

OFCOM BROADCAST AND ON DEMAND BULLETIN

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Introduction

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

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

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

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

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

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

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

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

Broadcast Standards cases

In Breach

ITV News

ITV, 28 January 2017, 09:25

Introduction

ITV News is complied by the ITN compliance department ("ITN") on behalf of the ITV Network ("ITV" or "the Licensee").

Ofcom received five complaints about graphic and bloody images in a scene from the science fiction film *Alien* during an obituary for the actor Sir John Hurt in an edition of *ITV News*. This was shown on a Saturday morning, immediately after ITV's strand of dedicated children's programming, *Scrambled!*

After *Scrambled!* had finished an advertising break was shown featuring various commercials for children's toys. This was followed by a trailer for *Scrambled!* and then *ITV News* began. At the very start of the bulletin the presenter said:

"Sir John Hurt, the actor best known for one of the most scary and gory scenes in film history, has died. He was 77 and had been suffering from cancer. The Oscar-nominated star of screen and stage appeared in more than 100 films in a career spanning six decades".

The presenter then introduced a pre-recorded obituary of John Hurt. It began with a clip of the actor in the film *The Elephant Man*, as the correspondent said:

*"He was one of our best known and most versatile actors, who moved audiences to tears in *The Elephant Man*".*

The next sequence was a 10 second clip from the film *Alien*, where the correspondent said:

*"While this scene in *Alien* is often voted as one of cinema's most memorable moments".*

The clip showed John Hurt's character, Kane, struggle violently on a table surrounded by other characters. An object then appeared to punch through Kane's stomach under a blood-stained t-shirt. The other characters pulled away in shock as a blood-soaked alien burst through his t-shirt, and was seen in close-up to rise out of a gaping, bloody hole in Kane's stomach.

We considered the material raised potential issues under Rules 1.3 of the Code, which states:

"Children must...be protected by appropriate scheduling from material that is unsuitable for them".

We requested ITV's comments on how the item complied with this rule.

Response

ITV apologised for this clip which it said was shown "in error".

The Licensee said that the editorial decision to refer to *Alien* was "made in good faith", but it accepted "that ITN had failed to consider sufficiently the suitability of the material for children, given the violent imagery and time of broadcast". It added that: "Although news bulletins are not of particular interest to children...we accept that the clip chosen was unsuitable for children who may have been available to view at this time, and was therefore wrongly scheduled".

ITV said "the error was recognised by the editorial team very shortly after the report went out" and the clip from *Alien* was not repeated in subsequent pre-watershed *ITV News* reports. The Licensee also said that all ITN news staff "have been reminded of the importance of careful consideration of the suitability of images used from dramas and films in pre-watershed reports". ITV added that the ITN Compliance Manual would be revised to include a specific reference to "the need to take care when using images or clips from dramas and films in pre-watershed reports, such as obituaries".

Decision

Reflecting our duties under the Communications Act 2003¹, Section One of the Code requires that people under eighteen are protected from unsuitable content in programmes.

Rule 1.3 states that children must be protected by appropriate scheduling from material that is unsuitable for them. Appropriate scheduling is judged by a number of factors including: the nature of the content; the time of broadcast; and likely audience expectations.

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

We first assessed whether the programme contained material unsuitable for children.

The report on the death of Sir John Hurt included a clip featuring the actor which was intense and very bloody, showing a character in clear agony as an alien burst out of him with extreme force. We considered this content was unsuitable for children.

We then went on to assess whether the content was appropriately scheduled.

ITV News is not a programme which normally has a particular appeal to children. However, this edition was broadcast on a Saturday morning just after ITV's strand of dedicated children's programming, *Scrambled!*

In our view, ITV, as a public service channel, was likely to attract a broad audience, which could have included children, some of whom could have been watching unsupervised on a weekend morning after children's programming had just finished. This was borne out by audience figures for *ITV News*, which showed that this episode attracted a total child audience (aged 4 to 15) of 19,000 children which represented 16% of the total audience.

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

Alien is a very well known science fiction horror film rated as a '15' certificate by the BBFC², and the sequence shown – edited from the full scene – is notorious for the graphic and shocking way in which the character dies. The clip as broadcast, despite its relatively brief duration, contained strong and very bloody images, showing a character's agonising pain and ultimate death. Ofcom considered that parents and carers were unlikely to have expected material of this nature to be shown on ITV before the watershed and immediately after children's programming had finished.

Ofcom welcomes the admission by ITV that the clip should not have been broadcast, and that ITN removed this scene from subsequent reports on Sir John Hurt's death shown that day. We also took into account that ITV said that ITN had introduced further compliance measures to ensure only appropriate clips from films and dramas are shown in news programming.

Nevertheless, our Decision is that the material was not appropriately scheduled and breached Rule 1.3 of the Code.

Breach of Rule 1.3

² The British Board of Film Classification notes the 1979 film contains strong language, moderate violence and horror.

In Breach

Marche Bike Tour

Bike, 6 February 2017, 16:00

Introduction

Bike is a specialist sport television channel broadcasting in the United Kingdom. The licence for the service is held by Bike Media UK Limited ("Bike Media" or "the Licensee").

Marche Bike Tour is a series which featured a presenter travelling through the Marche by bike, discovering its places, nature and art.

Ofcom received a complaint about one of the episodes. The music track "Cake by the Ocean" by DNCE was used between several sequences in the opening four minutes of the episode. It included six uses of the lyrics "go fucking crazy".

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

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

We asked Bike Media for its comments, having shared a preliminary view that the programme had breached this rule.

Response

Bike Media agreed that there had been a code breach and said it was "wholeheartedly sorry". It said that it had not checked the lyrics of the music track and that this was a mistake. It immediately removed the programme from its schedules after Ofcom contacted it. It acknowledged a previous breach of the Code¹ and action at that time to address that mistake (additional training of its staff). It said that in response to the latest mistake it had revised its compliance procedure to cover the entire production cycle from concept/purchase to broadcast. This means that at least two people see the programme and a newly appointed compliance consultant sees all content. It added that after two months of monitoring this new procedure it was satisfied it was working. However, they would continue to develop it to maintain its effectiveness.

Decision

Reflecting our duties under the Communications Act 2003², Section One of the Code requires that people under eighteen are protected from unsuitable material in programmes.

¹ The previous breach is published in issue 304 of Ofcom's Broadcast and On Demand Bulletin: https://www.ofcom.org.uk/_data/assets/pdf_file/0035/49796/issue_304.pdf

² <http://www.legislation.gov.uk/ukpga/2003/21/section/319>

Rule 1.14 states that the most offensive language must not be broadcast before the watershed. Ofcom research³ on offensive language clearly states that the word "fuck" and variations of it are considered by audiences to be among the most offensive language.

The six uses of the word "fucking" just after 16:00 were a clear example of the most offensive language being broadcast before the watershed. The broadcast of this material was in breach of Rule 1.14.

Ofcom welcomed the fact that Bike Media had revised its compliance procedure, monitored its effectiveness and undertaken to maintain its effectiveness.

Breach of Rule 1.14

³ Attitudes to potentially offensive language and gestures on TV and radio, September 2016. See page 6 of the Quick Reference Guide:

https://www.ofcom.org.uk/_data/assets/pdf_file/0023/91625/OfcomQRG-AOC.pdf

See also the main report:

https://www.ofcom.org.uk/_data/assets/pdf_file/0022/91624/OfcomOffensiveLanguage.pdf

In Breach

Latin Hot

Swindon 105.5, 7 January 2017, 18:00

Introduction

Swindon 105.5 is a community radio station licensed to provide a service for the residents of Swindon. The licence for this service is held by Community Radio Swindon Limited ("CRSL" or "the Licensee").

Latin Hot plays music for the local Hispanic community on Saturday evenings. A listener alerted Ofcom to offensive language in the music track *I'm A Freak* by Enrique Iglesias, broadcast at approximately 19:25. This song included the following lyric, "I love the way she gets so physical, fucks like an animal".

Ofcom considered the material raised issues under Rules 1.14 and 2.3 of the Code:

Rule 1.14: "The most offensive language must not be broadcast...when children are particularly likely to be listening (in the case of radio)".

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

Ofcom requested comments from the Licensee about how the content complied with these rules.

Response

CRSL said it was the station's policy that presenters should check any music they intend to play that does not come from the station's database. It added that "If a swearword is uttered for any reason, the presenter is to give a quick apology and move on", then alert the station management to the incident.

According to the Licensee, in this case the presenter played a track from a CD, "not contained in the station database", and had "listened to the track but believed the word to be 'funk'". It added that there was "no intention to include a swearword", and "an immediate apology would have been issued if realised at the time".

CRSL said that following this incident the presenter had received a "reminder session on music policy" and had been directed to check lyrics against internet listings. It added that the programme would also be moved to a later time and reduced to one hour. All presenters had also been reminded to follow the station's policy to check any music they intend to play that does not come from the station's database.

Decision

Rule 1.14

Reflecting our duties under the Communications Act 2003¹, Section One of the Code requires that people under eighteen are protected from unsuitable material in programmes.

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

Ofcom research on offensive language² indicates that the word "fuck" and other variations of it are considered by audiences to be among the most offensive language. Ofcom did not consider there was any ambiguity that the word, as broadcast, was "fucks".

The Code states that the phrase "when children are particularly likely to be listening" refers to "the school run and breakfast time, but might include other times". Ofcom's guidance on offensive language in radio³ states that:

"For the purpose of determining when children are particularly likely to be listening, Ofcom will take account of all relevant information available to it. However, based on Ofcom's analysis of audience listening data, and previous Ofcom decisions, radio broadcasters should have particular regard to broadcasting content at the following times:

- between 06:00 and 19:00 at weekends all year around..."

Ofcom acknowledged that the music track was broadcast at approximately 19:25, outside the period specified in our guidance, but we took into account that the programme in question started at 18:00. It was therefore particularly likely that children would still have been listening when the track was broadcast.

Ofcom's Decision is that there was a breach of Rule 1.14 of the Code.

Rule 2.3

Reflecting our duties under the Communications Act 2003⁴, Section Two of the Code requires that "generally accepted standards" are applied to provide adequate protection for members of the public from the inclusion of offensive and harmful material in programmes.

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

² Attitudes to potentially offensive language and gestures on TV and radio, September 2016. See page 6 of the Quick Reference Guide:

https://www.ofcom.org.uk/data/assets/pdf_file/0023/91625/OfcomQRG-AOC.pdf

See also the main report:

https://www.ofcom.org.uk/data/assets/pdf_file/0022/91624/OfcomOffensiveLanguage.pdf

³ Ofcom Guidance, Offensive language on radio, December 2011

(<http://stakeholders.ofcom.org.uk/binaries/broadcast/guidance/831193/offensive-language.pdf>)

⁴ <http://www.legislation.gov.uk/ukpga/2003/21/section/319>

Rule 2.3 requires broadcasters to ensure that the broadcast of potentially offensive material is justified by the context. Context includes for example: the editorial content of the programme, the service on which it is broadcast, the time of broadcast and the likely size and composition of the potential audience and the likely expectation of the audience.

As stated above, Ofcom's research on offensive language indicates that the word "fuck" is considered by audiences to be among the most offensive language. The use of the word in this case clearly had the potential to cause offence to the audience.

Ofcom therefore considered whether the content was justified by the context.

Our guidance on offensive language in radio states (regarding Rule 2.3) that: "In reaching any decision about compliance with the Code, Ofcom will take into account the likely audience expectations of a particular radio station at the time of broadcast."

In our view, the majority of listeners to a community radio station playing a broad range of music and speech at this time do not expect programmes to contain the most offensive language. As a result, we considered the broadcast of this language was not justified by the context.

Ofcom's Decision is that the broadcast was in breach of Rule 2.3 of the Code.

Breaches of Rules 1.14 and 2.3

Resolved

Broadcast competition

Free Radio (Birmingham), 3 February 2017, 06:00

Introduction

Free Radio (Birmingham) is a local radio station serving the Birmingham area which is owned and operated by Bauer Radio ("Bauer" or "the Licensee").

During the programme *Breakfast with Dan and Naomi* on 3 February 2017, Free Radio (Birmingham) broadcast several invitations to listeners to enter a competition to win £2,000. Listeners could enter either by premium rate ("PRS") text message costing £1.50 plus the users' standard network rate, or online. On each occasion, listeners were advised that the competition closed at 10:00 on the same day.

Ofcom received a complaint from a listener who attempted to enter the competition via text message at approximately 09:10 but on doing so, received a reply advising them that the competition had closed.

Ofcom considered this raised issues under Rule 2.14 of the Code, which states:

"Broadcasters must ensure that listeners are not materially misled about any broadcast competition".

We asked the Licensee for its comments about how the competition complied with this rule.

Response

Bauer said that "due to a human error in the technical setup of the competition", the competition had been scheduled to close at 09:00 instead of 10:00, as announced during this programme. It added that this was brought to the radio station's attention at 09:18, and the competition was reopened at 09:21. A text message explaining the problem was sent to the 1,317 entrants who had been affected by the error.

The Licensee confirmed that no affected entrant would have been charged the premium rate entry cost but may still have incurred their standard network rate for delivery of the entry. It said it had therefore sent a further text message to all entrants that contained instructions about how to claim a refund for this charge.

Bauer added that following this incident, it updated its procedures to ensure that the standard network charge for failed entries would always be reimbursed where the failure was due to an error on its part.

Decision

Reflecting our duties under the Communications Act 2003¹, Section Two of the Code requires that broadcasters provide adequate protection to viewers and listeners from harmful material in programmes.

Rule 2.14 requires broadcasters to ensure that viewers and listeners are not materially misled about any broadcast competition.

In this case, a human error resulted in a competition closing one hour before the time stipulated on air to enter it. Listeners who had responded to the invitation to enter via text message during a period of 21 minutes would have been unable to do so but would still have been charged their standard network rate.

Ofcom took into account: the swift action taken by the Licensee to reopen the competition once it had become aware of the incident; the process it put in place to ensure those affected were offered a refund; and the additional measures it had instigated to offer refunds in case of any recurrence.

Taking the above factors into account, Ofcom considers the matter resolved.

Resolved

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

Complaints assessed, not investigated

Here are alphabetical lists of complaints that, after careful assessment, Ofcom has decided not to pursue between 18 April and 1 May 2017 because they did not raise issues warranting investigation¹.

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

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

https://www.ofcom.org.uk/_data/assets/pdf_file/0020/55109/breaches-content-standards.pdf

Programme	Service	Transmission Date	Categories	Number of complaints
BBC News	BBC 1	22/03/2017	Generally accepted standards	1
Money For Nothing	BBC 1	18/04/2017	Other	1
Panorama	BBC 1	27/03/2017	Violence	1
Taboo	BBC 1	25/02/2017	Religious/Beliefs discrimination/offence	1
Look East	BBC 1 North East	22/03/2017	Generally accepted standards	1
Eggheads	BBC 2	12/04/2017	Other	1
Newsnight	BBC 2	30/03/2017	Race discrimination/offence	1
Jeremy Vine	BBC Radio 2	24/03/2017	Disability discrimination/offence	1
Meet David Sedaris	BBC Radio 4	30/03/2017	Scheduling	1
Mike Sweeney	BBC Radio Manchester	28/03/2017	Generally accepted standards	1
The Stephen Nolan Show	BBC Radio Ulster	21/03/2017	Generally accepted standards	2
Friday Night Blast	Blast 106 (Belfast)	17/03/2017	Offensive language	1
Swamp People (trailer)	Blaze	21/04/2017	Animal welfare	1
Scottish Premier League Football: Inverness CT v Rangers.	BT Sport 1	24/02/2017	Race discrimination/offence	1
Capital Breakfast	Capital FM	25/04/2017	Offensive language	1

¹ A new BBC Royal Charter and Agreement was published in December 2016, which made Ofcom, not the BBC Trust, the independent regulator of the BBC. On 29 March 2017, Ofcom published new procedures for handling complaints and investigations about BBC programmes. At the same time, Ofcom also published new procedures for handling complaints and investigations about all other broadcasters and on demand service providers. The complaints in the tables on this page were considered under the set of procedures which were in force at the time of receipt.

Programme	Service	Transmission Date	Categories	Number of complaints
Capital Breakfast	Capital FM	27/04/2017	Offensive language	1
Programming	Capital Radio (North East England)	11/04/2017	Race discrimination/offence	2
Channel 4 News	Channel 4	20/02/2017	Generally accepted standards	1
Channel 4 News	Channel 4	13/03/2017	Due accuracy	1
Channel 4 News	Channel 4	03/04/2017	Crime and disorder	1
Channel 4 News	Channel 4	18/04/2017	Religious/Beliefs discrimination/offence	1
Channel 4 News	Channel 4	19/04/2017	Due impartiality/bias	1
Channel 4 News	Channel 4	27/04/2017	Due accuracy	1
Gogglebox	Channel 4	14/04/2017	Sexual material	1
Gogglebox (trailer)	Channel 4	20/04/2017	Disability discrimination/offence	1
Hollyoaks	Channel 4	31/03/2017	Harm	1
Locked Up (trailer)	Channel 4	24/04/2017	Scheduling	1
Mitsubishi's sponsorship of documentaries on 4	Channel 4	13/04/2017	Sponsorship credits	1
Obsessive Compulsive Cleaners	Channel 4	18/04/2017	Disability discrimination/offence	1
Party Election Broadcast by the Labour Party	Channel 4	21/04/2017	Generally accepted standards	1
The Imitation Game	Channel 4	15/04/2017	Other	1
The Last Leg	Channel 4	14/04/2017	Due impartiality/bias	1
The Last Leg	Channel 4	14/04/2017	Offensive language	5
The Last Leg	Channel 4	21/04/2017	Generally accepted standards	1
Western Flag (trailer)	Channel 4	23/04/2017	Generally accepted standards	1
Mrs Caldicot's Cabbage War	Channel 5	17/04/2017	Offensive language	1
Naughty Cats Make You Laugh Out Loud	Channel 5	16/04/2017	Generally accepted standards	2
Paw Patrol	Channel 5	14/04/2017	Animal welfare	1
Police Interceptors	Channel 5	24/04/2017	Offensive language	1
Spectacular Spain with Alex Polizzi	Channel 5	14/04/2017	Generally accepted standards	1
Spectacular Spain with Alex Polizzi	Channel 5	21/04/2017	Animal welfare	1
Spectacular Spain with Alex Polizzi (trailer)	Channel 5	06/04/2017	Generally accepted standards	1
The Last Days of Jesus	Channel 5	14/04/2017	Religious/Beliefs discrimination/offence	3

Programme	Service	Transmission Date	Categories	Number of complaints
The Prince Story	Channel 5	16/04/2017	Materially misleading	1
The Wright Stuff	Channel 5	19/04/2017	Due impartiality/bias	2
The Wright Stuff	Channel 5	20/04/2017	Generally accepted standards	4
The Wright Stuff	Channel 5	21/04/2017	Age discrimination/offence	2
The Wright Stuff	Channel 5	21/04/2017	Due impartiality/bias	1
Superscoreboard	Clyde 1	24/04/2017	Race discrimination/offence	1
Monkeys Make You Lol	Comedy Central	18/04/2017	Animal welfare	1
Transformers: Revenge of the Fallen (trailer)	Comedy Central	30/03/2017	Religious/Beliefs discrimination/offence	1
Transformers: Revenge of the Fallen (trailer)	Comedy Central	31/03/2017	Religious/Beliefs discrimination/offence	1
Transformers: Revenge of the Fallen (trailer)	Comedy Central	01/04/2017	Religious/Beliefs discrimination/offence	3
Transformers: Revenge of the Fallen (trailer)	Comedy Central	02/04/2017	Religious/Beliefs discrimination/offence	2
Transformers: Revenge of the Fallen (trailer)	Comedy Central	05/04/2017	Religious/Beliefs discrimination/offence	1
Gavin and Stacey	Dave	23/04/2017	Scheduling	1
Bates Hotel (trailer)	E!	03/04/2017	Scheduling	1
E-Stings	E4	26/04/2017	Scheduling	1
Made in Chelsea	E4	17/04/2017	Offensive language	1
The 100 / Supernatural (trailer)	E4	18/04/2017	Offensive language	1
Advertisements	Food Network UK	10/03/2017	Advertising minutage	1
The O'Reilly Factor	Fox News	24/03/2017	Due impartiality/bias	1
Breakfast with Sam and Amy	Gem 106	10/04/2017	Materially misleading	1
Programming	Global Radio stations	20/04/2017	Commercial communications on radio	1
Ace Ventura: Pet Detective	Gold	14/04/2017	Scheduling	1
Rachel's Yoghurt's sponsorship of Masterchef	Good Food	09/03/2017	Sponsorship credits	1
Ant and Dec's Saturday Night Takeaway	ITV	01/04/2017	Generally accepted standards	10
Bigheads	ITV	23/04/2017	Religious/Beliefs discrimination/offence	1

Programme	Service	Transmission Date	Categories	Number of complaints
Britain's Got Talent	ITV	15/04/2017	Animal welfare	2
Britain's Got Talent (trailer)	ITV	14/04/2017	Materially misleading	1
Broadchurch	ITV	17/04/2017	Other	1
Coronation Street	ITV	27/03/2017	Generally accepted standards	4
Coronation Street	ITV	14/04/2017	Scheduling	1
Coronation Street	ITV	17/04/2017	Religious/Beliefs discrimination/offence	1
Coronation Street	ITV	19/04/2017	Animal welfare	1
Coronation Street	ITV	19/04/2017	Sexual material	1
Don't Ask Me, Ask Britain	ITV	18/04/2017	Generally accepted standards	4
Don't Ask Me, Ask Britain (trailer)	ITV	07/04/2017	Gender discrimination/offence	1
Don't Ask Me, Ask Britain (trailer)	ITV	14/04/2017	Gender discrimination/offence	1
Emmerdale	ITV	12/04/2017	Generally accepted standards	1
Emmerdale	ITV	13/04/2017	Generally accepted standards	1
Emmerdale	ITV	18/04/2017	Animal welfare	1
Emmerdale	ITV	18/04/2017	Sexual material	2
Good Morning Britain	ITV	03/04/2017	Gender discrimination/offence	1
Good Morning Britain	ITV	19/04/2017	Due impartiality/bias	1
Good Morning Britain	ITV	27/04/2017	Generally accepted standards	1
I'm a Celebrity... Get Me Out of Here!	ITV	n/a	Religious/Beliefs discrimination/offence	1
ITV News	ITV	16/03/2017	Due accuracy	1
ITV News at Ten	ITV	25/04/2017	Due accuracy	1
Loose Women	ITV	28/03/2017	Generally accepted standards	1
Loose Women	ITV	14/04/2017	Animal welfare	1
Loose Women	ITV	14/04/2017	Religious/Beliefs discrimination/offence	1
Party Election Broadcast by the Labour Party	ITV	21/04/2017	Generally accepted standards	14
Patient Claim Line's sponsorship of Judge Rinder	ITV	25/04/2017	Sponsorship credits	1
Play to the Whistle	ITV	31/03/2017	Generally accepted standards	1
Take Me Out	ITV	22/04/2017	Scheduling	1
Take Me Out	ITV	22/04/2017	Sexual orientation discrimination/offence	1
The Chase	ITV	13/04/2017	Competitions	1

Programme	Service	Transmission Date	Categories	Number of complaints
The Chase	ITV	21/04/2017	Outside of remit	1
The Doors (trailer)	ITV	18/04/2017	Animal welfare	1
The Jeremy Kyle Show	ITV	25/04/2017	Generally accepted standards	1
The Kyle Files	ITV	03/04/2017	Religious/Beliefs discrimination/offence	1
The Nightly Show with Dermot O'Leary	ITV	19/04/2017	Generally accepted standards	1
The Nightly Show with Dermot O'Leary	ITV	22/04/2017	Animal welfare	1
This Morning	ITV	18/04/2017	Due impartiality/bias	6
This Morning	ITV	18/04/2017	Generally accepted standards	8
This Morning	ITV	20/04/2017	Gender discrimination/offence	2
This Morning	ITV	25/04/2017	Scheduling	1
Through the Keyhole	ITV	22/04/2017	Sexual orientation discrimination/offence	1
Various	ITV / Channel 4	17/03/2017	Animal welfare	1
ITV News London	ITV London	06/04/2017	Due accuracy	10
Britain's Got More Talent	ITV2	23/04/2017	Generally accepted standards	2
Celebrity Juice	ITV2	06/04/2017	Generally accepted standards	1
Celebrity Juice	ITV2	15/04/2017	Religious/Beliefs discrimination/offence	1
Coronation Street Omnibus	ITV2	23/04/2017	Animal welfare	1
Take Me Out: The Gossip	ITV2	23/04/2017	Generally accepted standards	1
The Jeremy Kyle Show	ITV2	20/04/2017	Generally accepted standards	1
The Jeremy Kyle Show	ITV2	25/04/2017	Materially misleading	1
You've Been Framed!	ITV2	26/04/2017	Disability discrimination/offence	1
Are You Being Served?	ITV3	17/04/2017	Advertising placement	1
Carry On Up the Kyber	ITV3	16/04/2017	Other	1
Dinner Date	ITVBe	18/04/2017	Sexual material	1
Real Housewives of Cheshire	ITVBe	24/04/2017	Generally accepted standards	1
The Only Way is Essex	ITVBe	16/04/2017	Animal welfare	3
The Only Way is Essex	ITVBe	16/04/2017	Promotion of products/services	1
The Only Way is Essex	ITVBe	23/04/2017	Offensive language	1

Programme	Service	Transmission Date	Categories	Number of complaints
The Real Housewives of Atlanta	ITVBe	16/04/2017	Drugs, smoking, solvents or alcohol	1
Botched	Kanal 11	21/02/2017	Gender discrimination/offence	1
Striptease	Kanal 11	17/02/2017	Gender discrimination/offence	1
James O'Brien	LBC 97.3 FM	31/03/2017	Due impartiality/bias	2
James O'Brien	LBC 97.3 FM	20/04/2017	Race discrimination/offence	1
Katie Hopkins	LBC 97.3 FM	02/04/2017	Race discrimination/offence	1
Katie Hopkins	LBC 97.3 FM	23/04/2017	Generally accepted standards	1
Nick Ferrari	LBC 97.3 FM	19/04/2017	Crime and disorder	6
Nick Ferrari	LBC 97.3 FM	25/04/2017	Due impartiality/bias	1
Nick Ferrari	LBC 97.3 FM	25/04/2017	Race discrimination/offence	1
Warner Leisure Hotels' sponsorship	n/a	27/03/2017	Sponsorship credits	1
Snake Boss	Pick TV	26/03/2017	Animal welfare	1
Sam Hughes	Planet Rock	26/03/2017	Materially misleading	1
Kings of the Wild	Quest	23/04/2017	Animal welfare	1
Chris Moyles	Radio X	10/04/2017	Competitions	1
Welsh International Football	S4C	24/03/2017	Other	1
Press Preview	Sky News	23/04/2017	Due impartiality/bias	1
Sky News	Sky News	11/04/2017	Due impartiality/bias	1
Sky News	Sky News	14/04/2017	Due accuracy	1
Sky News	Sky News	18/04/2017	Due impartiality/bias	1
Sky News	Sky News	19/04/2017	Generally accepted standards	1
Sky News	Sky News	21/04/2017	Due impartiality/bias	2
Sky News	Sky News	22/04/2017	Generally accepted standards	1
Sky News	Sky News	23/04/2017	Due impartiality/bias	2
Sky News	Sky News	28/04/2017	Due accuracy	1
Sunrise	Sky News	14/04/2017	Due impartiality/bias	1
The Pledge	Sky News	20/04/2017	Due impartiality/bias	1
Gillette Soccer Saturday	Sky Sports 1	22/04/2017	Due impartiality/bias	1
IPL T20 Mumbai Indians vs Kolkata Knight Riders	Sky Sports 2	09/04/2017	Offensive language	1
Sky Sports News HQ	Sky Sports News	20/04/2017	Offensive language	1

Programme	Service	Transmission Date	Categories	Number of complaints
Soccer AM	Sky1	22/04/2017	Generally accepted standards	1
Party Election Broadcast by the Scottish National Party	STV	10/04/2017	Due accuracy	1
STV News	STV	28/03/2017	Due impartiality/bias	1
STV News at Six	STV	20/03/2017	Due impartiality/bias	1
Bates Hotel (trailer)	SyFy	17/03/2017	Scheduling	1
Late Nights with Iain Lee	Talk Radio	04/04/2017	Generally accepted standards	1
Programming	TBN UK	06/04/2017	Materially misleading	1
UTV News	UTV	20/03/2017	Privacy	1
Balls Deep	Viceland	17/04/2017	Offensive language	1
Kate Lawler	Virgin Radio	12/04/2017	Materially misleading	1

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

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

Licensee	Licensed service	Categories
St Peters Studio and Community Radio Limited	Saint FM	Key Commitments
Alpha Radio Limited	Star Radio	Format

Complaints assessed under the Procedures for investigating breaches of content standards on BBC broadcasting services and BBC ODPS²

Programme	Service	Transmission date	Categories	Number of complaints
Nick Grimshaw	BBC Radio 1	10/10/2016	Offensive language	1
The World Tonight	BBC Radio 4	13/06/2016	Due impartiality/bias	1

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

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

² The complaints in this table were originally made to the BBC Trust before Ofcom took over the regulatory responsibility for matters of due accuracy, due impartiality, elections and referendums in BBC programmes on 22 April 2017. These complaints were passed to Ofcom because the BBC Trust did not reach its final decision before this date.

Complaints outside of remit

Here are alphabetical lists of complaints received by Ofcom that fell outside of our remit. This is because Ofcom is not responsible for regulating the issue complained about. For example, the complaints were about the content of television, radio or on demand adverts or an on demand service does not fall within the scope of regulation¹.

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

Complaints about television or radio programmes

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

https://www.ofcom.org.uk/data/assets/pdf_file/0020/55109/breaches-content-standards.pdf

Programme	Service	Transmission Date	Categories	Number of complaints
Advertisement	5USA	21/03/2017	Advertising content	1
BBC News ²	BBC News Channel	29/03/2017	Due impartiality/bias	1
BBC News ³	BBC Web Site	17/03/2017	Due impartiality/bias	1
Advertisement	Channel 5	26/03/2017	Advertising content	1
Advertisement	Heart FM	24/04/2017	Advertising content	1
Advertisement	ITV / Channel 4	22/04/2017	Advertising content	1
Advertisement	LBC 97.3 FM	15/04/2017	Advertising content	1
Advertisement	n/a	18/04/2017	Advertising content	3
Advertisement	Sunrise Radio	27/04/2017	Advertising content	1

¹ A new BBC Royal Charter and Agreement was published in December 2016, which made Ofcom, not the BBC Trust, the independent regulator of the BBC. On 29 March 2017, Ofcom published new procedures for handling complaints and investigations about BBC programmes. At the same time, Ofcom also published new procedures for handling complaints and investigations about all other broadcasters and on demand service providers. The complaints in the tables on this page were all considered under Ofcom's previous procedures which were in force at the time.

² This complaint referred to content on the BBC website. At the time the complaint was received, the Digital Economy Bill had not been passed through Government providing Ofcom with the regulatory power to assess the complaint.

³ This complaint referred to content on the BBC website. At the time the complaint was received, the Digital Economy Bill had not been passed through Government providing Ofcom with the regulatory power to assess the complaint.

Complaints about the BBC, not assessed

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

Here are alphabetical lists of complaints about the BBC that Ofcom was unable to assess. This is because Ofcom can normally only consider complaints about BBC programmes where the complainant has already complained to the BBC and the BBC has reached its final decision. The complaints in this table had been made to Ofcom before completing the BBC's complaints process.

Complaints about BBC television, radio or on demand programmes

Programme	Service	Transmission or Accessed Date	Categories	Number of Complaints
Access services	BBC	n/a	Subtitling, sign language and audio description	1
Bargain Hunt	BBC 1	17/04/2017	Race discrimination/offence	1
BBC Breakfast News	BBC 1	24/04/2017	Due impartiality/bias	1
BBC News	BBC 1	27/04/2017	Due impartiality/bias	1
BBC News	BBC 1	12/01/2017	Due impartiality/bias	1
BBC News	BBC 1	15/03/2017	Due impartiality/bias	1
BBC News	BBC 1	29/03/2017	Due impartiality/bias	1
BBC News	BBC 1	04/04/2017	Violence	1
BBC News	BBC 1	05/04/2017	Due impartiality/bias	1
BBC News	BBC 1	06/04/2017	Due impartiality/bias	1
BBC News	BBC 1	19/04/2017	Due impartiality/bias	1
BBC News	BBC 1	19/04/2017	Due impartiality/bias	1
BBC News	BBC 1	21/04/2017	Due impartiality/bias	1
BBC News	BBC 1	22/04/2017	Due impartiality/bias	1
BBC News	BBC 1	23/04/2017	Due impartiality/bias	1
BBC News	BBC 1	25/04/2017	Due impartiality/bias	1
BBC News	BBC 1	26/04/2017	Due impartiality/bias	1
BBC News	BBC 1	27/04/2017	Due impartiality/bias	2
Casualty	BBC 1	15/04/2017	Generally accepted standards	1
Countryfile	BBC 1	02/04/2017	Other	1
EastEnders	BBC 1	19/08/2016	Scheduling	1
EastEnders	BBC 1	11/04/2017	Generally accepted standards	1
EastEnders	BBC 1	13/04/2017	Generally accepted standards	1
EastEnders	BBC 1	21/04/2017	Sexual material	1
FA Cup Match of the Day Live	BBC 1	22/04/2017	Due impartiality/bias	1
London Marathon	BBC 1	23/04/2017	Materially misleading	1

Programme	Service	Transmission or Accessed Date	Categories	Number of Complaints
Panorama	BBC 1	03/04/2017	Due impartiality/bias	1
Question Time	BBC 1	27/04/2017	Due impartiality/bias	1
Party Election Broadcast by the Labour Party	BBC 1	21/04/2017	Under 18s in programmes	5
Party Election Broadcast by the UK Independence Party	BBC 1	13/04/2017	Generally accepted standards	1
BBC News	BBC 1 / BBC News Channel / BBC Radio 4	27/04/2017	Due impartiality/bias	1
BBC News	BBC 1 / BBC Radio 4	10/04/2017	Other	1
Reporting Scotland	BBC 1 Scotland	04/04/2017	Due impartiality/bias	1
Reporting Scotland	BBC 1 Scotland	05/04/2017	Due impartiality/bias	1
Reporting Scotland	BBC 1 Scotland	13/04/2017	Due impartiality/bias	1
BBC News / Newsnight	BBC 1, BBC 2, BBC News Channel	26/04/2017	Due impartiality/bias	1
BBC News / Newsnight	BBC 1, BBC 2, BBC Radio 4	27/04/2017	Due impartiality/bias	1
Daily Politics	BBC 2	26/04/2017	Due impartiality/bias	1
Newsnight	BBC 2	18/04/2017	Due impartiality/bias	1
Newsnight	BBC 2	20/04/2017	Due impartiality/bias	1
Newsnight	BBC 2	n/a	Due impartiality/bias	1
Snooker	BBC 2	23/04/2017	Generally accepted standards	1
Newsnight /BBC news	BBC 2 and News on all channels/stations	18/04/2017	Due impartiality/bias	1
BBC News	BBC Channels	n/a	Due accuracy	1
BBC News	BBC Channels	16/07/1944	Due impartiality/bias	1
Brexit Compilation	BBC iPlayer	n/a	Due impartiality/bias	1
Victoria Derbyshire	BBC iPlayer	13/04/2017	Other	1
BBC News	BBC News Channel	22/03/2017	Other	1
BBC News	BBC News Channel	23/04/2017	Due impartiality/bias	1
BBC News	BBC News Channel	25/04/2017	Due impartiality/bias	1
BBC News	BBC News Channel	26/04/2017	Due accuracy	1
BBC News	BBC News Channel	26/04/2017	Due impartiality/bias	3
BBC News	BBC News Website	20/04/2017	Due impartiality/bias	1
BBC Parliament	BBC Parliament	24/04/2017	Due impartiality/bias	1
Drama – Keeping in Touch	BBC Radio 4	22/04/2017	Offensive language	1
PM	BBC Radio 4	18/04/2017	Due impartiality/bias	1

Programme	Service	Transmission or Accessed Date	Categories	Number of Complaints
Today	BBC Radio 4	19/04/2017	Generally accepted standards	1
Today	BBC Radio 4	n/a	Due impartiality/bias	1
World at One	BBC Radio 4	01/04/2017	Race discrimination/offence	1
Devon County Council mini series	BBC Radio Devon	27/04/2017	Due impartiality/bias	1
Gerry Kelly	BBC Radio Ulster	21/04/2017	Due impartiality/bias	1
The Stephen Nolan Show	BBC Radio Ulster	20/04/2017	Generally accepted standards	1
BBC News	BBC website	n/a	Due impartiality/bias	1
BBC Radio Bristol advert	Online via BBC Radio Bristol Facebook video	14/04/2017	Generally accepted standards	1

For more information about how Ofcom deals with BBC television, radio and on demand complaints, go to: <https://www.ofcom.org.uk/tv-radio-and-on-demand/how-to-report-a-complaint/how-ofcom-deals-with-bbc-complaints>

Investigations List

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

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

Here are alphabetical lists of new investigations launched between 18 April and 1 May 2017¹.

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

Programme	Broadcaster	Transmission date
Music Show	B4U Music	16 March 2017
Newsnight	BBC 2	22 March 2017
Sara Cox Danceathon	BBC Red Button	21 March 2017
Programming	Cheesy FM	9 February 2017
Hannity	Fox News	31 January 2017
Nigel Farage	LBC 97.3 FM	21 March 2017
Advertising minutage	Prime TV	Various
News and Lecture	PTV Global	26 February 2017
Filmfare Awards	SAB TV	18 February 2017
Jon Holmes	Talk Radio	15 February 2017

¹ A new BBC Royal Charter and Agreement was published in December 2016, which made Ofcom, not the BBC Trust, the independent regulator of the BBC. On 29 March 2017, Ofcom published new procedures for handling complaints and investigations about BBC programmes. At the same time, Ofcom also published new procedures for handling complaints and investigations about all other broadcasters and on demand service providers. The investigations in the tables on this page are being considered under Ofcom's previous procedures which were in force at the time.

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

https://www.ofcom.org.uk/_data/assets/pdf_file/0020/55109/breaches-content-standards.pdf

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

Programme	Broadcaster	Transmission date
News	Channel 44	27 January 2017

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

https://www.ofcom.org.uk/_data/assets/pdf_file/0031/57388/fairness-privacy-complaints.pdf

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

Licensee	Licensed Service
New Vision TV Limited	New Vision
Prime Bangla Limited	Channel i
Proper Community Media (Lancaster) Limited	Beyond Radio
Sittingbourne Community Radio Limited	SFM
Tamworth Radio Broadcasting CIC	TCR FM

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

https://www.ofcom.org.uk/_data/assets/pdf_file/0019/31942/general-procedures.pdf