a condition of all radio broadcasters' licences that recordings of their output are made and retained so that they are able to be provided to Ofcom on request.

We acknowledge that this incident occurred due to an unforeseen fault, and that the licensee has since taken steps to avoid a recurrence. However, the failure of Apple AM to make and retain a recording in this case is nevertheless a breach of its licence.

Breach of Licence Condition 8 (Part 2 General Conditions) of restricted service licence

Broadcast Licence Condition cases

In Breach

Total Star (Bridgwater)

October to December 2010

This finding was originally published on 23 February 2011.

Introduction

The transmission arrangements for every local analogue commercial radio station in the UK are governed by a set of specific technical parameters, set out in the station's licence, for each transmitter and transmission site it uses to broadcast its service.

The technical parameters are designed to ensure that local radio stations do not broadcast to geographical areas that they are not licensed to serve, and which may form part of the coverage areas of other licensed services. The parameters are also designed to prevent local stations causing interference problems for other users of the spectrum, as part of Ofcom's wider statutory duty to secure the optimal use for wireless telegraphy of the electro-magnetic spectrum.

It is also a condition in local analogue commercial radio stations' licences that they comply with applicable provisions of Ofcom's Site Engineering Code for Analogue Radio Broadcast Transmission Systems ("the Technical Code").

One Gold Radio Ltd is the licensee for Bridgwater (AL260), broadcasting as Total Star. Between the start of October and 2 December 2010, Ofcom received a number of complaints that the 102.4 MHz Minehead transmitter of the Bridgwater licence, based at North Hill, was radiating an excessively high-powered signal, and – as a result – delivering a powerful signal into geographical areas for which the radio station is not licensed. As part of the investigation into those complaints, an Ofcom engineer visited the licence's transmitter sites on 2 December 2010.

During his visit, Ofcom's engineer noted a number of issues with regard to the North Hill transmitter site:

1. The transmitter was transmitting Effective Radiated Power ('ERP')¹ of over 30kW, vertically polarised. The technical parameters set out in the Bridgwater licence for this particular transmitting site are for a total ERP of 4kW (a maximum of 2kW vertical polarisation and 2kW horizontal polarisation).
2. The transmitter was found to be deviating (that is, bleeding the signal into adjacent channels on the FM band) in excess of 110 kHz. The maximum level of deviation permitted by Ofcom's Technical Code is 75kHz.
3. The transmitter and antenna had been replaced without consultation with Ofcom. The new transmitter could be adjusted from the front panel, despite section 4.1 of the Technical Code requiring physical protection of adjustments.

¹ Radio waves in which the electrical energy from the antenna is radiated vertically in relation to the Earth's surface.

These findings, 1 and 2 in particular, were consistent with the complaints we had received in the period before the engineer's visit. The figures in 1 are significantly in excess of the limits in transmitter power to which One Gold Radio Ltd is subject under the licence. The replacement of the transmitter and antenna in 3 appeared to Ofcom to be in contravention of section 1.3 (paragraph 5) of Ofcom's Technical Code, which requires Ofcom's consent for the replacement of transmitters and antennae. The insecurity of the transmitter that enabled it to be adjusted from the front panel appeared to be in contravention of section 4.1 of the Technical Code.

It therefore appeared to Ofcom that One Gold Radio Ltd was in breach of its licence. So, following our inspection, Ofcom formally invited representations from the licensee on the matters referred to above. In particular, about how, if at all, One Gold Radio Ltd considered that it had been complying with Part 2 of the Annex to its broadcast licence, which outlines the specific technical parameters for the relevant transmitting site.

In addition, we also sought views from One Gold Radio Ltd on how it had been complying with the Technical Code (licence condition 2 (3)) in Part 2 of the Schedule to the licence requires that:

“The Licensee shall ensure that the provisions of the Technical Code are observed in the provision of the Licensed Service to the extent such provisions apply to him.”)

Response

In its representations, One Gold Radio Ltd did not challenge the premise of the alleged breaches, accepting that its engineer “... was clearly not fully aware of the requirements to Ofcom when he installed the new transmitter”. However, it also noted that on 2 December 2010, “... when Ofcom attended the site our engineer was still there and in the process of installing the equipment, so it seems rather unfair to consider the equipment had settings at the correct levels immediately.”

Decision

In light of the findings of the transmitter site inspection on 2 December 2010, which are consistent with the complaints made to Ofcom between October 2010 and that date, and the fact that One Gold Radio Ltd did not challenge the contention that it was in breach of its licence in the ways put to it, Ofcom has determined that One Gold Radio Ltd was in breach of its licence between the start of October 2010 and 2 December 2010.

In particular, the very significant, unauthorised increase in transmitter power and the other associated issues described above which took place in that period, mean that One Gold Radio Ltd was in very serious breach of Part 2 of the Annex to its licence, which outlines the specific technical parameters for the relevant transmitting site. In addition, One Gold Radio Ltd was in breach of licence condition 2 (3) contained in Part 2 of the Schedule to the licence, which requires adherence to Ofcom's Technical Code.

This case is the most serious example of an unauthorised increase in transmitter power ever recorded by Ofcom. The extent to which the unauthorised replacement transmitter exceeded the technical parameters is greater than in any other case Ofcom has dealt with.

As a result of the seriousness of the above matters, and the unauthorised increase in transmitter power in particular, the Licensee is put on notice that the breaches of its licence as set out in this finding are being considered by Ofcom for the imposition of a statutory sanction.

Breach of the Part 2 of the Annex to the Bridgwater local commercial radio licence, held by One Gold Radio Ltd.

Breach of licence condition 2 (3) contained in Part 2 of the Schedule to the Bridgwater local commercial radio licence, held by One Gold Radio Ltd.

Other Programmes Not in Breach

Up to 14 February 2011

Programme	Transmission Date	Broadcaster	Categories	Number of complaints
10 O'Clock Live	11/02/2011	Channel 4	Race discrimination/offence	1
10 O'Clock Live	20/01/2011	Channel 4	Generally accepted standards	1
10 O'Clock Live	27/01/2011	Channel 4	Race discrimination/offence	1
10 O'Clock Live	27/01/2011	Channel 4	Generally accepted standards	1
10 O'Clock Live	03/02/2011	Channel 4	Generally accepted standards	1
4thought.tv	25/01/2011	Channel 4	Sexual orientation discrimination/offence	4
Adrian Goldberg	29/01/2011	BBC Radio WM	Gender discrimination/offence	1
America's Next Top Model	25/10/2010	Living	Disability discrimination/offence	5
America's Next Top Model	05/02/2011	Sky Living	Offensive language	1
Antiques Road Trip	01/01/2011	BBC 2	Harm	1
Arctic with Bruce Parry	30/01/2011	BBC 2	Generally accepted standards	1
Babeworld	22/11/2010	Babeworld.tv	Sexual material	1
Bear Grylls: Born Survivor	10/02/2011	Discovery	Animal welfare	1
Beauty and the Beast: The Ugly Face of Prejudice	09/02/2011	Channel 4	Disability discrimination/offence	1
Boardwalk Empire	01/02/2011	Sky Atlantic	Offensive language	1
Bones	02/02/2011	Sky Living	Advertising/editorial separation	1
Brianiac: Science Abuse	29/01/2011	Sky 3	Sexual material	1
Brighthouse's sponsorship of Home and Away	20/01/2011	Five	Harm	1
Build a New Life in the Country	10/02/2011	Five	Materially misleading	1
Capital Breakfast	24/01/2011	Capital FM	Due impartiality/bias	1
Casualty	05/02/2011	BBC 1	Offensive language	1
Celebrity Juice	12/02/2011	ITV2	Sexual material	1
Christian O'Connell	21/01/2011	Absolute Radio	Generally accepted standards	1
Come Dine with Me	31/01/2011	Channel 4	Offensive language	1
Come Dine with Me	06/02/2011	Channel 4	Gender discrimination/offence	1
Come Dine with Me	05/02/2011	Channel 4	Race discrimination/offence	1
Come Fly with Me	27/01/2011	BBC 1	Religious/Beliefs discrimination/offence	1
Come Fly with Me	27/01/2011	BBC 1	Generally accepted standards	1
Comedy Lab	29/01/2011	Channel 4	Transgender discrimination/offence	1
Coronation Street	n/a	ITV1	Generally accepted standards	1

Coronation Street	04/02/2011	ITV1	Generally accepted standards	1
Coronation Street	28/01/2011	ITV1	Disability discrimination/offence	2
Coronation Street	04/02/2011	ITV1	Generally accepted standards	1
Coronation Street Omnibus	06/02/2011	ITV2	Generally accepted standards	1
Countdown	01/02/2011	Channel 4	Offensive language	1
Cream	05/12/2010	Cream	Participation TV - Harm	1
Crimewatch	26/01/2011	BBC 1	Crime	1
Criminal Minds (trailer)	04/02/2011	Sky 1	Scheduling	1
CSI: Crime Scene Investigation	17/01/2011	Five USA	Offensive language	1
Daily Cooks Challenge	03/02/2011	ITV3	Generally accepted standards	1
Dancing on Ice	30/01/2011	ITV1	Generally accepted standards	53
Dancing on Ice	23/01/2011	ITV1	Generally accepted standards	1
Dangerous Jobs for Girls	15/01/2011	Dave	Sexual material	1
Daybreak	02/02/2011	ITV1	Due impartiality/bias	1
Daybreak	04/02/2011	ITV1	Nudity	1
Deal or No Deal	04/02/2011	Channel 4	Offensive language	1
Dick and Dom's Funny Business	29/01/2011	BBC 2	Generally accepted standards	1
Dick and Dom's Funny Business	22/01/2011	BBC 2	Violence and dangerous behaviour	1
Dick and Dom's Funny Business	30/01/2011	CBBC	Violence and dangerous behaviour	1
EastEnders	11/02/2011	BBC 1	Drugs, smoking, solvents or alcohol	1
EastEnders	20/01/2011	BBC 1	Disability discrimination/offence	1
EastEnders	07/02/2011	BBC 1	Gender discrimination/offence	1
EastEnders	01/02/2011	BBC 1	Generally accepted standards	1
EastEnders	28/01/2011	BBC 1	Race discrimination/offence	1
EastEnders	28/01/2011	BBC 1	Generally accepted standards	1
Embarrassing Bodies	04/02/2011	Channel 4	Materially misleading	1
Embarrassing Bodies (trailer)	various	Channel 4	Generally accepted standards	5
Episodes	31/01/2011	BBC 2	Offensive language	1
Five News	07/01/2011	Five	Generally accepted standards	1
Five News	04/02/2011	Five	Violence and dangerous behaviour	1
Fone Girls Live	22/12/2010	Dirty Talk	Participation TV - Harm	1
Futurama	15/01/2011	Sky 1	Generally accepted standards	1
Garfield	24/01/2011	Boomerang	Offensive language	1
George Galloway	19/11/2010	Talksport	Due impartiality/bias	36

Glee	06/02/2011	Channel 4	Sexual material	1
Gordon Ramsay: Shark Bait	16/01/2011	Channel 4	Due impartiality/bias	1
Got to Dance	04/02/2011	Sky 1	Gender discrimination/offence	1
Grand Designs	04/02/2011	More4	Harm	1
Greg Burns	21/01/2011	Capital London	Sexual orientation discrimination/offence	1
Greg James	24/01/2011	BBC Radio 1	Generally accepted standards	1
Grimefighters	25/01/2011	ITV1	Offensive language	1
Harry Hill's TV Burp	09/02/2011	ITV1	Generally accepted standards	1
Harry Hill's TV Burp	05/02/2011	ITV1	Sexual material	1
Have I Got Old News for You	26/01/2011	BBC 2	Race discrimination/offence	1
Haven Holidays' sponsorship of Primeval	15/01/2011	ITV1	Materially misleading	1
Hilltop Hospital	17/01/2011	CITV	Scheduling	1
Honey Days	05/01/2011	Filth	Participation TV - Harm	1
How Drugs Work	20/01/2011	BBC 3	Drugs, smoking, solvents or alcohol	1
Human Planet	03/02/2011	BBC 1	Nudity	1
Human Planet	27/01/2011	BBC 1	Animal welfare	1
ITV News	12/02/2011	ITV1	Generally accepted standards	1
ITV News	03/02/2011	ITV1	Due impartiality/bias	1
James O'Brien	10/01/2011	LBC 97.3FM	Race discrimination/offence	1
Jessie J "Do It Like A Dude"	n/a	BBC Radio 1	Sexual material	1
Jessie J "Do It Like A Dude"	27/01/2011	Metro Radio	Offensive language	1
Jessie J "Do It Like A Dude"	n/a	various music channels	Sexual material	1
Joop's sponsorship of Breaking Bad	12/01/2011	FX	Sexual material	1
Joop's sponsorship of NCIS	14/01/2011	FX	Sexual material	1
Ken Livingstone	29/01/2011	LBC 97.3FM	Suicide and self harm	1
Kidnap and Ransom	20/01/2011	ITV1	Gender discrimination/offence	1
Live from Studio Five	27/01/2011	Five	Sexual material	1
LK Today	02/02/2011	ITV1	Generally accepted standards	2
LK Today	27/01/2011	ITV1	Generally accepted standards	1
Louie Spence's Showbusiness	26/01/2011	Sky 1	Religious/Beliefs discrimination/offence	5
Macleans' sponsorship of Dancing on Ice	30/01/2011	ITV1	Gender discrimination/offence	1
Mad Dogs	10/02/2011	Sky 1	Offensive language	3
Mad Dogs (trailer)	26/01/2011	Sky Sports 1	Gender discrimination/offence	1
Mad Dogs (trailer)	06/02/2011	Sky Sports 1	Violence and dangerous behaviour	1
Mahek Vatam Di	27/11/2010	MATV	Undue prominence	1

Mary Portas: Secret Shopper	02/02/2011	Channel 4	Gender discrimination/offence	1
Mary Portas: Secret Shopper	09/02/2011	Channel 4	Generally accepted standards	1
Matt Edmonson	29/01/2011	BBC Radio 1	Disability discrimination/offence	1
Matt Spokes	17/01/2011	Rock FM 97.4	Generally accepted standards	1
Meet the Climate Sceptics	31/01/2011	BBC 4	Generally accepted standards	1
MI High	14/01/2011	CBBC	Offensive language	1
Midsomer Murders	11/02/2011	ITV1	Generally accepted standards	1
Midsomer Murders	30/01/2011	ITV1	Materially misleading	1
Never Mind the Buzzcocks	23/01/2011	BBC 2	Religious/Beliefs discrimination/offence	1
New You've Been Framed!	06/02/2011	ITV1	Generally accepted standards	1
News, Sport, Weather	24/01/2011	Sky News	Race discrimination/offence	1
Nick Ferrari	10/02/2011	LBC 97.3FM	Generally accepted standards	1
Nick Ferrari	10/01/2011	LBC 97.3FM	Race discrimination/offence	1
Official UK Chart Show	06/02/2011	BBC Radio 1	Offensive language	2
One Born Every Minute	31/01/2011	Channel 4	Offensive language	1
Outcasts	07/02/2011	BBC 1	Violence and dangerous behaviour	1
Outnumbered	31/01/2011	Gold	Animal welfare	1
Petrie Hosken	10/02/2011	LBC 97.3FM	Gender discrimination/offence	1
Prank Patrol Down Under	02/02/2011	BBC 2	Violence and dangerous behaviour	1
Press Preview	03/02/2011	Sky News	Generally accepted standards	1
Primeval	22/01/2011	ITV1	Advertising/editorial separation	1
Programme trailers	13/01/2011	Quest	Generally accepted standards	1
Promo	24/01/2011	Comedy Central	Hypnotic and other techniques	1
QI	28/01/2011	BBC 1	Sexual material	2
QI	10/02/2011	Dave	Offensive language	1
Red Sea Jaws	25/01/2011	Five	Materially misleading	2
Regional News and Weather	17/01/2011	BBC 1	Crime	1
Rude Tube 2011	07/01/2011	Channel 4	Animal welfare	1
Sean and Becky at Breakfast	26/01/2011	Peak FM	Advertising/editorial separation	1
Secret Diary of a Call Girl	01/02/2011	ITV2	Generally accepted standards	1
Shameless	01/02/2011	Channel 4	Suicide and self harm	7
Shameless	25/01/2011	Channel 4	Generally accepted standards	1
Shouhda-e-Karbala	14/12/2010	DM Digital	Religious/Beliefs discrimination/offence	1

Silent Witness	24/01/2011	BBC 1	Generally accepted standards	5
Six Nations Rugby Union	04/02/2011	BBC 1 Wales	Race discrimination/offence	4
Skins	03/02/2011	E4	Generally accepted standards	1
Skins (trailer)	25/01/2011	E4	Nudity	1
Sky News	04/02/2011	Sky News	Generally accepted standards	5
Sky News	03/02/2011	Sky News	Due accuracy	1
Sky News	26/01/2011	Sky News	Fairness	1
Sky News	03/02/2011	Sky News	Violence and dangerous behaviour	1
Soccer A.M.	05/02/2011	Sky 1	Gender discrimination/offence	1
Spaced (trailer)	01/02/2011	E4	Offensive language	1
Spaced (trailer)	02/02/2011	E4	Offensive language	1
Spaced (trailer)	07/02/2011	More4	Offensive language	1
Sun, Sex and Suspicious Parents	01/02/2011	BBC 3	Generally accepted standards	1
Sunrise Radio	28/01/2011	Sunrise Radio	Race discrimination/offence	1
T4	05/02/2011	Channel 4	Sexual material	1
Take Me Out	29/01/2011	ITV1	Competitions	1
Take Me Out	05/02/2011	ITV1	Materially misleading	1
Tease Me TV2	15/01/2011	Tease Me TV2	Participation TV - Harm	1
Tetley Bitter's sponsorship of ITV4 programming	23/01/2011	ITV4	Gender discrimination/offence	1
Text Scroll	24/01/2011	Sikh TV	Advertising/editorial separation	1
That Sunday Night Show	06/02/2011	ITV1	Offensive language	3
That Sunday Night Show	30/01/2011	ITV1	Offensive language	1
That Sunday Night Show (trailer)	28/01/2011	ITV1	Violence and dangerous behaviour	1
The 50 Funniest Moments 2010	29/01/2011	E4	Animal welfare	1
The Andrew Marr Show	06/02/2011	BBC 1	Offensive language	1
The Big C (trailer)	29/01/2011	E4	Nudity	1
The Big C (trailer)	03/02/2011	E4	Nudity	1
The Big C (trailer)	30/01/2011	Film4	Nudity	1
The Big C (trailer)	23/01/2011	More4	Nudity	1
The Chase	25/01/2011	ITV1	Gender discrimination/offence	1
The Chase	24/01/2011	ITV1	Generally accepted standards	1
The Family (trailer)	12/11/2010	Channel 4	Harm	1
The Family (trailer)	09/11/2010	More4	Harm	1
The Jeremy Kyle Show	21/01/2011	ITV1	Generally accepted standards	2
The Jeremy Kyle Show	02/02/2011	ITV1	Materially misleading	1
The Jeremy Kyle Show	04/02/2011	ITV1	Generally accepted standards	1

The Jeremy Kyle Show	07/02/2011	ITV2	Generally accepted standards	1
The Legend of Dick and Dom	21/01/2011	CBBC	Violence and dangerous behaviour	1
The Magicians	22/01/2011	BBC 1	Violence and dangerous behaviour	2
The Magicians	29/01/2011	BBC 1	Violence and dangerous behaviour	1
The Million Pound Drop Live	04/02/2011	Channel 4	Competitions	1
The Million Pound Drop Live	04/02/2011	Channel 4	Age discrimination/offence	2
The Million Pound Drop Live	29/01/2011	Channel 4	Gender discrimination/offence	1
The National Television Awards 2011	26/01/2011	ITV1	Gender discrimination/offence	1
The National Television Awards 2011	26/01/2011	ITV1	Generally accepted standards	1
The National Television Awards 2011	26/01/2011	ITV1	Offensive language	1
The News Quiz	22/01/2011	BBC Radio 4	Religious/Beliefs discrimination/offence	1
The News Quiz	29/01/2011	BBC Radio 4	Offensive language	1
The News Quiz	28/01/2011	BBC Radio 4	Offensive language	1
The News Quiz	29/01/2011	BBC Radio 4	Sexual material	1
The Official Chart	13/02/2011	BBC Radio 1	Offensive language	1
The One Show	01/02/2011	BBC 1	Gender discrimination/offence	1
The One Show	28/01/2011	BBC 1	Generally accepted standards	1
The Paedophile Hunters	30/01/2011	BBC 2	Generally accepted standards	1
The People's Supermarket	13/02/2011	Channel 4	Offensive language	1
The Promise	06/02/2011	Channel 4	Due accuracy	1
The Simpsons	23/01/2011	Sky 1	Drugs, smoking, solvents or alcohol	1
The Weakest Link	28/01/2011	BBC 1	Generally accepted standards	1
The Wright Stuff	19/01/2011	Five	Religious/Beliefs discrimination/offence	68
The Wright Stuff	25/01/2011	Five	Race discrimination/offence	1
This Morning	27/01/2011	ITV1	Gender discrimination/offence	1
This Morning	28/01/2011	ITV1	Nudity	1
This Morning	08/02/2011	ITV1	Outside of remit / other	1
This Morning	27/01/2011	ITV1	Sexual material	1
This Morning	29/01/2011	ITV1	Sexual material	1
TNA iMPACT!	06/02/2011	Challenge	Violence and dangerous behaviour	1
Tool Academy	10/01/2011	E4	Gender discrimination/offence	1
Top Gear	30/01/2011	BBC 2	Animal welfare	17
Top Gear	15/01/2011	BBC 3	Harm	1
Tracy Beaker Returns	07/01/2011	CBBC	Violence and dangerous behaviour	3

UTV News	29/11/2010	UTV	Due accuracy	1
Vampire Diaries	n/a	ITV1	Due accuracy	1
Walking the Amazon	02/02/2011	Discovery	Offensive language	1
Waterloo Road	02/02/2011	BBC 1	Generally accepted standards	1
Wild at Heart	06/02/2011	ITV1	Generally accepted standards	1
Wild at Heart	09/01/2011	ITV1	Materially misleading	1
World Darts	29/12/2010	Sky Sports 1	Drugs, smoking, solvents or alcohol	1
WWE Raw	01/02/2011	Sky Sports 2	Violence and dangerous behaviour	1
Zane Lowe	25/11/2010	BBC Radio 1	Offensive language	8
Zane Lowe	23/11/2010	BBC Radio 1	Offensive language	1