

# **Ofcom Broadcast Bulletin**

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## Introduction

Under the Communications Act 2003 (“the Act”), Ofcom has a duty to set standards for broadcast content as appear to it best calculated to secure the standards objectives<sup>1</sup>. Ofcom must include these standards in a code or codes. These are listed below. Ofcom also has a duty to secure that every provider of a notifiable On Demand Programme Services (“ODPS”) complies with certain standards requirements as set out in the Act<sup>2</sup>.

The Broadcast Bulletin reports on the outcome of investigations into alleged breaches of those Ofcom codes below, as well as licence conditions with which broadcasters regulated by Ofcom are required to comply. We also report on the outcome of ODPS sanctions referrals made by ATVOD and the ASA on the basis of their rules and guidance for ODPS. These Codes, rules and guidance documents include:

- a) [Ofcom’s Broadcasting Code](#) (“the Code”).
- b) the [Code on the Scheduling of Television Advertising](#) (“COSTA”) which contains rules on how much advertising and teleshopping may be scheduled in programmes, how many breaks are allowed and when they may be taken.
- 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 and product placement on television (see Rules 9.13, 9.16 and 9.17 of the Code) and all commercial communications in radio programming (see Rules 10.6 to 10.8 of the Code);
  - ‘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 advertising<sup>3</sup>.
- 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 can be found on Ofcom’s website for [television](#) and [radio](#) licences.
- e) rules and guidance for both [editorial content and advertising content on ODPS](#). Ofcom considers sanctions in relation to ODPS on referral by the Authority for Television On-Demand (“ATVOD”) or the Advertising Standards Authority (“ASA”), co-regulators of ODPS for editorial content and advertising respectively, or may do so as a concurrent regulator.

[Other codes and requirements](#) may also apply to broadcasters and ODPS, depending on their circumstances. These include the Code on Television Access Services (which sets out how much subtitling, signing and audio description relevant

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

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

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

licensees must provide), the Code on Electronic Programme Guides, the Code on Listed Events, and the Cross Promotion Code.

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

## Standards cases

### Resolved

#### Daily Politics

BBC 2, 22 May 2014, 12:00

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#### Introduction

*Daily Politics* is a live political discussion programme that broadcasts on weekdays at lunchtime. Two of the guests featured in the episode shown on 22 May 2014 were Conservative MP Nick Herbert, the former Minister of State for Police and Criminal Justice, and Peter Kirkham, a former Detective Chief Inspector. During a discussion about the tense relations between some in the police force and the Government, Mr Herbert said:

*"I'm afraid there have been a minority who have been outspoken and they are very active on Twitter and so on. Peter [Kirkham] himself, just a day ago, described the Home Secretary as 'a fuckwit' on his own Twitter line".*

Ofcom noted that the presenter, Jo Coburn, immediately said to Mr Herbert:

*"we won't have any more of that".*

In addition, Ms Coburn apologised at the end of the programme by saying:

*"...I have to apologise for the earlier expletive used and expressed by the former Policing Minister Nick Herbert. Unacceptable, won't be repeated".*

Ofcom received five complaints from viewers who objected to Mr Herbert's use of the word "fuckwit" and considered it unsuitable given that the programme was broadcast during the day.

Ofcom considered the programme raised potential issues under the following rule of the Code.

Rule 1.14: "The most offensive language must not be broadcast before the watershed (in the case of television)...".

We therefore sought formal comments from the BBC about how it complied with this rule.

#### Response

The BBC told Ofcom that no briefing of Mr Herbert had taken place before the broadcast. It said it is not usual practice to give such briefings to MPs and former Government ministers as it is "reasonably assumed that figures in political life are aware of the need to avoid using offensive language".

#### Decision

Under the Communications Act 2003, Ofcom has a statutory duty to set standards for broadcast content as appear to it best calculated to secure the standards objectives,

one of which is that “persons under the age of eighteen are protected”. This objective is reflected in Section One of the Code.

Ofcom research<sup>1</sup> clearly indicates that the word “fuck” and its derivatives are considered by audiences to be examples of the most offensive language. Rule 1.14 states that the most offensive language must not be broadcast before the watershed.

While this was clearly a case of the most offensive language being broadcast before the watershed, Ofcom recognised that the programme was broadcast live and Mr Herbert used the word when directly quoting the online comment of another guest to illustrate the tense relations between some in the police force and the Government. Ofcom also recognised that the likelihood of a significant number of children watching was very small, given that *Daily Politics* is a programme of limited appeal to younger viewers and this episode was shown at lunchtime during school term time. These factors reduced the potential for offence caused by the use of “*fuckwit*”.

Further, Ofcom noted that the programme’s presenter, Jo Coburn, made it immediately clear to Mr Herbert that the use of offensive language should not be repeated, before apologising to viewers at the end of the programme.

Given the above, Ofcom considers the matter resolved.

Ofcom reminds all broadcasters that they should consider carefully their processes for briefing guests appearing on live programmes.

## **Resolved**

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<sup>1</sup> Audience attitudes towards offensive language on television and radio, August 2010 (<http://stakeholders.ofcom.org.uk/binaries/research/tv-research/offensive-lang.pdf>)

## Advertising Scheduling cases

### In Breach

#### Advertising minutage

*Channel i, 19 February and 12 April 2014, various times*

#### Advertising scheduling

*Channel i, 19 February and 12 April 2014, various times*

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### Introduction

Channel i is a news and general entertainment channel broadcast in Bengali aimed at a Bangladeshi audience in the UK. The licence for Channel i is held by Prime Bangla Limited (“the Licensee”).

Rule 4 of the Code on the Scheduling of Television Advertising (“COSTA”) states:

“time devoted to television advertising and teleshopping spots on any channel in any one hour must not exceed 12 minutes.”

Rule 16(a) of COSTA states that:

“films and news programmes may only include on advertising or teleshopping break for each scheduled period of at least 30 minutes”.

During routine monitoring of COSTA compliance, Ofcom identified the following instances when the Licensee broadcast more than the permitted advertising allowance:

- 20:00 and 22:00 clock hours on 19 February 2014 – overruns of 10 seconds and 27 seconds respectively; and
- 20:00 clock hour on 12 April 2014 – overrun of two minutes.

Ofcom also noted that four 30 minute news programmes – broadcast at 19:00 on 19 February 2014 and 15:00, 17:00 and 19:00 on 12 April 2014 – each contained two advertising breaks – one more than permitted by Rule 16(a) of COSTA.

Ofcom considered the above incidents raised issues warranting investigation under Rules 4 and 16(a) of COSTA. We therefore asked the Licensee for its comments under these rules.

### Response

The Licensee did not respond to Ofcom’s request for comments.

### Decision

Under the Communications Act 2003, Ofcom has a statutory duty to set standards for broadcast content which it considers are best calculated to secure a number of standards objectives. One of these objectives is that “the international obligations of the United Kingdom with respect to advertising included in television and radio services are complied with”.

Articles 20 and 23 of the Audiovisual Media Services Directive set out strict limits on the amount and scheduling of television advertising. Ofcom has transposed these requirements by means of key rules in COSTA. Ofcom undertakes routine monitoring of its licensees' compliance with COSTA.

In this case, the amount of advertising broadcast by the Licensee exceeded the permitted allowance in a clock hour on three occasions, breaching Rule 4 of COSTA in each case. Separately, Ofcom's routine monitoring identified four 30 minute news programmes containing two advertising breaks. Rule 16(a) of COSTA, which limits such programmes to one advertising break, was therefore breached in each case.

In Ofcom Broadcast Bulletin 235<sup>1</sup>, Ofcom recorded five breaches of COSTA rules for significant minutage issues on Channel i and put the Licensee on notice that it would consider further regulatory action in the event of a recurrence. We are concerned that further breaches of multiple COSTA rules have occurred and therefore are requiring the Licensee to attend a meeting to discuss its approach to compliance in this area.

### **Breaches of Rules 4 and 16(a) of COSTA**

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<sup>1</sup>Issue 235 of Ofcom's Broadcast Bulletin:  
<http://stakeholders.ofcom.org.uk/binaries/enforcement/broadcast-bulletins/obb235/obb235.pdf>



## In Breach

### Advertising minutage

*Samaa, 2 April 2014, 21:00*

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#### Introduction

Samaa is a Pakistani news and entertainment channel broadcasting in Urdu, which is re-transmitted in the UK. The licence for Samaa is held by Up and Coming TV Limited (“the Licensee”).

Rule 4 of the Code on the Scheduling of Television Advertising (“COSTA”) states:

“time devoted to television advertising and teleshopping sports on any channel in any one hour must not exceed 12 minutes.”

During monitoring of licensees’ compliance with COSTA, Ofcom noted that on 2 April 2014 Samaa transmitted 14 minutes and 30 seconds of advertising in the 21:00 clock hour, thereby exceeding the amount permitted under Rule 4 of COSTA by two minutes and 30 seconds.

Ofcom considered the case raised issued warranting investigation in respect of Rule 4 of COSTA and asked the Licensee for its comments with regard to this rule.

#### Response

The Licensee accepted that it had exceeded the amount of permitted advertising minutage in the 21:00 clock hour on 2 April 2014. The Licensee explained that this occurred as the result of human error when an advertising break lasting three minutes was played twice. It apologised for this error and assured Ofcom that it would work harder to avoid such instances in future.

#### Decision

Under the Communications Act 2003, Ofcom has a statutory duty to set standards for broadcast content as appear to it best calculated to secure a number of standards objectives. One of these objectives is that “the international obligations of the United Kingdom with respect to advertising included in television and radio services are complied with”.

Articles 20 and 23 of the Audiovisual Media Services Directive set out strict limits on the amount and scheduling of television advertising. Ofcom has transposed these requirements by means of key rules in COSTA. Ofcom undertakes routine monitoring of its licensees’ compliance with COSTA.

In this case, we noted that the Licensee accepted and apologised for exceeding the permitted advertising allowance during the 21:00 clock hour on 2 April 2014 and therefore breached Rule 4 of COSTA.

We noted that the Licensee had previously exceeded the limit on advertising minutage in December 2013 and January 2014 after which it had assured Ofcom that it had taken steps to rectify the cause of problem.

<sup>1</sup> Ofcom reminds the Licensee that it is required to ensure that it has appropriate measures in place so that the amount of advertising in each clock hour transmitted does not exceed the limit stipulated in COSTA.

#### **Breach of Rule 4 of COSTA**

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<sup>1</sup> <http://stakeholders.ofcom.org.uk/binaries/enforcement/broadcast-bulletins/obb2501/obb251.pdf>

## In Breach

### Advertising minutage

*Aaj Tak, 6 to 13 April 2014, various times*

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#### Introduction

Aaj Tak is a 24 hour news channel broadcast in Hindi on the digital satellite platform. The licence for Aaj Tak is held by TV Today Network Ltd (“TVTN” or “the Licensee”).

Rule 4 of the Code on the Scheduling of Television Advertising (“COSTA”) states:

“time devoted to television advertising and teleshopping spots on any channel in any one hour must not exceed 12 minutes”.

During its routine monitoring of COSTA compliance, Ofcom identified one instance on 6 April 2014 when the Licensee had broadcast two minutes and seven seconds more than the permitted advertising allowance in a clock hour.

Ofcom considered the case raised issues warranting investigation in respect of Rule 4 of COSTA and asked the Licensee for its comments with regard to this rule.

#### Response

TVTN apologised for the error. It said the overrun on 6 April was due to “last minute urgency...accompanied with a technical problem”. The Licensee explained that when it had sought to insert a breaking news report in to a programme, a commercial break was accidentally inserted twice.

The Licensee also informed Ofcom about three overruns on 11, 12 and 13 April 2014 of 21 seconds, 47 seconds and 84 seconds respectively, due to an overrunning programme resulting in commercials intended for one clock hour being pushed to the next clock hour.

TVTN said that it was aware of the gravity of this issue, that strict instructions had been given to its staff to ensure compliance with COSTA, and that it would “take every measure possible” to avoid such lapses in the future.

#### Decision

Under the Communications Act 2003, Ofcom has a statutory duty to set standards for broadcast content which it considers are best calculated to secure a number of standards objectives. One of these objectives is that “the international obligations of the United Kingdom with respect to advertising included in television and radio services are complied with”.

Articles 20 and 23 of the Audiovisual Media Services Directive set out strict limits on the amount and scheduling of television advertising. Ofcom has transposed these requirements by means of key rules in COSTA. Ofcom undertakes routine monitoring of its licensees’ compliance with COSTA.

Ofcom noted that the Licensee had acknowledged its error and had notified Ofcom of three additional breaches. We also noted the Licensee's stated commitment to ensure that it complied with the rules in COSTA.

Nevertheless, on this occasion, the amount of advertising broadcast by Aaj Tak in 4 clock hours between 6 April and 13 April exceeded the permitted allowance in breach of Rule 4 of COSTA.

This compliance failure follows previous breaches recorded by Ofcom covering a series of minutage overruns on Aaj Tak, as follows:

- in issue 236 of Ofcom's Broadcast Bulletin<sup>1</sup>, one breach of Rule 4 was recorded;
- in issue 240 of Ofcom's Broadcast Bulletin<sup>2</sup>, one breach of Rule 4 was recorded; and
- in issue 252 of Ofcom's Broadcast Bulletin<sup>3</sup>, 29 breaches of Rule 4 were recorded.

In each of those cases, the Licensee provided assurances to Ofcom that it had since implemented improved procedures to minimise the risk of a recurrence. Ofcom is particularly concerned that despite repeated assurances, TVTN's revised procedures have not proved sufficiently robust to prevent further breaches of Rule 4 of COSTA.

In light of our concerns, Ofcom is requiring the Licensee to attend a meeting to discuss its compliance procedures.

### **Breaches of Rule 4 of COSTA**

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<sup>1</sup> <http://stakeholders.ofcom.org.uk/binaries/enforcement/broadcast-bulletins/obb236/obb236.pdf>

<sup>2</sup> <http://stakeholders.ofcom.org.uk/binaries/enforcement/broadcast-bulletins/obb240/obb240.pdf>

<sup>3</sup> <http://stakeholders.ofcom.org.uk/binaries/enforcement/broadcast-bulletins/obb252/obb252.pdf>

## Broadcast Licence Condition cases

### In Breach

#### Provision of information: community radio station compliance reports

*Various community radio licensees*

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##### Introduction

Under the terms of The Community Radio Order 2004 (“the Order”), community radio stations are defined as local radio stations provided primarily for the good of members of the public or for a particular community, rather than primarily for commercial reasons. They are also required to deliver social gain, operate on a not-for-profit basis, involve members of their target communities and be accountable to the communities they serve.

Any group applying for a community radio licence is required to set out proposals on how it will meet these various statutory requirements. If the group is awarded a licence, these proposals are then set out in the licence to ensure their continued delivery. This part of a community radio station's licence is known as the 'Key Commitments'.

Given that each station's Key Commitments are designed to ensure that the station continues to provide the service for which it has been licensed, Ofcom must be able to monitor the station's delivery of these Key Commitments. Licensees are therefore required to submit an annual report setting out how they have been meeting their licence obligations.

In addition to the requirements set out above, there are also statutory restrictions on the funding of community radio stations (section 105(6) of the Broadcasting Act 1990, as modified by the Order). Specifically, no community radio station is allowed to generate more than 50% of its annual income from the sale of on-air advertising and sponsorship. In certain circumstances, some stations are not allowed to carry any paid for advertising or sponsorship.

It is also a characteristic of community radio services that any profit that is produced by providing the service is used “wholly and exclusively for securing or improving the future provision of the service, or for the delivery of social gain to members of the public or the community that the service is intended to serve” (clause 3(3) of the Order).

As with the Key Commitments, Ofcom must be able to verify that a licensee is complying with its licence requirements relating to funding. Licensees are therefore required to submit an annual report setting out how they have met their financial obligations.

The annual reports from stations also inform Ofcom's own report on the community radio sector, which is featured in the annual Communications Market Report.

Ofcom requested annual reports from all community radio licensees – to cover two areas: Key Commitments and finances. A number of stations failed to provide one or both parts of their reports by the deadline specified.

Ofcom considered that this raised issues warranting investigation under Licence Condition 9(1) which states:

"The Licensee shall maintain records of and furnish to Ofcom in such manner and at such times as Ofcom may reasonably require such documents, accounts, estimates, returns, reports, notices or other information as Ofcom may require for the purpose of exercising the functions assigned to it by or under the 1990 Act, the 1996 Act or the Communications Act and in particular (but without prejudice to the generality of the foregoing):

- (a) a declaration as to the Licensee's corporate structure in such form and at such times as Ofcom shall specify;
- (b) such information as Ofcom may reasonably require from time to time for the purposes of determining whether the Licensee is on any ground a disqualified person by virtue of any of the provisions in Section 143 (5) of the 1996 Act and/or Schedule 2 to the 1990 Act or whether the requirements imposed by or under Schedule 14 to the Communications Act are contravened in relation to the Licensee's holding of the Licence;
- (c) such information as Ofcom may reasonably require for the purposes of determining whether the Licensee is complying with the requirements of the Community Radio Order 2004 for each year of the Licensed Service;
- (d) such information as Ofcom may reasonably require for the purposes of determining the extent to which the Licensee is providing the Licensed Service to meet the objectives and commitments specified in the Community Radio Order 2004; and
- (e) the provision of information under this section may be provided to Ofcom in the form of an annual report which is to be made accessible to the general public."

We therefore wrote to the stations in question to request their formal comments under Licence Condition 9(1).

## Decision

### In Breach

The following stations failed to submit their annual reports by the deadline, and submitted reports so late that the data could not be included in Ofcom's Communications Market Report. These licensees have therefore breached Licence Condition 9(1):

Licence number	Station name and Licensee	Summary Preliminary View
CR000122BA	BRO Radio, <b>Vale of Glamorgan Broadcasting Community Interest Company</b>	<b>In breach</b> – both reports
CR000004BA	GTFM Pontypridd, <b>GTFM (South Wales) Ltd</b>	<b>In breach</b> – finance report only

CR000215BA	OX105FM (now known as Destiny 105), <b>OX4 FM Community Interest Company</b>	<b>In breach</b> – both reports
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### Resolved

The following Licensees failed to submit either one or both parts of their annual report (Key Commitments report and finance report) by the original deadline, but subsequently submitted late reports. For these licensees we therefore consider the matter to be resolved:

CR000214BA	1 Ummah FM, <b>1 Ummah FM Community Interest Company</b>	<b>Resolved</b> – both reports
CR000141BA	3TFM Community Radio for Health, <b>3TFM Community Radio for Health</b>	<b>Resolved</b> – both reports
CR000208BA	Awaaz Radio, <b>Awaaz Radio Limited</b>	<b>Resolved</b> – both reports
CR000222BA	Betar Bangla Radio, <b>Betar Bangla Ltd</b>	<b>Resolved</b> – both reports
CR000026BA	Crescent Community Radio, <b>Crescent Community Radio Limited</b>	<b>Resolved</b> – both reports
CR000217BA	Insanity Radio, <b>Royal Holloway And Bedford New College</b>	<b>Resolved</b> – both reports
CR000220BA	Kane FM, <b>Kane FM Ltd</b>	<b>Resolved</b> – both reports
CR000165BA	North Manchester FM, <b>North Manchester FM Community Interest Company</b>	<b>Resolved</b> – both reports
CR000138BA	Pulse Community Radio, <b>Pulse Community Radio Limited</b>	<b>Resolved</b> – both reports
CR000210BA	Radio BGWS, <b>British Gurkha Welfare Society</b>	<b>Resolved</b> – both reports
CR000133BA	Speysound Radio, <b>Speysound Radio Ltd</b>	<b>Resolved</b> – both reports
CR000156BA	Tudno FM, <b>Llandudno Community Radio Limited</b>	<b>Resolved</b> – finance report
CR000172BA	Tulip Radio, <b>Tulip Radio Limited</b>	<b>Resolved</b> – both reports

Ofcom takes this opportunity to remind community radio licensees that failure by a licensee to submit an annual report when required represents a significant breach of a community radio licence. The absence of the information contained in the report means that Ofcom is unable properly to carry out its regulatory duties. Licensees who have either failed to provide their annual reports or have provided them late should take steps to ensure that the issue does not recur next year.

## Fairness and Privacy cases

### Not Upheld

#### Complaint by Miss Gillian Airey

*This Morning, ITV, 31 January 2014*

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#### Summary

Ofcom has not upheld this complaint made by Miss Gillian Airey of unwarranted infringement of privacy in the programme as broadcast.

This daily magazine programme featured an item which discussed properties where violent crimes had taken place and asked: *“what’s it like to live in a house of horror?”* The first property discussed was described as: *“the house of Britain’s first female serial killer”*. The complainant, Miss Airey (who now owned the house which was occupied by a tenant at the time of the filming), complained that her privacy was unwarrantably infringed in the programme as broadcast because footage of the exterior and interior of her house was shown without her permission.

Ofcom found that Miss Airey did not have a legitimate expectation of privacy in relation to the broadcast of the footage of her property in the programme. Therefore, Miss Airey’s privacy was not unwarrantably infringed in the programme as broadcast.

#### Introduction and programme summary

On 31 January 2014, ITV broadcast an edition of its daily magazine programme *This Morning*, presented by Mr Eamonn Holmes and Ms Ruth Langsford. One of the items featured in the programme discussed properties in which violent crimes had taken place and asked: *“what’s it like to live in a house of horror?”* The first property featured was described as *“the house of Britain’s first female serial killer, Mary Ann Cotton<sup>1</sup>”* (now owned, but not occupied, by Miss Airey at the time of the filming). During a brief discussion in which Mary Ann Cotton’s crimes were discussed, studio guest and criminologist, Professor David Wilson disclosed the full address of the property: *“it’s in West Auckland, it was originally called 13 Front Street [...] but they have changed the address to 14 Front Street”*.

Following this introduction, a pre-recorded report was shown in which footage of the exterior of the house, including wide shots and close-ups of the front door (including the house number) was included. The report included an interview with Ms Vicky Best, who lived at the property at the time of the filming, in which she described her experiences of living in the house for nearly four years. Ms Best was initially interviewed sitting in the living room, but later, was shown in various parts of the house including the staircase, the first floor bedroom and the second floor bedroom. As she moved around the house she said:

*“These would have been the original stairs that Mary Ann would have walked up in the olden days. This first floor’s the bedroom and we believe this is where Mary Ann Cotton would have slept. But it still has a feeling of presence that there is*

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<sup>1</sup> Mary Ann Cotton was convicted of murdering her seven year old step son and was hanged in 1873. She is believed to have murdered up to 21 people, including eight of her own children, seven step children, her mother and three husbands, mainly by arsenic poisoning during a twenty year period in the mid to late nineteenth century.



*something here. Now, coming out of that bedroom and up to the second floor we come up these steps which we call the spook steps. But over in the corner, what we call the lock cupboard, the spook cupboard. That cupboard there is where we feel the most sadness about what did happen to those children. And that feeling of sadness is the feeling when I come into this room”.*

After the report and back in the studio, the presenters and Professor Wilson discussed other properties where serious crimes had been committed.

### **Summary of the complaint and the broadcaster’s response**

Miss Airey complained that her privacy was unwarrantably infringed in the programme as broadcast because footage of the exterior and interior of her house was shown without her permission as part of a discussion about residents who live in houses where serious crimes had been committed.

By way of background, Miss Airey said that she was the owner and landlady of the property shown in the programme. One of the tenants, Ms Best, was interviewed in the programme and various parts of the interior of the house (including the living room and the bedroom) were shown. Miss Airey said that the tenants had contacted her by text message in order to ask if she was happy for the property to be featured in the programme. Miss Airey responded with her reservations and requested that the tenants pass her contact details onto the programme makers.

In response to the complaint, ITV said that the programme discussed what it was like to live in properties in which violent crimes had taken place and that it was in this context, i.e. the experience of living in such a property, that the programme makers contacted Ms Best with a view to filming the property.

ITV said that it had apologised in writing to Miss Airey for unwittingly broadcasting footage of the interior of her property against her express wishes. It said that the programme makers had been told by Ms Best that she had notified Miss Airey about the proposed filming at the property, but that they were not informed that the complainant objected to the filming. ITV said that if the programme makers had been aware of Miss Airey’s objections, the filming within the property would not have taken place.

However, notwithstanding its apology to Miss Airey, ITV said that it did not believe that the complainant’s privacy was unwarrantably infringed in the programme as broadcast for the following reasons:

- *The connection between Mary Ann Cotton and the property is in the public domain.*

ITV said that it believed that, since it was common knowledge that Mary Ann Cotton lived at the property in the nineteenth century, Miss Airey did not have a legitimate expectation of privacy in relation to this information (which was a central element of the programme item). This information was not private or confidential to Miss Airey. ITV said that the fact that Mary Ann Cotton lived at the property appeared on numerous websites along with photographs of the property’s exterior (a number of examples were provided to Ofcom). ITV said that the examples demonstrated that Mary Ann Cotton’s links with the property were well known, and that the broadcasting of this information in itself could not represent an unwarranted infringement of Miss Airey’s privacy simply because she was the current owner of the property.

- *Miss Airey did not reside at the property when the filming took place or when the programme was broadcast.*

ITV accepted that publishing information about a person's home and its interior without that person's consent could constitute an unwarranted infringement of privacy. However, Miss Airey has confirmed to Ofcom that she does not live in the house at present, but that she may well do in the future.

ITV suggested that the property could not reasonably be described as Miss Airey's home at the time of either the filming or the broadcast of the item. Although Miss Airey owned the property, she had rented it out to tenants for several years and lived elsewhere. The property was the home of the tenants at the time of the filming and of the broadcast, and the filming focused largely on the exterior of the building and its front door. The footage of the interior of the house was brief and revealed the layout of the house, and the tenant's subjective feelings about the atmosphere of parts of the house, but it did not disclose any information that was personal or private to Miss Airey of which she could have a reasonable expectation of privacy.

ITV concluded that it expressed its regret that it was not made aware at the time of filming of any objection by Miss Airey to the filming, and had undertaken not to repeat the broadcast of the footage. In the circumstances, ITV said that it had responded reasonably to the complainant's concerns, but maintained that the programme as broadcast did not unwarrantably infringe her privacy.

## **Decision**

Ofcom's statutory duties include the application, in the case of all television and radio services, of standards which provide adequate protection to members of the public and all other persons from unjust or unfair treatment and unwarranted infringement of privacy in, or in connection with the obtaining of material included in, programmes in such services.

In carrying out its duties, Ofcom has regard to the need to secure that the application of these standards is in the manner that best guarantees an appropriate level of freedom of expression. Ofcom is also obliged to have regard, in all cases, to the principles under which regulatory activities should be transparent, accountable, proportionate and consistent, and targeted only at cases in which action is needed.

In reaching its decision, Ofcom carefully considered all the relevant material provided by both parties. This included a recording and a transcript of the programme as broadcast, both parties' written submissions and supporting material. The parties chose not to make any representations on Ofcom's Preliminary View.

In Ofcom's view, the individual's right to privacy has to be balanced against the competing right of the broadcaster to freedom of expression. Neither right as such has precedence over the other and, where there is a conflict between the two, it is necessary to intensely focus on the comparative importance of the specific rights. Any justification for interfering with or restricting each right must be taken into account and any interference or restriction must be proportionate. This is reflected in how Ofcom applies Rule 8.1 of the Code which states that any infringement of privacy in programmes, or in connection with obtaining material included in programmes, must be warranted.

In assessing Miss Airey's complaint that her privacy was unwarrantably infringed in the programme as broadcast because footage of the house she owned was shown without her permission, Ofcom had particular regard to Practice 8.6 of the Code. This states that, if the broadcast of a programme would infringe the privacy of a person or organisation, consent should be obtained before the relevant material is broadcast unless the infringement of privacy is warranted. We also had regard to Practice 8.2 which states that information that discloses a person's home or family should not be revealed without permission, unless it is warranted.

Ofcom first considered the extent to which Miss Airey had a legitimate expectation of privacy in relation to footage of the house she owned being shown in the programme without her permission. The Code confirms that legitimate expectations of privacy will vary according to the place and nature of the information in question, including the extent to which it is in the public domain.

We examined the footage of Miss Airey's property in the programme and the context in which it appeared (as set out in detail in the "Introduction and programme summary" section).

Ofcom recognises that the broadcast of footage of a person's home (in particular, its interior), and information about its location can give rise to an expectation of privacy. However, in this case, we noted that Miss Airey did not reside at the property in question at the time of the filming of the footage and its subsequent broadcast in the programme. While Miss Airey owned the property, it was rented by tenants, one of whom, Ms Best (who had lived in the property for four years) appeared in the programme. Therefore, we took the view that the footage included in the programme did not reveal any sensitive or private information about Miss Airey or her personal life, nor did it identify Miss Airey to be the owner of, or otherwise connected to, the property.

Furthermore, we noted that the property had been the final home of Mary Ann Cotton in the late nineteenth century and where she had committed the murder of her stepson, a crime for which she was convicted and executed. As such, this property was linked inextricably to Mary Ann Cotton and her crimes. These have gained considerable notoriety given that she was believed to have killed up to 21 people, including eight of her own children. We considered that as a result of this notoriety, information about Mary Ann Cotton, the crimes she committed, and the location and address of the property where she had lived and had carried out the murder of her last victim was widely accessible to the public and was firmly in the public domain.

Ofcom noted the broadcaster's assertion that had the programme makers been aware of Miss Airey's objections to the filming, they would not have filmed within the property, and its undertaking not to show the footage again. Nonetheless, Ofcom considered, for the reasons given above, that Miss Airey did not have a legitimate expectation of privacy in relation to the broadcast of the footage of her house included in the programme.

Taking all the above factors into account, Ofcom found that on balance Miss Airey did not have a legitimate expectation of privacy in relation to the broadcast of the footage of her property in the programme. Therefore, it was not necessary for Ofcom to consider whether any infringement into Miss Airey's privacy was warranted.

**Accordingly, Ofcom has not upheld Miss Airey's complaint of unwarranted infringement of privacy in the programme as broadcast.**

## Investigations Not in Breach

Here are alphabetical lists of investigations that Ofcom has completed between 17 and 30 June 2014 and decided that the broadcaster did not breach Ofcom's codes, licence conditions or other regulatory requirements.

### Investigations conducted under the General Procedures for investigating breaches of broadcast licences

Licensee	Categories
Baltic Media Alliance Ltd	Provision of information

For more information about how Ofcom conducts investigations about broadcast licences, go to: <http://stakeholders.ofcom.org.uk/broadcasting/guidance/complaints-sanctions/general-procedures/>.

## Complaints Assessed, Not Investigated

Here are alphabetical lists of complaints that, after careful assessment, Ofcom has decided not to pursue between 17 and 30 June 2014 because they did not raise issues warranting investigation.

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

For more information about how Ofcom assesses conducts investigations about content standards, go to:

<http://stakeholders.ofcom.org.uk/broadcasting/guidance/complaints-sanctions/standards/>.

Programme	Broadcaster	Transmission Date	Categories	Number of complaints
This Week's Fresh Music Top 20	4Music	15/06/2014	Scheduling	1
The Morning Show with Sanam Baloch	ARY News	30/04/2014	Product placement	1
BBC News	BBC	n/a	Outside of remit / other	2
BBC News	BBC	Various	Outside of remit / other	20
Programming	BBC	n/a	Outside of remit / other	1
BBC News	BBC 1	06/05/2014	Outside of remit / other	1
BBC News	BBC 1	23/05/2014	Outside of remit / other	2
BBC News	BBC 1	20/06/2014	Generally accepted standards	2
BBC News	BBC 1	21/06/2014	Outside of remit / other	2
BBC News	BBC 1	22/06/2014	Outside of remit / other	1
BBC News	BBC 1	29/05/2014	Outside of remit / other	1
BBC News	BBC 1	20/06/2014	Generally accepted standards	1
Breakfast	BBC 1	18/06/2014	Outside of remit / other	16
Breakfast	BBC 1	25/06/2014	Outside of remit / other	1
Casualty	BBC 1	28/06/2014	Outside of remit / other	1
David Beckham Into the Unknown	BBC 1	09/06/2014	Drugs, smoking, solvents or alcohol	1
EastEnders	BBC 1	16/06/2014	Violence and dangerous behaviour	2
EastEnders	BBC 1	17/06/2014	Scheduling	1
EastEnders	BBC 1	18/06/2014	Race discrimination/offence	1
EastEnders	BBC 1	20/06/2014	Generally accepted standards	1
EastEnders	BBC 1	24/06/2014	Offensive language	1
EastEnders Omnibus	BBC 1	20/06/2014	Race discrimination/offence	1
Escape to the Country	BBC 1	15/06/2014	Outside of remit / other	1
Match of the Day Live	BBC 1	14/06/2014	Outside of remit / other	3
Match of the Day Live	BBC 1	15/06/2014	Generally accepted standards	1

Match of the Day Live	BBC 1	16/06/2014	Generally accepted standards	1
Match of the Day Live	BBC 1	16/06/2014	Race discrimination/offence	1
Match of the Day Live	BBC 1	17/06/2014	Outside of remit / other	1
Match of the Day Live	BBC 1	19/06/2014	Generally accepted standards	1
Match of the Day Live	BBC 1	20/06/2014	Outside of remit / other	5
Match of the Day Live	BBC 1	22/06/2014	Generally accepted standards	1
Match of the Day Live	BBC 1	25/06/2014	Outside of remit / other	1
Match of the Day Live	BBC 1	26/06/2014	Outside of remit / other	1
Mrs Brown's Boys	BBC 1	12/01/2014	Generally accepted standards	1
The Andrew Marr Show	BBC 1	15/06/2014	Generally accepted standards	1
Vote 2014: Europe	BBC 1	22/05/2014	Outside of remit / other	3
Vote 2014: Europe	BBC 1	23/05/2014	Outside of remit / other	4
Vote 2014: Europe	BBC 1	25/05/2014	Outside of remit / other	2
Vote 2014: Europe	BBC 1	26/05/2014	Outside of remit / other	2
Watchdog	BBC 1	11/06/2014	Outside of remit / other	1
Wimbledon 2014	BBC 1	26/06/2014	Outside of remit / other	1
The Nolan Show	BBC 1 Northern Ireland	28/05/2014	Religious/Beliefs discrimination/offence	1
Party Election Broadcast by the Britain First Party	BBC 1 Wales	09/05/2014	Crime	1
Britain's Homeless Families	BBC 2	27/06/2014	Outside of remit / other	1
Newsnight	BBC 2	16/05/2014	Outside of remit / other	1
Newsnight	BBC 2	13/06/2014	Outside of remit / other	1
The Daily Politics	BBC 2	02/06/2014	Outside of remit / other	1
Tigers About the House	BBC 2	16/06/2014	Animal welfare	1
Vote 2014: Europe	BBC 2	23/05/2014	Outside of remit / other	1
Wimbledon 2014	BBC 2	24/06/2014	Outside of remit / other	1
Barely Legal Drivers	BBC 3	09/06/2014	Violence and dangerous behaviour	1
Barely Legal Drivers	BBC 3	23/06/2014	Offensive language	1
Don't Tell the Bride	BBC 3	12/06/2014	Race discrimination/offence	1
In the Flesh	BBC 3	01/06/2014	Religious/Beliefs discrimination/offence	1
Jonah From Tonga	BBC 3	29/05/2014	Race discrimination/offence	1
Jonah From Tonga	BBC 3	05/06/2014	Race discrimination/offence	1
Jonah From Tonga	BBC 3	13/06/2014	Race discrimination/offence	1
Murdered by My Boyfriend	BBC 3	26/06/2014	Generally accepted standards	1

Britain's Whale Hunters: The Untold Story	BBC 4	09/06/2014	Offensive language	1
BBC News	BBC News Channel	22/05/2014	Outside of remit / other	1
BBC News	BBC News Channel	22/06/2014	Outside of remit / other	1
BBC News	BBC News Channel	n/a	Religious/Beliefs discrimination/offence	1
Newsbeat	BBC Radio 1	12/06/2014	Generally accepted standards	1
Newsbeat	BBC Radio 1	18/06/2014	Outside of remit / other	2
The Now Show	BBC Radio 4	17/01/2014	Outside of remit / other	1
Afternoon Show	Capital FM	14/06/2014	Scheduling	1
Summertime Ball	Capital FM	21/06/2014	Offensive language	1
Breakfast Show with Des and Jenny	Capital FM Scotland	17/06/2014	Generally accepted standards	1
Adventure Time	Cartoon Network	14/06/2014	Scheduling	1
Rastamouse	CBeebies	14/06/2014	Outside of remit / other	1
The Lingos Show	CBeebies	27/06/2014	Religious/Beliefs discrimination/offence	1
Alan Carr: Chatty Man	Channel 4	13/06/2014	Violence and dangerous behaviour	2
Britain's Benefit Tenants	Channel 4	12/06/2014	Materially misleading	1
Channel 4 News	Channel 4	09/06/2014	Generally accepted standards	1
Channel 4 News	Channel 4	16/06/2014	Scheduling	1
Channel 4 News	Channel 4	20/06/2014	Race discrimination/offence	1
Come Dine with Me	Channel 4	26/06/2014	Race discrimination/offence	1
Come Dine with Me	Channel 4	27/06/2014	Generally accepted standards	1
Coppers	Channel 4	24/06/2014	Generally accepted standards	1
Cutting Edge: Going to the Dogs (trailer)	Channel 4	05/06/2014	Animal welfare	1
Dispatches	Channel 4	16/06/2014	Outside of remit / other	1
Dubai's sponsorship of Channel 4 Racing	Channel 4	19/06/2014	Sponsorship credits	1
For the Love of Cars	Channel 4	25/05/2014	Religious/Beliefs discrimination/offence	1
Hollyoaks	Channel 4	n/a	Violence and dangerous behaviour	1
My Last Summer	Channel 4	04/06/2014	Advertising minutage	1
Obsessive Compulsive Cleaners	Channel 4	n/a	Disability discrimination/offence	1
One Born Every Minute	Channel 4	18/06/2014	Materially misleading	1
Sunday Brunch	Channel 4	29/06/2014	Harm	1
The Hunger Games	Channel 4	21/06/2014	Outside of remit / other	1
The Inbetweeners	Channel 4	20/06/2014	Generally accepted standards	1

The Island with Bear Grylls	Channel 4	12/05/2014	Animal welfare	1
5 News at 5	Channel 5	24/06/2014	Due impartiality/bias	1
Benefits Britain: Life on the Dole	Channel 5	16/06/2014	Generally accepted standards	1
Benefits Britain: Life on the Dole	Channel 5	23/06/2014	Due impartiality/bias	1
Benefits Britain: Life on the Dole	Channel 5	23/06/2014	Under 18s in programmes	1
Benefits Britain: Life on the Dole	Channel 5	28/06/2014	Generally accepted standards	1
Big Daddy	Channel 5	01/06/2014	Offensive language	1
Football Hooligan and Proud	Channel 5	11/06/2014	Violence and dangerous behaviour	8
The Nightmare Neighbour Next Door	Channel 5	05/06/2014	Offensive language	1
The Nightmare Neighbour Next Door	Channel 5	11/06/2014	Disability discrimination/offence	1
The Wedding Date	Channel 5	29/06/2014	Offensive language	1
What to Expect When You're Expecting	Channel 5	29/06/2014	Offensive language	1
The Janoskians Chart Show Chat	Chart Show TV	28/05/2014	Sexual orientation discrimination/offence	2
Deadtime Stories (trailer)	CITV	02/06/2014	Scheduling	1
Horrid Henry	CITV	03/06/2014	Generally accepted standards	1
Visit Scotland advertisement	Comedy Central + 1	07/06/2014	Elections/Referendums	1
Homicide Hunter	Crime and Investigation Network	16/05/2014	Surreptitious advertising	1
Murder She Solved	Crime Investigation Network	20/06/2014	Outside of remit / other	1
Channel Ident	E4	22/06/2014	Generally accepted standards	1
Hollyoaks	E4	11/06/2014	Advertising scheduling	1
Maoam's sponsorship of Big Bang Theory	E4	21/06/2014	Disability discrimination/offence	1
Programming	Eden FM 107.5	Various	Elections/Referendums	1
Sixteen Candles	Film4	08/06/2014	Race discrimination/offence	1
Inaam Ghar	GEO UK	18/04/2014	Generally accepted standards	1
Competition	Heart FM (Bristol)	13/03/2014	Competitions	1
Advertising	ITV	18/06/2014	Outside of remit / other	1
Advertising	ITV	19/06/2014	Outside of remit / other	1
Advertising	ITV	24/06/2014	Outside of remit / other	1
Advertising	ITV	n/a	Outside of remit / other	1
Benidorm	ITV	25/06/2014	Disability discrimination/offence	1
Britain's Got Talent	ITV	07/06/2014	Outside of remit / other	1



Coronation Street	ITV	11/06/2014	Product placement	7
Coronation Street	ITV	13/06/2014	Generally accepted standards	10
Coronation Street	ITV	16/06/2014	Drugs, smoking, solvents or alcohol	1
Coronation Street	ITV	16/06/2014	Generally accepted standards	1
Coronation Street	ITV	23/06/2014	Generally accepted standards	1
Coronation Street	ITV	n/a	Generally accepted standards	1
Coronation Street	ITV	n/a	Product placement	1
Coronation Street	ITV	n/a	Promotion of products/services	1
FIFA World Cup Live 2014	ITV	12/06/2014	Outside of remit / other	1
FIFA World Cup Live 2014	ITV	13/06/2014	Generally accepted standards	1
FIFA World Cup Live 2014	ITV	13/06/2014	Race discrimination/offence	1
FIFA World Cup Live 2014	ITV	14/06/2014	Outside of remit / other	2
FIFA World Cup Live 2014	ITV	15/06/2014	Outside of remit / other	1
FIFA World Cup Live 2014	ITV	16/06/2014	Generally accepted standards	1
FIFA World Cup Live 2014	ITV	16/06/2014	Outside of remit / other	3
FIFA World Cup Live 2014	ITV	18/06/2014	Generally accepted standards	2
FIFA World Cup Live 2014	ITV	18/06/2014	Outside of remit / other	1
FIFA World Cup Live 2014	ITV	18/06/2014	Race discrimination/offence	1
FIFA World Cup Live 2014	ITV	19/06/2014	Outside of remit / other	2
FIFA World Cup Live 2014	ITV	20/06/2014	Gender discrimination/offence	2
FIFA World Cup Live 2014	ITV	21/06/2014	Outside of remit / other	1
FIFA World Cup Live 2014	ITV	21/06/2014	Race discrimination/offence	1
FIFA World Cup Live 2014	ITV	24/06/2014	Outside of remit / other	1
FIFA World Cup Live 2014	ITV	28/06/2014	Generally accepted standards	9
FIFA World Cup Live 2014	ITV	29/06/2014	Generally accepted standards	1
FIFA World Cup Live 2014	ITV	29/06/2014	Materially misleading	2
Good Morning Britain	ITV	13/06/2014	Generally accepted standards	1
It'll be Alright on the Night	ITV	27/06/2014	Generally accepted standards	1
ITV News	ITV	18/06/2014	Generally accepted standards	1
ITV News	ITV	24/06/2014	Due impartiality/bias	1
ITV News at Ten	ITV	16/06/2014	Violence and	1

			dangerous behaviour	
Loose Women	ITV	12/06/2014	Generally accepted standards	2
Loose Women	ITV	27/06/2014	Generally accepted standards	1
Lorraine	ITV	12/06/2014	Gender discrimination/offence	1
The Jeremy Kyle Show	ITV	12/06/2014	Materially misleading	1
The Jeremy Kyle Show	ITV	16/06/2014	Generally accepted standards	1
The Jeremy Kyle Show	ITV	20/06/2014	Sexual orientation discrimination/offence	2
The Jeremy Kyle Show	ITV	n/a	Generally accepted standards	1
This Morning	ITV	05/05/2014	Competitions	1
This Morning	ITV	25/06/2014	Generally accepted standards	1
This Morning	ITV	27/06/2014	Generally accepted standards	1
Tipping Point	ITV	22/06/2014	Outside of remit / other	1
Visit Scotland advertisement	ITV	19/06/2014	Political advertising	1
World Cup Coverage	ITV	n/a	Outside of remit / other	1
You've Been Framed!	ITV	21/06/2014	Generally accepted standards	1
ITV News Central	ITV Central	29/06/2014	Outside of remit / other	1
Channel Ident	ITV2	18/06/2014	Violence and dangerous behaviour	1
Coronation Street Omnibus	ITV2	14/06/2014	Generally accepted standards	1
The Only Way is Marbs	ITV2	22/06/2014	Disability discrimination/offence	1
Wire in the Blood	ITV3	20/06/2014	Outside of remit / other	1
Dirty Britain	ITV4	22/06/2014	Animal welfare	1
FIFA World Cup Live 2014	ITV4	23/06/2014	Listed Events	2
FIFA World Cup Live 2014	ITV4	24/06/2014	Outside of remit / other	1
French Open Tennis 2014	ITV4	02/06/2014	Offensive language	1
French Open Tennis 2014	ITV4	04/06/2014	Offensive language	1
ITV News London	ITV London	16/06/2014	Scheduling	1
Kisstory	Kiss FM	11/06/2014	Generally accepted standards	1
Moom Hub	Koast Radio Ashington	15/01/2014	Outside of remit / other	1
Programming	Lahme	31/05/2014	Sponsorship	1
Cristo	LBC 97.3 FM	29/06/2014	Generally accepted standards	1
James O'Brien	LBC 97.3 FM	11/06/2014	Generally accepted standards	1
Ken Livingstone and David Mellor	LBC 97.3 FM	14/06/2014	Due impartiality/bias	1
London's Burning	London Live	24/06/2014	Offensive language	1

Embarrassing Bodies	More4	20/06/2014	Generally accepted standards	1
Four in a Bed	More4	22/06/2014	Outside of remit / other	1
Advertising	MTV	22/06/2014	Outside of remit / other	1
The Official UK Top 40	MTV Hits	08/06/2014	Under 18s in programmes	1
RMG Past Present and Future	NTV	05/06/2014	Sponsorship credits	1
Jerry Springer	Pick TV	04/06/2014	Violence and dangerous behaviour	1
Backchat	Reprezent FM	05/06/2014	Due impartiality/bias	1
Programming	Saint FM	20/06/2014	Generally accepted standards	1
Press Preview	Sky News	20/06/2014	Due accuracy	1
Sky News	Sky News	22/04/2014	Elections/Referendums	1
Sky News	Sky News	25/05/2014	Elections/Referendums	1
Sky News	Sky News	11/06/2014	Generally accepted standards	1
Sky News	Sky News	11/06/2014	Violence and dangerous behaviour	1
Sky News	Sky News	13/06/2014	Offensive language	1
Sky News	Sky News	20/06/2014	Generally accepted standards	1
Sky News	Sky News	26/06/2014	Scheduling	1
Sunrise	Sky News	25/06/2014	Offensive language	1
WWE Late Night Smackdown	Sky Sports 3	13/06/2014	Disability discrimination/offence	1
The Simpsons	Sky1	22/06/2014	Surreptitious advertising	1
Scotland Tonight	STV	03/06/2014	Due impartiality/bias	1
STV News	STV	11/06/2014	Elections/Referendums	1
STV Player promotion	STV	12/06/2014	Promotion of products/services	1
Programming	Sunrise Radio	n/a	Commercial communications on radio	1
Call Collymore	Talksport	n/a	Outside of remit / other	1
Station ident	Talksport	15/06/2014	Transgender discrimination/offence	1
Station ident	Talksport	18/06/2014	Transgender discrimination/offence	1
Talksport	Talksport	25/05/2014	Outside of remit / other	1
World Cup Coverage	Talksport	n/a	Outside of remit / other	1
World Cup Drive	Talksport	12/06/2014	Religious/Beliefs discrimination/offence	1
Sex and the City	TV3	10/06/2014	Advertising/editorial distinction	1
Witches of East End	TV3	08/06/2014	Violence and dangerous behaviour	1
Showgirls	Unknown	n/a	Generally accepted standards	1
UTV Live	UTV	12/06/2014	Due impartiality/bias	1
UTV Live Tonight	UTV	19/06/2014	Animal welfare	1

Visit Scotland advertisement	UTV	17/06/2014	Political advertising	1
Background music	Various	Various	Outside of remit / other	1
News	Various	02/06/2014	Elections/Referendums	1
News	Various	Various	Elections/Referendums	12
Choccywoccydoodah	Watch	04/06/2014	Offensive language	1
The Xfm Breakfast Show with Jon Holmes	XFM London	20/06/2014	Generally accepted standards	1
Bargain Hunt	Yesterday	22/05/2014	Offensive language	1

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

For more information about how Ofcom conducts investigations about broadcast licences, go to: <http://stakeholders.ofcom.org.uk/broadcasting/guidance/complaints-sanctions/general-procedures/>.

Licensee	Categories
Penistone Community Radio Ltd	Key Commitments

## Investigations List

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

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

Here are alphabetical lists of new investigations launched between 19 June and 2 July 2014.

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

Programme	Broadcaster	Transmission date
Advertising minutage	NDTV 24x7	14 May 2014
Backchat	Reprezent FM	22 May 2014
Election Coverage	Russia Today	22 May 2014
Formula One	Sky Sports F1	22 June 2014
Jeeto Pakistan	ARY Digital	18 May 2014
Nil Ronger Golpo	NTV	3 June 2014
Programming	ARY News	Various
Radio 1's Big Weekend	BBC Radio 1	24 May 2014
Taken Back: Finding Haley	Channel 5	19 May 2014
United Kingdom Local Election 2014	Geo News	20 May 2014
Yoga for You	Lahme	17 June 2014

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

<http://stakeholders.ofcom.org.uk/broadcasting/guidance/complaints-sanctions/standards/>.

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

Programme	Broadcaster	Transmission date
Various News Reports	Radio Scilly	2 June 2014

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

<http://stakeholders.ofcom.org.uk/broadcasting/guidance/complaints-sanctions/fairness/>.

### Investigations launched under the General Procedures for investigating breaches of broadcast licences

Licensee	Licensed Service
1 Ummah FM Community FM Company	1 Ummah FM
3TFM Community Radio for Health	3TFM Community Radio for Health
Awaaz Radio Limited	Awaaz Radio
Betar Bangla Ltd	Betar Bangla
British Gurkha Welfare Society	Radio BGWS
Crescent Community Radio Limited	Crescent Community Radio
GTFM (South Wales Ltd)	GTFM Pontypridd
Kane FM Ltd	Kane FM
Leith Community Media Works Limited	Castle FM
Lladudno Community Radio Limited	Tudno FM
North Manchester FM Community Interest Company	North Manchester
OX4 FM Community Interest Company	OX 105FM (now known as Destiny 105)
Pulse Community Radio Limited	Pulse Community Radio

Royal Holloway and Bedford New College	Insanity Radio
Speysound Radio Ltd	Speysound Radio
Tulip Radio Limited	Tulip Radio
Vale of Glamorgan Broadcasting Community Interest Company	BRO Radio
Voice of Africa Radio	Voice of Africa Radio

For more information about how Ofcom assesses complaints and conducts investigations about broadcast licences, go to:

<http://stakeholders.ofcom.org.uk/broadcasting/guidance/complaints-sanctions/general-procedures/>.