

OFCOM BROADCAST AND ON DEMAND BULLETIN

Issue number 370
14 January 2019



Contents

Introduction	3
Notice of Sanction	
Radio Ikhlas Limited	5
Broadcast Licence Conditions cases	
In Breach	
Provision of information: relevant turnover submission <i>Various TV licensees</i>	7
Provision of information: community radio finance report <i>Afro Caribbean Millennium Centre, year ending 31 December 2017</i>	9
Fairness and Privacy cases	
Upheld	
Complaint by Mr Mir Shakil Rahman, made on his behalf by Mr Baseem Chagtai <i>Power Play, New Vision TV, 21 November 2017</i>	12
Complaint by Mr Mir Shakil Rahman, made on his behalf by Mr Baseem Chagtai <i>News, New Vision TV, 24 November 2017</i>	22
Tables of cases	
Complaints assessed, not investigated	33
Complaints outside of remit	47
BBC First	49
Investigations List	52

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.

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.

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

Notice of Sanction

Radio Ikhlas Limited

Introduction

Radio Ikhlas is a community radio station serving the Asian (primarily Pakistani) community and other smaller ethnic communities in the Normanton area of Derby, in the UK.

The Ofcom licence for this station is held by Radio Ikhlas Limited (or "the Licensee").

This sanction related to a two-hour phone-in programme discussing the ongoing crisis surrounding the treatment of the Rohingya Muslim community in Myanmar. In the middle of the programme, at around 15:50, there was a segment during which the presenter discussed the beliefs of the Ahmadiyya community.

Summary of Decision

In its decision published on 19 March 2018 in issue 350 of the Broadcast and On Demand Bulletin¹, Ofcom found that the programme contained hate speech and language amounting to abusive treatment of, and offensive to the Ahmadiyya community in breach of the Broadcasting Code.

On 7 September 2017 at 15:00, the Licensee broadcast a two-hour phone-in programme. In the middle of the programme, at around 15:50, there was a 21-minute segment, during which the presenter discussed the beliefs of the Ahmadiyya community and its leader in offensive and pejorative terms². For example, the presenter described Ahmadi people as: "*dangerous*"; "*liars*"; "*enemies of Islam, enemies of Pakistan, and enemies of our religion*"; "*hypocrites who frequently engage in propaganda to defame Muslims*"; and, people who have "*inflicted the greatest damage to Islam and to the believers of Islam*". The presenter referred to the founder of the Ahmadi faith as being "*a liar*" and described the religious beliefs of Ahmadi people as "*very dangerous beliefs*" and "*filthy beliefs which shatter the true faith and promote untruths*". He used the simile of filling a bottle of holy Zamzam water³ with alcohol to convey his view that the Ahmadiyya community is a polluting influence on Islam. He also said that when the members of the community preach to others about their beliefs "*they rob them of their faith ... That is what they try to do*". In the context of these criticisms, the presenter said: "*we will have to identify them with our ranks*", "*Protect yourself from them*" and asked "*how can we tolerate one who uses the title Muslim, which represents Muslims?*".

¹ https://www.ofcom.org.uk/data/assets/pdf_file/0020/112187/Broadcast-and-On-Demand-Bulletin-350.pdf

² The Ahmadiyya community (or Ahmadi movement) identifies itself as a Muslim movement, which follows the teachings of the Qur'an. However, it is regarded as heretical by orthodox Islam since they differ on the interpretation of the finality of prophethood. There are Ahmadiyya communities around the world. They face restrictions in many Muslim countries and are described in publicly available reports as one of the persecuted communities in Pakistan. There have been reports of discrimination and threats against the community in the UK.

³ A water source in Mecca whose water is considered holy and attributive of medicinal properties.

Ofcom found that the various statements made by the presenter were expressions of hatred based on intolerance of the Ahmadiyya community's religious beliefs and that their broadcast spread, encouraged and incited such hatred among listeners. The broadcast amounted to a sustained and highly critical attack on the Ahmadiyya community and their beliefs and there was clearly insufficient context to justify the inclusion of hate speech⁴.

Ofcom also considered that the 21-minute segment constituted abusive and derogatory treatment of the Ahmadiyya community and that there was clearly insufficient context to justify this derogatory treatment.

In view of the findings that the broadcast amounted to hate speech and abusive treatment of the Ahmadiyya community, Ofcom also found that it had the potential to be extremely offensive.

Ofcom found the material in breach of Rules 2.3 and 3.2 and 3.3 of the Code:

- Rule 2.3: "In applying generally accepted standards broadcasters must ensure that material which may cause offence is justified by the context...".
- Rule 3.2: "Material which contains hate speech must not be included in television and radio programmes except where it is justified by the context".
- Rule 3.3: "Material which contains abusive or derogatory treatment of individuals, groups, religions or communities, must not be included in television and radio services".

The Licensee said it was "deeply apologetic" for the broadcast and accepted its responsibility for compliance with the Code. It informed Ofcom it ended the presenter's association with the station following internal disciplinary procedures. It also took action to improve its compliance processes, in particular to ensure that it retained control of its broadcasts and to prevent its presenters broadcasting without oversight by the Licensee.

In accordance with Ofcom's penalty guidelines, Ofcom decided that it was appropriate and proportionate in the circumstances to impose a financial penalty of £10,000 on the Licensee in respect of these serious Code breaches (payable to HM Paymaster General). In addition, RIL are directed to broadcast a statement of Ofcom's findings in this case, on a date and time to be determined by Ofcom.

Ofcom also found that, at the time of the broadcast, the Licensee did not have effective procedures in place to ensure compliance with the Code, in breach of Condition 5 and Condition 15(2) of its Licence. Following Ofcom's breach decision, RIL informed Ofcom that it took significant steps to improve its compliance procedures. Taking into account of the financial penalty it has imposed for the Code breaches, Ofcom has decided not to impose a penalty in respect of the breaches of licence conditions on this occasion.

The full decision was published on 19 December 2018 and is available at:

<https://www.ofcom.org.uk/about-ofcom/latest/bulletins/broadcast-bulletins/content-sanctions-adjudications/radio-ikhlas-limited>

⁴ The Code defines "hate speech" as: "all forms of expression which spread, incite, promote or justify hatred based on intolerance on the grounds of disability, ethnicity, gender, gender reassignment, nationality, race, religion or sexual orientation".

Broadcast Licence Conditions cases

In Breach

Provision of information: relevant turnover submission *Various TV licensees*

Introduction

Ofcom is partly funded by the broadcast licence fees it charges television and radio licensees. Ofcom has a statutory obligation to ensure that the fees paid by licensees meet the cost of Ofcom's regulation of broadcasting. The approach Ofcom takes to determining licensees' fees is set out in the Statement of Charging Principles¹. The fees all television licensees are required to pay are based on a percentage of their turnover from related activities. This is known as Relevant Turnover.

Each licensee is required to submit to Ofcom an annual statement of its Relevant Turnover for the previous calendar year. This provision of this information is a licence requirement for Television Licensable Content Services (TLCS) licences. As well as enabling Ofcom to determine the fees for the following year, the information is used by Ofcom to fulfil its market reporting obligations.

A number of television licensees failed to submit their Relevant Turnover return to Ofcom by the deadline specified.

Ofcom considered that this raised issues warranting investigation under the Licence Condition 4(3) "Fees" which states:

"The Licensee shall within 28 days of a request therefore provide Ofcom with such information as it may require for the purposes of determining or revising the tariff..."

Failure to provide Relevant Turnover information to Ofcom when requested represents a significant breach of a broadcast licence, as it means that Ofcom may be unable to determine the fees payable by the Licensee, and prevents us from fulfilling our market reporting obligations.

In Breach

The following licensees failed to submit their Relevant Turnover return for 2017. These licensees have therefore been found **in breach of Licence Condition 4(3) of the Television Licensable Content Service licences**:

Licensee	Service name	Licence Number
A&A Inform Limited	Russian Hour	TLCS000680
Cira Media Productions Limited	Cira TV	TLCS001556
Galaxy Television LTD	Galaxy TV	TLCS102196
Global Tamil Vision Ltd	Global Tamil Vision	TLCS001281
Khalsa Television Limited	KTV	TLCS101501

¹ http://stakeholders.ofcom.org.uk/binaries/consultations/socp/statement/charging_principles.pdf

Licensee	Service name	Licence Number
Sunbiz (PVT) Ltd	7 News	TLCS101711
To Sky Limited	AEE TV	TLCS100095

As Ofcom considers this to be a serious and continuing licence breach, **Ofcom is putting these licensees on notice that this contravention of their licences will be considered for the imposition of a statutory sanction, including licence revocation.**

Ofcom takes this opportunity to remind all TV licensees that failure to submit Relevant Turnover information when required represents a significant breach of a television broadcasting licence.

In Breach

Provision of information: community radio finance report *Afro Caribbean Millennium Centre, year ending 31 December 2017*

Introduction

New Style Radio is a community radio station licensed to provide a service for the Afro-Caribbean communities in Winson Green, Birmingham. The licence is held by Afro Caribbean Millennium Centre ("Afro Caribbean" or "the Licensee").

Community radio stations are local radio stations provided principally for the good of members of the public or for a particular community, rather than primarily for commercial reasons. They are required to deliver social gain, be run on a not-for-profit basis, involve members of their target communities and be accountable to the communities they serve.

There are statutory restrictions on the funding of community radio stations.¹ 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 and at least 25% of a community radio station's total relevant income must come from other sources of income. The restrictions are reflected in Conditions 6(2) and 6(4) in Part 2 of the Schedule to Afro Caribbean's licence.

It is of fundamental importance that Ofcom can verify that a licensee is complying with its licence requirements relating to funding. We therefore require licensees to submit an annual report setting out how they have met their licence obligations. The annual reports from stations also inform Ofcom's own understanding of the community radio sector, and financial information about the sector feature in Ofcom's Media Nations report. Annual reports that are inaccurate or received late impact on the accuracy of the data in the report.

Failure by a licensee to submit an accurate annual report when required represents a serious and fundamental breach of a community radio licence, as the absence of the information contained in the report means that Ofcom is unable properly to carry out its regulatory duties.

In 2018, the Licensee provided its annual report after the initial deadline we provided. Further, the data provided in the Licensee's report for the period ending 31 December 2017 appeared to indicate that it was in breach of funding rules for 2017. Ofcom wrote to the Licensee about the issue and Afro Caribbean acknowledged that it had made a mistake in completing the report that it first submitted to us.

Background

In deciding to take regulatory action in this case, Ofcom considered that in 2015, 2016 and 2017, the Licensee had also provided its annual reports after the initial deadline provided. Further, each year, upon reviewing the figures the Licensee had submitted in its annual reports, Ofcom had noted that the Licensee appeared to be in breach of the relevant funding rules. In each of these years, we contacted Afro Caribbean to note this apparent breach of

¹ Section 105(6) of the Broadcasting Act 1990, as modified by the Community Radio Order 2004 and as amended by the Community Radio (Amendment) Order 2010 and the Community Radio (Amendment) Order 2015.

the funding rules. In reply each year, Afro Caribbean provided a revised report which brought it into compliance with the funding rules and licence conditions.

In 2017, we also wrote to Afro Caribbean to note its previous conduct when we had requested the annual reports from it. We stated: "This is the third year in a row that we are writing to Afro Caribbean Millennium Centre about the annual return and compliance with our funding rules. We ask that you take note of the requirements and ensure that next year we are sent an accurate report by the initial deadline".

Afro Caribbean replied and stated: "We are mindful of the fact that we have not in recent years completed the Financial Returns entirely satisfactorily. For future Returns we will ensure that there is some professional oversight of our submission to prevent any further misleading submission".

Ofcom was therefore very concerned that Afro Caribbean had once again submitted a late and inaccurate report. We therefore considered the Licensee's compliance with Condition 9(1) in Part 2 of the Schedule to its licence which states:

"9(1) 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 [...] and in particular (but without prejudice to the generality of the foregoing):

[...]

(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;

[...]"

We requested comments from Afro Caribbean on how it was complying with this condition.

Response

Afro Caribbean did not reply to our request for comments.

Decision

Licensees are required to comply with any request by Ofcom to provide information where necessary to enable Ofcom to exercise its functions.

It is of fundamental importance that Ofcom can verify that a community radio licensee is complying with its licence requirements relating to funding. Failure by a licensee to submit an accurate annual report when required represents a serious and fundamental breach of a community radio licence, as the absence of the information contained in the report means that Ofcom is unable properly to carry out its regulatory duties.

In 2018, Afro Caribbean provided Ofcom with an inaccurate annual report, and did not provide it by the initial deadline we set. We therefore consider that it did not provide Ofcom

with the report in such manner and at such times as we required and was therefore in breach of licence condition 9(1).

We expect Afro Caribbean to provide Ofcom with an accurate annual report by the initial deadline we set when we request the annual report from it in 2019. If it fails to do so, Ofcom will consider taking further regulatory action, which may include consideration of the imposition of a statutory sanction.

Breach of Licence Condition 9(1) in Part 2 of the Schedule to the community radio licence held by Afro Caribbean Millennium Centre (licence number CR000037BA)

Fairness and Privacy cases

Upheld

Complaint by Mr Mir Shakil Rahman, made on his behalf by Mr Baseem Chagtai

Power Play, New Vision TV, 21 November 2017

Summary

Ofcom has upheld this complaint by Mr Mir Shakil Rahman, made on his behalf by Mr Baseem Chagtai, of unjust or unfair treatment in the programme as broadcast.

The programme included an interview with Mr Imran Khan, the Chairman of the Pakistan Tehreek-e-Insaf ("PTI") political party, during which Mr Khan made a number of claims about the Geo media group¹ and Mr Rahman.

Ofcom considered that:

- The broadcaster did not take reasonable care to satisfy itself that material facts had not been presented, disregarded or omitted in a way that was unfair to Mr Rahman.
- The comments made in the programme amounted to significant allegations about Mr Rahman. Therefore, in this case, the broadcaster failed to provide Mr Rahman with an appropriate and timely opportunity to respond resulted in unfairness to him.

Programme summary

On 21 November 2017, New Vision TV broadcast an edition of its current affairs discussion programme, *Power Play* which included an interview with Mr Khan, the Chairman of the PTI political party in Pakistan. New Vision TV is an Urdu language channel broadcast under an Ofcom licence held by New Vision TV Limited. As the programme was broadcast in Urdu, Ofcom provided an English translation to the complainant and the broadcaster for comment. Both Mr Chagtai and the broadcaster provided comments on the translation. Ofcom considered both parties' comments and a final translation was sent to the parties who were informed that Ofcom would use this translation for the purposes of the investigation.

The presenter introduced the programme:

"Viewers, in today's programme we will meet the de facto opposition leader, who regularly conducted crusades against corruption, filed a petition with the Supreme Court and, as a consequence, the Prime Minister in power was disqualified from holding public office. This crusade against corruption is part of the idealism with which he began his politics... and you will find him consistent in this regard. Finally, he succeeded in having Mr Nawaz Sharif disqualified from holding public office, which is but one part of his on-going crusade. I will now introduce the leader of the Pakistan Movement for Justice, Mr Imran Khan".

¹ A group of media companies in Pakistan owned by Mr Rahman.

During an interview, the presenter then questioned Mr Khan about the political issues facing Pakistan in the wake of the judicial inquiry into the financial affairs of the former Prime Minister, Mr Sharif, which disqualified him from holding public office. Mr Khan expressed concern that, apart from Mr Sharif, no government ministers had been arrested for charges of corruption and said that some were “defending the corrupt practises of the Sharif family”. Mr Khan claimed that a number of people and organisations in Pakistan, including “the Government, the state and ministers”, were “helping” Mr Sharif who he said was “a criminal”.

The presenter said:

“Mr Khan, why doesn't the rest of world place the onus of accountability onto the public? They have the courts. When you make the argument that the public should deliver justice, then, yes, it happens in an election where the public deliver justice. But when you say it in the context of a case such as this, that the public should deliver justice, aren't you inviting public disorder?”

Mr Khan replied:

“The public won't even come out for them. He [Mr Sharif] is simply applying pressure onto the judiciary and the army, to try and get an NRO² once again, like Musharraf offered. He has no other motive beyond protecting his wealth. He must protect the money he has transferred abroad, and then he has done deals. They have done deals on big projects for which they are awaiting kickbacks. They are eyeing up that money. Their minds are consumed by greed; that's why they're on another tour.

Look, if you did this abroad, if you were caught over corruption, you would not have the courage to show your face in public. People would throw eggs at you. If you did this, not a single anchor on TV would have the gall to support you. Here, money is paid. People are bought. Media houses, and Shakil-ur-Rahman is making money out of Nawaz Sharif. Geo and Jang³ have a task to save a corrupt person.

I was in Dubai and I met someone there who knows Shakil-ur-Rahman. He said that I was very rough on Shakil-ur-Rahman. I said, tell me this. It's no loss to me, but if Shakil-ur-Rahman succeeds in saving Nawaz Sharif, let's suppose it, even though he won't succeed. Just think how much this country would suffer. A criminal who has been caught stealing money abroad and we didn't catch him, it was Panama⁴ that got him saving him; someone who was looting public wealth. It is just like if a burglar breaks into your house and you start protecting the burglar would you be a friend to anyone? If someone burgles inside my house and, a Shakil-ur-Rahman kind of person starts protecting the burglar instead of standing up for the person whose house has been burgled that's what he is doing. Instead of standing by the people, which is the role of a media house, he is standing by a criminal”.

² National Reconciliation Ordinance, an “amnesty” against corruption and other crimes, offered to politicians and bureaucrats by the former President of Pakistan, General Pervez Musharraf in 2007.

³ Jang Group, a newspaper organisation owned by Mr Rahman and part of the Geo media group.

⁴ The “Panama Papers” are documents that triggered the case against Mr Sharif in the Supreme Court of Pakistan.

The conversation between Mr Khan and the presenter turned to a different topic. No further reference was made to Mr Rahman, Geo or Jang groups in the programme.

Summary of the complaint and the broadcaster's response

Complaint

Mr Chagtai complained that Mr Rahman was treated unjustly or unfairly in the programme as broadcast because:

- a) The programme included an interview with Mr Khan who made "false and malicious allegations" which were unfair to Mr Rahman.

In particular, Mr Khan accused Mr Rahman of having been "*bought*" and of "*making money*" by supporting the corrupt former Prime Minister of Pakistan, Mr Sharif. Mr Khan said that Mr Sharif was "*a criminal who has been caught stealing money abroad*" and that Mr Rahman and his media group were "*standing by a criminal*". Mr Chagtai said that the programme therefore implied that Mr Rahman was "...a party to and supports the 'looting'".

Mr Chagtai said that at no time during the programme did the presenter attempt to provide any balance to Mr Khan's comments.

- b) Mr Rahman was not given an appropriate and timely opportunity to respond to the allegations made about him in the programme. Mr Chagtai said that despite the programme being pre-recorded the broadcaster did not contact Mr Rahman to get his response to the allegations.

Broadcaster's response

New Vision TV said that official Pakistani government documents showed the level of government advertising awarded to the Geo and Jang groups over other Pakistani media group. New Vision TV provided Ofcom with a copy of a report by the Pakistan Public Administration Research Centre, and a link to a newspaper article published online by The Daily Pakistan⁵ which it said demonstrated that Geo had received more revenue from Mr Sharif's government than any other media group in Pakistan. The broadcaster said that this data provided the basis of Mr Khan's comment in the programme that "*Media houses, and Shakil-ur-Rahman is making money out of Nawaz Sharif*".

New Vision TV said that Mr Khan's comments were made in an exclusive live interview with Mr Khan on a programme which covered a number of topics, and that the comments relating to Mr Rahman made up only one small section of a wider discussion. New Vision TV said that to consider the comments outside of this was disproportionate. It said that the programme's presenter had asked about accountability to the public and the financial affairs of Mr Sharif, which led to his disqualification from the office of Prime Minister of Pakistan. It said that Mr Khan had answered these questions directly and that he made one reference to the relationship between media organisations and Mr Sharif. New Vision TV said that Mr Khan

⁵ "Which newspaper got the biggest share of government ads from 2013 to 2016?", The Daily Pakistan, 11 July 2017: <https://en.dailypakistan.com.pk/pakistan/which-newspaper-got-the-biggest-share-of-govt-ads-from-2013-to-2016/>

himself had acknowledged that his comments about Mr Rahman had been met with criticism in Dubai which "injected some balance". It said that Mr Khan's comments had been focused on the criminality of Mr Sharif and Mr Khan's opinion that the close relationship between Mr Sharif and the media group owner was not healthy for the reconstruction of Pakistan's economy and society. New Vision TV also said that the programmes presenter did not encourage Mr Khan to elaborate on his "burglar" metaphor, but instead moved the conversation on to the questions of early elections.

New Vision TV said that it was always careful to broadcast a disclaimer advising viewers that it did not present opinions as facts and that guests' opinions and statements were their own and not endorsed by New Vision TV. In this case, it said that the views expressed by Mr Khan were not endorsed by the presenter.

Ofcom's First Preliminary View

Ofcom prepared a Preliminary View that Ms Chagtai's complaint on behalf of Mr Rahman should not be upheld. Both parties were given the opportunity to make representations on the first Preliminary View. Both parties made representations which are summarised, insofar as they are relevant to the complaint entertained and considered by Ofcom, below.

Complainant's representations

Mr Chagtai said that Ofcom's Preliminary View did not properly take into account the context of the false and malicious allegations made about Mr Rahman. He said that Mr Rahman and the Jang/Geo group, which was founded over 80 years ago, are and have always been neutral in covering issues. Mr Chagtai said that for reasons best known to Mr Khan, Mr Khan has for over the past four years been "highly offensive of Mr Rahman and Geo and regularly makes false and malicious comments about them". He said that Mr Khan's false and repeated comments challenged Mr Rahman's and the Jang and Geo groups' neutrality and were blatantly unfair as they did not reflect the facts. He also said that Mr Khan had not at any time provided any evidence to back up his false claims.

Mr Chagtai said that in Pakistan and in the expatriate Pakistani community in the UK, Mr Khan is well known and that his political career started from the fame he received as a cricketer⁶. He said that Mr Khan's statements to his audiences did not only have an impact as a political statement, but rather his followers follow him as a cricket "star who they idolise". Therefore, Mr Chagtai said that Mr Khan's his false assertions cannot solely be seen as political.

Mr Chagtai said that it was not denied that Geo derived the largest portion of advertising. However, this not surprising given that the Geo media group is "the most popular and highest rated broadcasting network and is part of the largest media group in Pakistan". Mr Chagtai said that it would be odd if the Geo media group did not get the largest amount of advertising and revenue. However, he said that to claim this was due to corruption, or for supporting Mr Sharif, as Mr Khan alleged, was "wholly malicious, false and frankly an absurd conclusion" devoid of evidence to support it.

Mr Chagtai said that, while it was agreed that the interview was a political interview about Mr Sharif, Mr Khan could not use this opportunity to make unfair and false assertions about Mr Rahman when "Mr Rahman has nothing to do with the allegations against Mr Sharif other

⁶ Mr Khan was the captain of the Pakistan national team who in 1992 won the cricket world cup.

than to report on them". Mr Chagtai said that if Mr Khan did not like Mr Rahman's reporting then that is his prerogative, however, it was unfair and false of Mr Khan to make the allegations he did about Mr Rahman for which, he said, there was "no basis of truth" and where "no evidence [had been] supplied" by New Vision TV.

Mr Chagtai said that Ofcom's first Preliminary View not to uphold the complaint meant, in effect, that "Mr Khan could in any political interview make any outrageous and false claim about Mr Rahman (or anyone else who is not a political opponent)". In Mr Chagtai's view, this was "patently wrong".

Mr Chagtai said that the assertions made, and the context in which they were said by Mr Khan, were clearly assertions of fact and false allegations, not opinion or criticism. In Mr Chagtai's view, contrary to Ofcom's first Preliminary View, "the ordinary "viewer" would construe Mr Khan's statements as fact and that, "as the assertions of fact are wholly incorrect they must by definition be wholly unfair".

In Mr Chagtai's view, the comments made by Mr Khan amounted to serious, false assertions of bribery, corruption and criminality which were clearly unfair to Mr Rahman and his organisation. At no time did New Vision TV show balance or provide counter arguments. On this basis, Mr Chagtai said that Mr Rahman had not been afforded the protection of Practices 7.9 or 7.11 of the Code.

Broadcaster's representations

New Vision TV said that it stood by its original submission to Ofcom in response to the complaint. It said that the comments made were the opinion of Mr Khan and not "statements of fact" as interpreted by the complainant.

New Vision TV said that the complainant's representations did not raise any new or substantive points. It said that the programme contained a current affairs interview with a major political candidate in Pakistani political life, i.e. Mr Khan, who expressed his personal views regarding his political opponents, namely Mr Sharif.

Having carefully considered the representations of both parties on Ofcom's first Preliminary View, Ofcom concluded that that the further points raised by the complainant merited Ofcom's reconsideration of this case. Ofcom therefore decided to withdraw its first Preliminary View not to uphold the complaint.

Ofcom's Second Preliminary View

Ofcom prepared a second Preliminary View that Mr Chagtai's complaint on behalf of Mr Rahman should be upheld. Both parties were given the opportunity to make representations on the second Preliminary View. Mr Chagtai did not make any representations on behalf of Mr Rahman, however, New Vision TV did make representations which are summarised, insofar as they are relevant to the complaint entertained and considered by Ofcom, below.

Broadcaster's representations

New Vision said that the comments complained of amounted to a tiny proportion of a discussion which was focused on the former Pakistan Prime Minister, Mr Sharif, and the corrupt practices for which he was found guilty. It said that Ofcom's first Preliminary View

accurately described the interview as Mr Khan expressing "his own personal views on Mr Sharif and his political party's alleged involvement in corrupt practices. Mr Khan also expressed his view that Mr Rahman (and his media group) was supportive of Mr Sharif". New Vision TV said that Ofcom's second Preliminary View described the interview as "one in which Mr Khan made a number of comments relating to Mr Rahman" and that those statements "could reasonably be understood by viewers to imply that Mr Rahman actively condoned criminal behaviour". The broadcaster said that it believed that Ofcom's interpretation of these comments is mistaken and overlooks the fact that the comments and metaphors used by Mr Khan were made in a debate focused on his political opponent, Mr Sharif. It said that Ofcom had initially accepted that these comments would have been clearly understood by viewers as political rhetoric. It also said that the Preliminary View gave the inaccurate impression that the focus of the programme was on Mr Rahman, which it was not. New Vision TV said that it did not understand how Mr Khan's comment: "*standing by a criminal*" – in a burglary metaphor describing Mr Sharif's corrupt practices – could be considered an accusation that Mr Rahman actively condoned criminal behaviour.

New Vision TV also said that it did not understand how the comments "*money is paid. People are bought. Media houses and Shakil-ur-Rahman is making money out of Nawaz Sharif*" and "*standing by a criminal*" could "materially and adversely affect viewers' opinions of Mr Rahman in a way that was unfair to him" or that the comments would make viewers think that Mr Rahman "was the kind of person who acted inappropriately and dishonestly". The broadcaster said that it was factually accurate that the Geo media group received advertising revenue from Mr Sharif's administration, providing a link to a report on how Geo TV was suspended due to its alleged biased political coverage, namely favourable coverage of the "ousted" Mr Sharif⁷. New Vision said that this article provided some evidence that supported the comments made by Mr Khan regarding funding. It added too that viewers, whether in Pakistan or the UK, would have been aware of this report and would have a reasonable awareness of Geo media group's political reporting.

New Vision TV said that Mr Khan had "consistently campaigned on anti-corruption before his election as Prime Minister in 2018" and the comments he made in the programme had been made on numerous occasions, including live political rallies and televised interviews. It said that Mr Khan's criticism of the accountability of Mr Sharif and his relationship with media giants such as the Geo media group "was reported on GEO TV itself as well as numerous other Asian TV channels", not just by New Vision TV. It said that the complainant's assertion that New Vision TV was "continuing the agenda of ARY News Pakistan to malign Mr Rahman and his media conglomerate for its own commercial gains", unfairly represented New Vision TV, which is independent of ARY Pakistan, and applied its own editorial controls to the news bulletins and current affairs it sources from ARY News Pakistan.

The broadcaster stated that the complainant's representations on the first Preliminary View were not factually accurate, insofar as the claim had been made that the Geo media group "has always prided itself in neutral coverage on all issues". It provided Ofcom with links to online cases investigated by the Pakistan Supreme Court which it said demonstrated that Mr Rahman's corporate record was not exemplary in terms of broadcast standards⁸.

⁷ <https://www.reuters.com/article/us-pakistan-media-exclusive/exclusive-pakistan-tvchannel-returning-to-air-after-negotiations-with-military-sources-idUSKBN1HP2WV>.

⁸ <https://www.dawn.com/news/1389295>

<https://tribune.com.pk/story/1782261/1-jang-group-banned-court-coverage-warns-sc/>

New Vision TV said that it understood “that Ofcom is required to consider the whole programme in which the alleged offensive comments were made, its context and the time at which it was broadcast and how the regular viewer of the programme would reasonably interpret its content.” However, the broadcaster also said that “[i]f it is to become common practice to include all background or peripheral disputes in the context of a programme, whether broadcast or non-broadcast, it will become very difficult for broadcasters to know how they should judge context in the future”.

New Vision TV reiterated that the comments made by Mr Khan in the programme were criticisms and opinions of Mr Sharif and not allegations about Mr Rahman. It said that this would have been clearly understood by viewers that the comments were made during an interview aired in the context of an upcoming major, national election. It said that the comments would not have materially and adversely affect their perception of Mr Rahman. The broadcaster said that taking in the totality of comments in question and how Ofcom has assessed them, several licensees “will be concerned at their freedom to cover political interviews and to what degree their freedom of expression will be stifled by large corporations seeking to quell any critical comment”.

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 of the programme as broadcast, a translated transcript of it and both parties' written submissions. Ofcom also took careful account of the representations made by the broadcaster in response to being given the opportunity to comment on Ofcom's second Preliminary View on this complaint. After careful consideration of the representations, we considered that the points raised did not materially affect the outcome of Ofcom's decision to uphold the complaint.

When considering complaints of unjust or unfair treatment, Ofcom has regard to whether the broadcaster's actions ensured that the programme as broadcast avoided unjust or unfair treatment of individuals and organisations, as set out in Rule 7.1 of Ofcom's Broadcasting Code (“the Code”). In addition to this rule, Section Seven (Fairness) of the Code contains “practices to be followed” by broadcasters when dealing with individuals or organisations participating in, or otherwise directly affected by, programmes, or in the making of programmes. Following these practices will not necessarily avoid a breach of Rule 7.1 and

<https://www.reuters.com/article/us-pakistan-media-exclusive/exclusive-pakistan-tvchannel-returning-to-air-after-negotiations-with-military-sources-idUSKBN1HP2WV>

<https://www.pakistantoday.com.pk/tag/editor-in-chief-of-geojang-group/>

failure to follow these practices will only constitute a breach where it results in unfairness to an individual or organisation in the programme.

- a) We first considered Mr Rahman's complaint that he was treated unjustly or unfairly in the programme as broadcast because it included a pre-recorded interview with Mr Khan who made "false and malicious allegations" which were unfair to him.

In considering this complaint, we had particular regard to Practice 7.9:

"Before broadcasting a factual programme, ...broadcasters should take reasonable care to satisfy themselves that material facts have not been presented, disregarded or omitted in a way that is unfair to an individual or organisation...".

Ofcom's role is to consider whether the broadcaster took reasonable care not to present, disregard or omit material facts in a way that resulted in unfairness to Mr Rahman. Whether a broadcaster has taken reasonable care to present material facts in a way that is not unfair to an individual or organisation will depend on all the particular facts and circumstances of the case including, for example, the seriousness of any allegations and the context within which they were presented in the programme. Therefore, Ofcom began by considering whether the matters complained of had the potential to materially and adversely affect viewers' opinions of Mr Rahman in a way that was unfair.

As set out in the "Programme summary" above, the programme included a live interview with Mr Khan in which Mr Khan made a number of comments relating to Mr Rahman and his media organisations and the alleged relationship between them and Mr Sharif. Mr Khan stated that "...*Shakil-ur-Rahman is making money out of Nawaz Sharif. Geo and Jang [which are media organisations owned by Mr Rahman] have a task to save a corrupt person*". He also stated that "...*if Shakil-ur-Rahman succeeds in saving Nawaz Sharif...even if he won't succeed. Just think how much this country would suffer*". Mr Khan then alluded to Mr Sharif as a "criminal", comparing him to "a burglar who breaks into your house", before stating that Mr Rahman was the kind of person who "starts protecting the burglar instead of standing up for the person whose house has been burgled" and that "[i]nstead of standing by the people, which is the role of a media house, [Mr Rahman] is standing by a criminal".

Ofcom took into account New Vision TV's representation that Mr Khan's comments relating to Mr Rahman were metaphorical and would have been understood by the audience as being "political rhetoric". However, we considered that the comments describing Mr Rahman as someone who "starts protecting the burglar instead of standing up for the person whose house has been burgled" and that "instead of standing by the people...[Mr Rahman] is standing by a criminal" would reasonably be understood by viewers to imply that Mr Rahman condoned criminal behaviour and that, in doing so, he was acting against the interests of the wider community. We considered that these statements constituted serious allegations about Mr Rahman which had the potential to materially and adversely affect viewers' opinions of him.

We then considered whether the presentation of these statements in the programme as broadcast resulted in unfairness to Mr Rahman. Ofcom acknowledges broadcasters' right to freedom of expression and that they must be able to broadcast programmes on matters of interest to viewers freely, including the ability to express views and critical opinions without undue constraints. However, this freedom comes with responsibility

and an obligation on broadcasters to comply with the Code and, with particular reference to this case, avoid unjust or unfair treatment of individuals or organisations in programmes.

We took into account the broadcaster's representations that statements made by Mr Khan were simply his opinion and not statements of fact, and that Mr Khan had "injected some balance" into his commentary by referring to an associate in Dubai who had said he was "*was very rough*" on Mr Rahman.

In Ofcom's view, whether statements are presented as fact or opinion, broadcasters are obliged to ensure that such statements do not result in the unjust or unfair treatment of individuals. Ofcom considered that the overall meaning of Mr Khan's comments was that, in his view, Mr Rahman and his media organisations supported people who could be described as "criminal" and that they profited from doing so. In our view, these comments suggested to viewers that Mr Rahman was the kind of person who acted inappropriately and dishonestly. Further, to the extent that Mr Khan referred to the conversation he had had with his associate in Dubai, this appeared to serve as a basis to advance Mr Khan's allegations, rather than to provide counterbalance to them.

We also took into account the broadcaster's reference to various online articles, which indicated that Geo had received more revenue from Mr Sharif's government than any other media group in Pakistan. However, we also noted that, notwithstanding these representations, no such reference or explanation was provided by Mr Khan in the broadcast programme itself. In any event, we also took into account the complainant's comments that, given the relative size of the Geo media group, it was not necessarily surprising that it may have received a large amount of revenue.

Ofcom took into account that, as the owner of the largest media group in Pakistan, Mr Rahman is a well-known and influential public figure in the country and that he may expect to have criticism levelled against him and his organisation from others. However, Ofcom takes the view that the high-profile status of an individual or organisation does not negate the need for broadcasters to ensure that they are not subject to unjust or unfair treatment in programmes.

We understood that the programme broadcast was a live political interview with Mr Khan in which he spoke about a number of political topics including Mr Sharif. We recognise that contributors can sometimes make unexpected comments that have the potential to create unfairness. It is Ofcom's view, therefore, that for live programmes such as this, it may be, but is not always, possible for the broadcaster to obtain responses from others prior to, or during the programme. It is important to make clear that broadcasters need to be particularly aware that they have a duty to ensure that reasonable care is taken that broadcast material is consistent with the requirements of the Code. This may include having in place measures to mitigate the potential for unfairness, briefing any studio guests about fairness requirements in advance of the programme, or by ensuring that any allegations made during the programme are properly tested or challenged. This could be, for example, by pointing out any contradictory argument or evidence or by representing the viewpoint of the person or organisation that is the subject of the allegation. The importance is that the programme must not mislead viewers or portray people or organisations in a way that is unfair.

Given this, Ofcom assessed the steps, if any, that the broadcaster had taken to satisfy itself that material facts were not presented, disregarded or omitted in a way that was unfair to Mr Rahman. New Vison TV provided no evidence that it had taken any reasonable steps before the live broadcast in this regard, for example, by anticipating that allegations may be made and by putting appropriate measures in place to reduce the risk for potential unfairness. More significantly, during the programme itself and after the allegations about Mr Rahman were made, no attempt was made by the presenter to place Mr Khan's comments in any form of context by explaining, for instance, that they only reflected his personal view.

Further, Ofcom took into account that nowhere in the programme was anything said to balance or place into appropriate context the comments made about Mr Rahman, nor did the programme include the viewpoint of Mr Rahman in response to the claims. Such steps were, in Ofcom's view, particularly important in this case, where the presenter had introduced Mr Khan as someone who "*regularly conducted crusades against corruption*" and where "*[t]his crusade against corruption is part of the idealism with which he began his politics...and you will find him consistent in this regard*". Having accorded such credence to Mr Khan, where it was made explicit to the audience that his views were credible, it was particularly important that Mr Rahman's perspective was also reflected.

Therefore, in our view, and after giving careful consideration to the representations made by the broadcaster in this case, we were satisfied that the comments made about Mr Rahman in the programme amounted to significant allegations about Mr Rahman which had the potential to materially and adversely affect viewers' opinions of him and which were presented in the programme in a way that was unfair to him.

Taking all of the above into account, Ofcom considered is that, in the particular circumstances of this case, the broadcaster did not take reasonable care to satisfy itself that material facts had not been presented, disregarded or omitted in a way that was unfair to Mr Rahman.

- b) Ofcom next considered the complaint that Mr Rahman was not provided with an appropriate and timely opportunity to respond to the allegations made against him.

In considering this aspect of the complaint, we had particular regard to Practice 7.11:

"if a programme alleges wrongdoing or incompetence of makes other significant allegations, those concerned should normally be given an appropriate and timely opportunity to respond".

For the reasons given in head a) above, we considered that the comments made in the programme amounted to significant allegations about Mr Rahman. Therefore, in accordance with Practice 7.11, the broadcaster should have offered Mr Rahman an appropriate and timely opportunity to respond to it in order to avoid unfairness. The broadcaster's failure to provide such an opportunity was unfair to Mr Rahman.

Ofcom considered therefore that Mr Rahman was treated unjustly or unfairly in the programme as broadcast.

Ofcom has upheld Mr Chagtai's complaint made on behalf of Mr Rahman of unjust or unfair treatment in the programme as broadcast.

Upheld

Complaint by Mr Mir Shakil Rahman, made on his behalf by Mr Baseem Chagtai

News, New Vision TV, 24 November 2017

Summary

Ofcom has upheld this complaint by Mr Mir Shakil Rahman, made on his behalf by Mr Baseem Chagtai, of unjust or unfair treatment in the programme as broadcast.

The programme reported live from a political rally which was being addressed by Mr Imran Khan, Chairman of the Pakistan Tehreek-e-Insaf ("PTI") political party. During the address, Mr Khan made a number of claims about the Geo media group¹ and Mr Rahman.

Ofcom considered that:

- The broadcaster did not take reasonable care to satisfy itself that material facts had not been presented, disregarded or omitted in a way that was unfair to Mr Rahman.
- The comments made in the programme amounted to significant allegations about Mr Rahman. Therefore, in this case, the broadcaster's failure to provide Mr Rahman with an appropriate and timely opportunity to respond resulted in unfairness to him.

Programme summary

On 24 November 2017, New Vision TV broadcast an edition of its daily news programme. New Vision TV is an Urdu language channel broadcast under an Ofcom licence held by New Vision TV Limited. As the programme was broadcast in Urdu, Ofcom provided an English translation to the complainant and the broadcaster for comment. Both Mr Chagtai and the broadcaster provided comments on the translation. Ofcom considered both parties' comments and a final translation was sent to the parties who were informed that Ofcom would use this translation for the purposes of the investigation.

During the programme, live coverage of a speech by Mr Khan at political rally in Hafizabad was shown. During the speech, Mr Khan said:

"Today, one of Pakistan's problems is corruption and the appointment of unmeritorious people at the top of institutions through nepotism. Corrupt people are sitting there. There is no merit. Look at PTV². Every month, PTV takes 35 rupees from your electricity bill. PTV is running on your money, and what is it doing? Propaganda for Nawaz Sharif³, his family, and the N-League⁴. Anywhere in the world, an institution that is funded by taxpayers'

¹ A group of media companies in Pakistan owned by Mr Rahman.

² Pakistan Television; a public broadcasting organisation.

³ Former Pakistani Prime Minister who was disqualified from office in 2017.

⁴ The Pakistan Muslim League (Nawaz), a political party led by Mr Nawaz Sharif.

money delivers for the taxpaying people. In Pakhtunkha⁵, we planted a billion trees. PTV, a public broadcaster, started propaganda that you can't plant a billion trees. This is because the head of PTV, Attaullah Kazmi, is Nawaz Sharif's house servant. He is the kind of servant who polishes his shoes. So, he will serve them".

Later in the programme, Mr Khan said:

"Then they destroyed the media... money was thrown into the media, your money. Your money was used to buy advertising worth billions of rupees as a bribe. The media was bought... and sitting over there, we have a media godfather – Shakil-ur-Rahman – head of Geo and Jang⁶. Rather than help the public, he has taken money to save the Sharif family's theft. The entire channel is protecting his theft. Shakil-ur-Rahman... if you are successful...".

The broadcast of the footage of the speech ended abruptly, and the New Vision TV logo appeared on black screen. A break followed, after which coverage of Mr Khan's speech continued in which he discussed the changes his party would make and the failures of Mr Sharif.

During the programme, the following captions relating to Mr Rahman were shown:

*"Media Godfather is taking money to defend Sharif family; Imran Khan".
"Mir Shakil-ur-Rahman you worship money; Imran Khan".
"The Sharif family has thrown money into the media as well; Imran Khan".
"Mir Shakil you will fall along with the Sharif family, Imran Khan".
"The people should boycott Geo and Jang; Imran Khan".*

The section of the programme featuring Mr Khan's speech concluded with one of the presenters stating:

"Chairman Tehreek-e-Insaf Imran Khan is addressing a rally in Hafizabad. Imran Khan says the world has made progress and we have lagged...Corruption is preventing two of the biggest problems from being solved. The biggest problem for Pakistan's youth is unemployment. People leave Pakistan to find jobs. The second big problem in the country is inflation".

While the programme went on to cover other news stories, later in the programme, the following captions were shown:

*"The people should boycott Geo and Jang Group; Imran Khan".
"The Sharif family has thrown money into the media as well; Imran Khan".
"Mir Shakil you will fall along with the Sharif family; Imran Khan".
"Mir Shakil you worship money; Imran Khan".
"Media's godfather is taking money to defend the Sharif family; Imran Khan".*

No further reference was made to Mr Rahman, Geo or Jang groups in the programme.

⁵ A province of Pakistan governed by Mr Khan's PTI party.

⁶ Jang Group, a newspaper organisation owned by Mr Rahman.

Summary of the complaint and the broadcaster's response

Complaint

Mr Chagtai complained that Mr Rahman was treated unjustly or unfairly in the programme as broadcast because:

- a) The programme included footage of Mr Khan and captions of his comments which made "false and malicious allegations" about Mr Rahman.

In particular, Mr Khan accused Mr Rahman of having been "bought" and of "making money" by supporting the corrupt former Prime Minister of Pakistan, Mr Mian Nawaz Sharif. Mr Khan said that public money was "*thrown into the media*" and "*...used to buy advertising worth billions of rupees, as a bribe*" and that Mr Rahman, who he referred to as the "*media godfather*", and his media group had taken public money to defend the "*Sharif Family's theft*" instead of helping the people of Pakistan. Mr Khan asked that people "*boycott Geo and Jang Group*". Mr Chagtai said that the programme therefore implied that Mr Rahman "*...has some control, involvement and/or input into criminal activity such as bribery and corruption*".

Mr Chagtai said that at no time during the programme did the presenter attempt to provide any balance to Mr Khan's comments.

- b) Mr Rahman was not given an appropriate and timely opportunity to respond to allegations made about him in the programme.

Broadcaster's response

New Vision TV said that the statements included in the programme were made by Mr Khan at a public rally in Hafizabad which was shown live on all the media broadcasters in Pakistan and Pakistani channels around the world. It said that Mr Khan had been talking broadly about political corruption as evidenced by the leak of the Panama Papers⁷, and about Mr Sharif. New Vision TV said that the reference to Mr Rahman as a "*media godfather*" related to the quantity of government advertising invested in the Geo media group. New Vision TV provided Ofcom with a copy of a report from the Pakistan Public Administration Research Centre, and a link to a newspaper article published online by The Daily Pakistan⁸ which it said demonstrated that the Geo group had received more revenue from Mr Sharif's government than any other media group in Pakistan. It said that the Supreme Court in Islamabad and the Pakistan Media Commission were in the process of reviewing the practises of the Geo media group, including the concentration of government advertising. The broadcaster supported

⁷ The "Panama Papers" are documents that triggered a case against Mr Sharif in the Supreme Court of Pakistan which resulted in him being disqualified from holding public office.

⁸ "Which newspaper got the biggest share of government ads from 2013 to 2016?", The Daily Pakistan, 11 July 2017: <https://en.dailypakistan.com.pk/pakistan/which-newspaper-got-the-biggest-share-of-govt-ads-from-2013-to-2016/>

this submission by providing links to a newspaper article published online by The Express Tribune⁹ and two reviews published by the Pakistan Media Commission¹⁰.

New Vision TV said that, when the comment about Mr Rahman was made three minutes into the programme, it had cut away from the live news feed in line with its policy not to air comments about the Geo media group. It said that it was aware that Mr Rahman had filed a case against Mr Khan concerning these allegations in Pakistan's courts. New Vision TV said that it had tried to avoid being drawn into the dispute, but said that live news presented challenges in this regard. New Vision TV said that it always advised viewers, via a disclaimer, that it does not present opinions as facts and that guests opinions and statements are their own and not endorsed by New Vision TV.

The broadcaster said that all of the TV channels in Pakistan that hold licences to broadcast in the UK, including Geo News, showed the live broadcast of Mr Khan at the rally. New Vision TV said that it had acted in the same way as the rest of these broadcasters and had taken the story as breaking news.

Ofcom's First Preliminary View

Ofcom prepared a Preliminary View that Ms Chagtai's complaint on behalf of Mr Rahman should not be upheld. Both parties were given the opportunity to make representations on the first Preliminary View. Both parties made representations which are summarised, insofar as they are relevant to the complaint entertained and considered by Ofcom, below.

Complainant's representations

Mr Chagtai said that Ofcom's Preliminary View did not properly take into account the context of the false and malicious allegations made about Mr Rahman. Mr Chagtai said that Mr Rahman and the Jang/Geo group, which was founded over 80 years ago, are and have always been neutral in covering issues. He said that Mr Khan's false and repeated comments challenged Mr Rahman's and the Geo media group's neutrality and were blatantly unfair as they did not reflect the facts. He also said that Mr Khan had not at any time provided any evidence to back up his false claims.

Mr Chagtai said that in Pakistan and in the expatriate Pakistani community in the UK, Mr Khan is well known and that his political career started from the fame he received as a cricketer¹¹. He said that Mr Khan's statements to his audiences did not only have an impact as a political statement, but rather his followers follow him as a cricket "star who they idolise". Therefore, Mr Chagtai said that Mr Khan's his false assertions cannot solely be seen in the rally as political.

⁹ "Legal action: Cases related to media dominate top court", The Express Tribune, 8 February 2018: <https://tribune.com.pk/story/1629055/1-legal-action-cases-related-media-dominate-top-court/>

¹⁰ "Misuse of powers to control advertising and secret funds", Pakistan Media Commission Review: <https://mediacommissionreview.org/misuse-powers-control-advertising-secret-funds/>

"Media houses have been systematically discriminated", Pakistan Media Commission Review: https://mediacommissionreview.org/media-houses-systematically-discriminated/#.Wq_hA3xpHcs

¹¹ Mr Khan was the captain of the Pakistan national team who in 1992 won the cricket world cup.

Mr Chagtai said that it was not denied that the Geo media group derived the largest portion of advertising. However, this not surprising given that Geo is “the most popular and highest rated broadcasting network and is part of the largest media group in Pakistan”. Mr Chagtai said that it would be odd if Geo did not get the largest amount of advertising and revenue. However, he said that to claim this was due to corruption, or for supporting Mr Sharif, as Mr Khan alleged, was “wholly malicious, false and frankly an absurd conclusion” devoid of evidence to support it.

Mr Chagtai said that while he recognised that Mr Khan made his comments speaking at a political party rally, this did not mean that Mr Khan could use the opportunity to make unfair and false assertions about Mr Rahman when “Mr Rahman has nothing to do with the allegations against Mr Sharif or Panama Papers leaks other than to report on them”. Mr Chagtai said that if Mr Khan did not like Mr Rahman’s reporting then that was his prerogative, however, it was unfair and false of Mr Khan to make the allegations he did about Mr Rahman for which, he said, there was “no basis of truth” and where “no evidence [had been] supplied” by New Vision TV.

Mr Chagtai said that Ofcom’s first Preliminary View not to uphold the complaint meant, in effect, that “Mr Khan could in any political rally make any outrageous and false claim about Mr Rahman (or anyone else who was not a political opponent)”. In Mr Chagtai’s view, this was “patently wrong”.

Mr Chagtai said that the coverage by New Vision TV was not limited to Mr Khan making the false statements live, but rather it took the opportunity to highlight statements related to Mr Rahman on the screen through captions. He said that there seemed to be an attempt to provide additional coverage to the serious allegations against Mr Rahman.

Mr Chagtai said that, while he agreed that it was likely that Mr Khan would make comments about Mr Sharif, it did not follow that viewers would reasonably consider that Mr Khan would make “false assertions” about Mr Rahman who was not a politician, nor his political opponent. He said that the assertions made by Mr Khan, and the context in which they were said, were clearly made as assertions of fact and false allegations, not opinion or criticism. In Mr Chagtai’s view, contrary to Ofcom’s first Preliminary View, the ordinary “viewer” would construe Mr Khan’s statements as fact, and that, “as the assertions of fact were wholly incorrect they must by definition be wholly unfair”.

In Mr Chagtai’s view, the comments made by Mr Khan amounted to serious, false assertions of bribery, corruption and, criminality which were clearly unfair to him and his organisation. He said that at no time did New Vision TV show balance or provide counter arguments. On this basis, Mr Chagtai said that Mr Rahman had not been afforded the protection of Practice 7.9 or 7.11 of the Code.

Broadcaster’s representations

New Vision TV said that viewers would have understood clearly the news coverage was reporting the opinions of Mr Khan and would not have perceived these to be “statements of fact” as interpreted by the complainant.

New Vision TV said that it stood by its earlier submission that this was a news item about a live political rally led by Mr Khan expressing his own opinions about his political opponents. The broadcaster further stated that coverage of this rally was aired on all Pakistan-focused,

news channels, but that only New Vision TV's broadcast appeared to be the subject of a complaint to Ofcom "from the GEO group". It said that the graphics used in the programme were summary points of Mr Khan's address and nothing more.

Having carefully considered the representations of both parties on Ofcom's first Preliminary View, Ofcom concluded that that the further points raised by the complainant merited Ofcom's reconsideration of this case. Ofcom therefore decided to withdraw its first Preliminary View not to uphold the complaint.

Ofcom's Second Preliminary View

Ofcom prepared a second Preliminary View that Ms Chagtai's complaint on behalf of Mr Rahman should be upheld. Both parties were given the opportunity to make representations on the second Preliminary View. Mr Chagtai did not make any representations on behalf of Mr Rahman, however, New Vision TV did make representations which are summarised, insofar as they are relevant to the complaint entertained and considered by Ofcom, below.

Broadcaster's representations

New Vision TV said that Ofcom's first Preliminary View accurately described the comments featured in the rally, where Mr Khan was expressing "his own personal views on Mr Sharif and his political party's alleged involvement in corrupt practices" and where "Mr Khan also expressed his view that Mr Rahman (and his media group) was supportive of Mr Sharif and his political party". With respect to the second Preliminary View, New Vision TV said that Ofcom's interpretation of various statements made by Mr Khan in the programme was "mistaken and overlook[ed] the fact that the comments made by Mr Khan were made in a public rally focussed on Mr Khan's political opponent, Mr Sharif." It said that Ofcom had initially accepted that these comments would have been clearly understood by viewers as political rhetoric, rather than "implying that Mr Rahman had been bribed with large sums of public money in order to 'protect' the 'Sharif family's theft'".

New Vision TV also said that it did not understand how the term "media godfather", could "materially and adversely affect viewers' opinions of Mr Rahman in a way that was unfair to him". It stated that the reference to "media godfather" related to the "size of [Mr Rahman's] media empire, its influence, and the quantity of government advertising invested in [the Geo media group]." New Vision TV stated that it was factually accurate that the Geo media group received advertising revenue from Mr Sharif's administration, providing a link to a report on regarding the suspension of Geo TV was suspended for its alleged biased political coverage (namely, favourable coverage of Mr Sharif)¹². New Vision TV said that this article provided some evidence that supported the comments made by Mr Khan regarding funding. The broadcaster added that viewers, whether in Pakistan or the UK, would have been aware of this report and would have a reasonable awareness of Geo media group's political reporting.

New Vision TV said that Mr Khan had consistently campaigned on anti-corruption before his election as Prime Minister in 2018 and the comments he made in the programme had been made on numerous occasions, including live political rallies and televised interviews. It said that Mr Khan's criticism of the accountability of Mr Sharif and his

¹² <https://www.reuters.com/article/us-pakistan-media-exclusive/exclusive-pakistan-tvchannel-returning-to-air-after-negotiations-with-military-sources-idUSKBN1HP2WV>

relationship with media giants such as the Geo media group was reported on GEO TV itself as well as numerous other Asian TV channels, not just by New Vision TV.

The broadcaster stated that the complainant's representations on the first Preliminary View were not factually accurate, insofar as the claim had been made that the Geo media group "has always prided itself in neutral coverage on all issues". It provided Ofcom with links to online cases investigated by the Pakistan Supreme Court which it said demonstrated that Mr Rahman's corporate record was not exemplary in terms of broadcast standards¹³.

New Vision TV said that on the issue of context, the complainant had tried to persuade Ofcom that New Vision TV "is continuing the agenda of ARY News Pakistan to malign Mr Rahman...". It said that this was not true and that it operates its own editorial control over the news it sources. It said that this was "evidenced by the cutaways in the programme to avoid references to Mr Rahman".

The broadcaster said that it disagreed with the complainant's "very literal interpretation" of the comments made by Mr Khan in the programme." It said that "[t]hese were criticisms and opinions of Mr Sharif conveyed by Mr Khan in emotive language." New Vision TV said that viewers would clearly have understood that the comments were made in a political rally in the context of an upcoming major, national election and the comments would not materially and adversely affect their perception of Mr Rahman. It said that it was confident that a regular viewer of the channel, who is "well versed in Pakistan politics and familiar with the news and current affairs output", would have understood the phrase "taking money to defend Sharif family" to imply that "the media conglomerate was accommodating of Mr Sharif as a result of large advertising budgets". New Vision TV said that "Taken money" did not mean "bribed" as suggested by the complainant.

New Vision TV said that the second Preliminary View stated that no warning was evident on the off-air recording. New Vision TV said that the following "text slate warning" was shown before the programme began:

"Disclaimer:

Its our responsibility not to present opinion as facts. As long as distinction between fact or opinion is clear As part of ARY philosophy we bring diverse opinions to enrich and empower our viewers. This program may contains opinions of host and guest which do not necessarily reflect that of the organization. For more information and give feedback visit our website xxx.arynews.tv".

¹³ <https://www.dawn.com/news/1389295>

<https://tribune.com.pk/story/1782261/1-jang-group-banned-court-coverage-warns-sc/>

<https://www.reuters.com/article/us-pakistan-media-exclusive/exclusive-pakistan-tvchannel-returning-to-air-after-negotiations-with-military-sources-idUSKBN1HP2WV>

<https://www.pakistantoday.com.pk/tag/editor-in-chief-of-geojang-group/>

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 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 of the programme as broadcast, a translated transcript of it, and both parties' written submissions. Ofcom also took careful account of the representations made by the broadcaster in response to being given the opportunity to comment on Ofcom's second Preliminary View on this complaint. After careful consideration of the representations, we considered that the points raised did not materially affect the outcome of Ofcom's decision to uphold the complaint.

When considering complaints of unjust or unfair treatment, Ofcom has regard to whether the broadcaster's actions ensured that the programme as broadcast avoided unjust or unfair treatment of individuals and organisations, as set out in Rule 7.1 of Ofcom's Broadcasting Code ("the Code"). In addition to this rule, Section Seven (Fairness) of the Code contains "practices to be followed" by broadcasters when dealing with individuals or organisations participating in, or otherwise directly affected by, programmes, or in the making of programmes. Following these practices will not necessarily avoid a breach of Rule 7.1 and failure to follow these practices will only constitute a breach where it results in unfairness to an individual or organisation in the programme.

- a) Ofcom considered Mr Rahman's complaint that the programme included footage of Mr Khan and captions of his comments which made "false and malicious allegations" about Mr Rahman.

In considering this complaint, we had particular regard to Practice 7.9:

"Before broadcasting a factual programme, ...broadcasters should take reasonable care to satisfy themselves that material facts have not been presented, disregarded or omitted in a way that is unfair to an individual or organisation...".

Ofcom's role is to consider whether the broadcaster took reasonable care not to present, disregard or omit material facts in a way that resulted in unfairness to Mr Rahman. Whether a broadcaster has taken reasonable care to present material facts in a way that is not unfair to an individual or organisation will depend on all the particular facts and circumstances of the case including, for example, the seriousness of any allegations and the context within which they were presented in the programme. Therefore, Ofcom began by considering whether the matters complained of had the potential to materially and adversely affect viewers' opinions of the Mr Rahman in a way that was unfair.

As set out in the "Programme summary" above, the programme included live footage of Mr Khan addressing a political rally in which he made a number of comments relating to

Mr Rahman and his media organisations and the alleged relationship between them and Mr Sharif. Mr Khan stated that *"...money was thrown into the media, your money. Your money was used to buy advertising worth billions of rupees as a bribe. The media was bought... and sitting over there, we have a media godfather – Shakil-ur-Rahman – head of Geo and Jang. Rather than help the public, he has taken money to save the Sharif family's theft. The entire channel is protecting his theft. Shakil-ur-Rahman... if you are successful..."*. We also took into account that the programme showed a number of captions that appeared to summarise some of the comments Mr Khan had made:

"The people should boycott Geo and Jang Group; Imran Khan".

"The Sharif family has thrown money into the media as well; Imran Khan".

"Mir Shakil you will fall along with the Sharif family; Imran Khan".

"Mir Shakil you worship money; Imran Khan".

"Media's godfather is taking money to defend the Sharif family; Imran Khan".

Ofcom took into account New Vision TV's representations that Mr Khan's comments relating to Mr Rahman would have been understood as "political rhetoric" and that the term "media godfather" was a reference to the "size of [Mr Rahman's] media empire, its influence, and the quantity of government advertising invested in [the Geo media group." However, we considered that the comments made by Mr Khan, along with the captions also shown in the programme, would reasonably have been understood by viewers to suggest that Mr Rahman had been bribed large sums of public money in order to 'protect' the "Sharif family's theft", that his businesses therefore deserved to be boycotted by the public. With respect to the term "media godfather", Ofcom notes that 'godfather' is commonly associated with the activities of criminal 'mafia' like gangs. In our view, the use of the term in the particular context in which it was broadcast was pejorative. We considered that these statements constituted serious allegations about Mr Rahman which had the potential to materially and adversely affect viewers' opinions of him and the Geo media group.

We then considered whether the presentation of these statements in the programme as broadcast resulted in unfairness to Mr Rahman. Ofcom acknowledges broadcasters' right to freedom of expression and that they must be able to broadcast programmes on matters of interest to viewers freely, including the ability to express views and critical opinions without undue constraints. However, this freedom comes with responsibility and an obligation on broadcasters to comply with the Code and, with particular reference to this case, avoid unjust or unfair treatment of individuals or organisations in programmes.

We took into account the broadcaster's representations that statements made by Mr Khan were simply his opinion and not statements of fact, and also the disclaimer referred to by New Vision TV in its representations on the second Preliminary View. However, in our view, whether statements are presented as fact or opinion, broadcasters are obliged to ensure that such statements do not result in the unjust or unfair treatment of individuals. Ofcom considered that the overall meaning of Mr Khan's comments in this programme was that, in his view, Mr Rahman and his media organisations had accepted bribes of large sums of public money in order to protect theft. In our view, these comments suggested to viewers that Mr Rahman was the kind of person who acted inappropriately and dishonestly. Further, Mr Khan's statements were compounded by the fact that the programme showed captions that restated the allegations he made about Mr Rahman.

We also took into account the broadcaster's reference to various online articles, which indicated that Geo had received more revenue from Mr Sharif's government than any other media group in Pakistan. However, we also noted that, notwithstanding these representations, no such reference or explanation was provided by Mr Khan in the broadcast programme itself. In any event, we also took into account the complainant's comments that, given the relative size of the Geo media group, it was not necessarily surprising that it may have received a large amount of revenue.

Ofcom took into account that, as the owner of the largest media group in Pakistan, Mr Rahman is a well-known and influential public figure in the country and that he may expect to have criticism levelled against him and his organisation from others. However, Ofcom takes the view that the high-profile status of an individual or organisation does not negate the need for broadcasters to ensure that they are not subject to unjust or unfair treatment in programmes.

We understood that the programme broadcast was live coverage from a political rally in which Mr Khan was giving a speech to his political party. We recognise that coverage of live events can be unpredictable and sometimes unexpected comments have the potential to create unfairness. It is Ofcom's view, therefore, that for programmes covering live events such as this, it may be, but is not always, possible for the broadcaster to obtain responses from others during the programme. It is important to make clear that broadcasters need to be particularly aware that they have a duty to ensure that reasonable care is taken that the broadcast material is consistent with the requirements of the Code. This may include having in place measures to mitigate the potential for unfairness, or by ensuring that any allegations made during the programme are properly tested or challenged. This could be, for example, by pointing out any contradictory argument or evidence or by representing the viewpoint of the person or organisation that is the subject of the allegation. The importance is that the programme must not mislead viewers or portray people or organisations in a way that is unfair.

Given this, Ofcom then assessed the steps, if any, that the broadcaster had taken to satisfy itself that material facts were not presented, disregarded or omitted in a way that was unfair to Mr Rahman. New Vision TV said that in its submissions that it always advised viewers, via a disclaimer, that "it does not present opinions as facts and that guests opinions and statements are their own and not endorsed by [New Vision TV]". Ofcom took account of the disclaimer provided by New Vision TV in its representations on the second Preliminary View. However, we considered that such a disclaimer, would not, in itself, be sufficient to absolve the broadcaster from its responsibility to ensure fairness and compliance with the Code throughout the broadcast of the programme.

Ofcom also took account of New Vision TV's submission that, "when the comment about Mr Rahman was made three minutes into the programme, it had cut away from the live news feed". However, while it is the case that Mr Khan's spoken statements about Mr Rahman appeared to end abruptly, we took into account that the written captions repeating those statements were still shown. Further, nowhere in the programme was anything said to balance or place into appropriate context the comments made about Mr Rahman (for example, by explaining that they reflected only Mr Khan's personal views), nor did the programme include the viewpoint of Mr Rahman in response to the claims. Such steps were, in Ofcom's view, particularly important in this case, given the

unpredictability associated with live coverage of a speech given by a party leader at a party political rally.

Therefore, in Ofcom's view, to the extent that New Vison TV took steps either before or during the live broadcast, for example, by anticipating that allegations may be made about Mr Rahman and by putting appropriate measures in place to contextualise or counter-balance such statements, these were not sufficient to reduce the risk for potential unfairness to Mr Rahman.

On that basis, having given careful consideration to the representations made by the broadcaster in this case, Ofcom's view is that the comments made about Mr Rahman in the programme amounted to significant allegations about Mr Rahman which had the potential to materially and adversely affect viewers' opinions of him and which were presented in the programme in a way that was unfair to him.

Taking all of the above into account, Ofcom considered that, in the particular circumstances of this case, the broadcaster did not take reasonable care to satisfy itself that material facts had not been presented, disregarded or omitted in a way that was unfair to Mr Rahman.

- c) Ofcom next considered the complaint that Mr Rahman was not provided with an appropriate and timely opportunity to respond to the allegations made against him.

In considering this aspect of the complaint, we had particular regard to Practice 7.11:

“if a programme alleges wrongdoing or incompetence of makes other significant allegations, those concerned should normally be given an appropriate and timely opportunity to respond”.

For the reasons given in head a) above, we considered that the comments made in the programme amounted to significant allegations about Mr Rahman. Therefore, in accordance with Practice 7.11, the broadcaster should have offered Mr Rahman an appropriate and timely opportunity to respond to it in order to avoid unfairness. The broadcaster's failure to provide such an opportunity was unfair to Mr Rahman.

Ofcom considered therefore that Mr Rahman was treated unjustly or unfairly in the programme as broadcast.

Ofcom has upheld Mr Chagtai's complaint made on behalf of Mr Rahman of unjust or unfair treatment in the programme as broadcast.

Complaints assessed, not investigated

Here are alphabetical lists of complaints that, after careful assessment, Ofcom has decided not to pursue between 10 December 2018 and 6 January 2019 because they did not raise issues warranting investigation.

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

Programme	Service	Transmission Date	Categories	Number of complaints
Paramavatar Shri Krishna	&TV	29/10/2018	Scheduling	1
Can't Pay? We'll Take It Away!	5Star	14/12/2018	Offensive language	1
Pardafaash	Akaal Channel	17/08/2018	Hatred and abuse	1
The New Germans	Al Jazeera	26/11/2018	Due impartiality/bias	1
Bharosa	ARY Family	11/12/2018	Violence	1
Babestation	Babestation	18/12/2018	Participation TV – Harm	1
In the Animal World	Baby TV	02/12/2018	Suicide and self harm	1
Lee and Kev	Bliss Radio	21/11/2018	Generally accepted standards	6
BT Sport Live Football coverage	BT Sport	11/12/2018	Generally accepted standards	1
Competition	Capital FM	14/12/2018	Competitions	1
The Key of David	CBS Reality	02/12/2018	Generally accepted standards	1
Tomorrow's World	CBS Reality	07/12/2018	Materially misleading	1
Big Fat Quiz of the Year 2018	Channel 4	26/12/2018	Generally accepted standards	1
Channel 4 News	Channel 4	09/12/2018	Generally accepted standards	1
Channel 4 News	Channel 4	12/12/2018	Due impartiality/bias	1
Channel 4 News	Channel 4	13/12/2018	Due accuracy	1
Channel 4 News	Channel 4	18/12/2018	Due impartiality/bias	7
Channel 4 News	Channel 4	20/12/2018	Due impartiality/bias	1
Child Genius vs Celebrities Christmas Special	Channel 4	24/12/2018	Scheduling	2
Congo	Channel 4	27/12/2018	Offensive language	1
Courtney Act's Christmas Extravaganza	Channel 4	24/12/2018	Religious/Beliefs discrimination/offence	1
Crocodile Dundee	Channel 4	27/12/2018	Offensive language	1
Flash Gordon	Channel 4	31/12/2018	Offensive language	1

Programme	Service	Transmission Date	Categories	Number of complaints
Food Unwrapped: Diet Special	Channel 4	03/01/2019	Generally accepted standards	1
Food Unwrapped: Diet Special	Channel 4	03/01/2019	Materially misleading	1
Gogglebox	Channel 4	07/12/2018	Race discrimination/offence	1
Gogglebox	Channel 4	14/12/2018	Generally accepted standards	1
Googlebox	Channel 4	24/12/2018	Generally accepted standards	1
Gogglesprogs	Channel 4	18/12/2018	Generally accepted standards	1
Hollyoaks	Channel 4	19/12/2018	Religious/Beliefs discrimination/offence	9
Men In Black	Channel 4	23/12/2018	Offensive language	1
Naked Attraction	Channel 4	26/12/2018	Nudity	1
Naked Attraction	Channel 4	03/01/2019	Nudity	1
Rob Rinder's Good Year, Bad Year	Channel 4	28/12/2018	Offensive language	1
Rob Rinder's Good Year, Bad Year	Channel 4	28/12/2018	Race discrimination/offence	3
Advertisement	Channel 4	30/12/2018	Political advertising	1
Short Circuit	Channel 4	26/12/2018	Offensive language	1
Sunday Brunch	Channel 4	09/12/2018	Offensive language	1
The Big Narstie Show	Channel 4	21/12/2018	Sexual orientation discrimination/offence	1
The Dam Busters	Channel 4	31/12/2018	Race discrimination/offence	1
The Extreme Diet Hotel	Channel 4	05/09/2018	Harm	1
The Inbetweeners: Fwends Reunited	Channel 4	01/01/2019	Gender discrimination/offence	3
The Inbetweeners: Fwends Reunited	Channel 4	01/01/2019	Generally accepted standards	3
The Last Leg	Channel 4	07/12/2018	Generally accepted standards	2
The Last Leg	Channel 4	14/12/2018	Generally accepted standards	5
The Real Brexit Debate	Channel 4	09/12/2018	Due impartiality/bias	2
The Secret Life of the Zoo	Channel 4	03/01/2019	Offensive language	1
The Secret World of Emily Bronte	Channel 4	29/12/2018	Generally accepted standards	1
The Simpsons	Channel 4	18/12/2018	Race discrimination/offence	1

Programme	Service	Transmission Date	Categories	Number of complaints
The Undateables	Channel 4	01/06/2018	Disability discrimination/offence	1
The World's Most Extraordinary Christmas Dinners	Channel 4	19/12/2018	Animal welfare	1
The World's Most Extraordinary Christmas Dinners (trailer)	Channel 4	Various	Animal welfare	2
Travel Man: 96 Hours in Jordan	Channel 4	27/12/2018	Religious/Beliefs discrimination/offence	1
Turner & Hooch	Channel 4	01/01/2019	Offensive language	1
World's Weirdest Homes	Channel 4	05/12/2018	Animal welfare	1
Age Gap Love	Channel 5	21/11/2018	Generally accepted standards	1
Britain's Favourite Christmas Hits	Channel 5	25/12/2018	Generally accepted standards	4
Call Me Claus	Channel 5	09/12/2018	Offensive language	1
Celebrity Games Night	Channel 5	29/12/2018	Materially misleading	1
Celebrity Games Night	Channel 5	30/12/2018	Materially misleading	1
Cruising with Jane MacDonald	Channel 5	31/12/2018	Gender discrimination/offence	1
Deck the Halls	Channel 5	25/11/2018	Offensive language	1
Dirty Dancing	Channel 5	31/12/2018	Scheduling	1
Gino's Win Your Wish List	Channel 5	22/12/2018	Generally accepted standards	1
Harrogate: A Great Yorkshire Christmas	Channel 5	08/12/2018	Offensive language	1
Jeremy Vine	Channel 5	03/12/2018	Disability discrimination/offence	2
Jeremy Vine	Channel 5	10/12/2018	Generally accepted standards	1
Jeremy Vine	Channel 5	12/12/2018	Generally accepted standards	2
Jeremy Vine	Channel 5	13/12/2018	Materially misleading	1
Jeremy Vine	Channel 5	14/12/2018	Generally accepted standards	1
Jeremy Vine	Channel 5	17/12/2018	Generally accepted standards	1
Lockerbie: The Unheard Voices	Channel 5	04/12/2018	Generally accepted standards	1
Budgies Make You Laugh Out Loud	Channel 5	15/12/2018	Offensive language	1
Our Yorkshire Farm	Channel 5	04/12/2018	Dangerous behaviour	1
What Women Want	Channel 5	31/12/2018	Sexual material	1

Programme	Service	Transmission Date	Categories	Number of complaints
When Christmas Goes Horribly Wrong	Channel 5	15/12/2018	Generally accepted standards	1
World's Strongest Man 2018	Channel 5	n/a	Gender discrimination/offence	1
The Bi Life (trailer)	Christmas 24	10/12/2018	Sexual material	1
Bigg Boss	Colors	07/12/2018	Materially misleading	1
Jimmy Carr: Telling Jokes	Comedy Central Extra	01/12/2018	Religious/Beliefs discrimination/offence	1
Rocket City Rednecks	Dave	01/01/2019	Dangerous behaviour	1
Kickin' it	Disney XD	07/12/2018	Generally accepted standards	1
The Bi Life (trailer)	E!	28/11/2018	Sexual material	1
The Bi Life (trailer)	E!	13/12/2018	Sexual material	1
Hollyoaks	E4	18/12/2018	Gender discrimination/offence	1
Hollyoaks	E4	18/12/2018	Religious/Beliefs discrimination/offence	9
Made in Chelsea	E4	17/12/2018	Religious/Beliefs discrimination/offence	1
Naked Attraction	E4	29/12/2018	Nudity	1
Naked Attraction	E4	01/01/2019	Generally accepted standards	1
Bend it Like Beckham	Film4	28/12/2018	Offensive language	1
Exodus: Gods and Kings	Film4	19/12/2018	Violence	1
The Cold Light of Day	Film4	15/12/2018	Offensive language	1
The First Hour	Ginx eSportsTV	14/12/2018	Offensive language	1
Heart Breakfast with Dixie and Emma	Heart (Yorkshire)	06/12/2018	Generally accepted standards	1
Two White Muslims Breakfast Show	Heritage Radio	03/12/2018	Race discrimination/offence	1
Why Does Everyone Hate the English?	History Channel	29/10/2018	Race discrimination/offence	1
Betrayed	ID Investigation Discovery	18/12/2018	Offensive language	1
Basic Instinct	ITV	01/01/2019	Sexual material	1
Big Star's Bigger Star	ITV	15/12/2018	Sexual material	1
Big Star's Bigger Star	ITV	27/12/2018	Generally accepted standards	1
Big Star's Bigger Star	ITV	27/12/2018	Race discrimination/offence	1
Coronation Street	ITV	05/12/2018	Generally accepted standards	47
Coronation Street	ITV	07/12/2018	Generally accepted standards	1

Programme	Service	Transmission Date	Categories	Number of complaints
Coronation Street	ITV	12/12/2018	Generally accepted standards	7
Coronation Street	ITV	14/12/2018	Generally accepted standards	1
Coronation Street	ITV	14/12/2018	Race discrimination/offence	1
Coronation Street	ITV	17/12/2018	Sexual material	5
Coronation Street	ITV	17/12/2018	Sexual orientation discrimination/offence	68
Coronation Street	ITV	19/12/2018	Generally accepted standards	10
Coronation Street	ITV	24/12/2018	Generally accepted standards	1
Coronation Street	ITV	24/12/2018	Race discrimination/offence	1
Coronation Street	ITV	24/12/2018	Sexual material	2
Coronation Street	ITV	29/12/2018	Materially misleading	1
Dickinson's Real Deal	ITV	21/12/2018	Competitions	1
Dickinson's Real Deal (trailer)	ITV	25/11/2018	Materially misleading	1
Emmerdale	ITV	27/11/2018	Generally accepted standards	1
Emmerdale	ITV	04/12/2018	Generally accepted standards	1
Emmerdale	ITV	05/12/2018	Dangerous behaviour	1
Emmerdale	ITV	05/12/2018	Generally accepted standards	1
Emmerdale	ITV	06/12/2018	Crime and disorder	1
Emmerdale	ITV	06/12/2018	Dangerous behaviour	1
Emmerdale	ITV	06/12/2018	Materially misleading	1
Emmerdale	ITV	12/12/2018	Violence	3
Emmerdale	ITV	17/12/2018	Crime and disorder	1
Emmerdale	ITV	17/12/2018	Generally accepted standards	2
Emmerdale	ITV	17/12/2018	Religious/Beliefs discrimination/offence	1
Emmerdale	ITV	18/12/2018	Generally accepted standards	1
Emmerdale	ITV	28/12/2018	Disability discrimination/offence	3
Good Morning Britain	ITV	16/10/2018	Race discrimination/offence	2
Good Morning Britain	ITV	29/10/2018	Race discrimination/offence	1
Good Morning Britain	ITV	13/11/2018	Due impartiality/bias	1

Programme	Service	Transmission Date	Categories	Number of complaints
Good Morning Britain	ITV	13/11/2018	Generally accepted standards	1
Good Morning Britain	ITV	27/11/2018	Transgender discrimination/offence	1
Good Morning Britain	ITV	03/12/2018	Violence	1
Good Morning Britain	ITV	05/12/2018	Generally accepted standards	1
Good Morning Britain	ITV	10/12/2018	Generally accepted standards	1
Good Morning Britain	ITV	11/12/2018	Dangerous behaviour	1
Good Morning Britain	ITV	11/12/2018	Offensive language	2
Good Morning Britain	ITV	12/12/2018	Generally accepted standards	1
Good Morning Britain	ITV	12/12/2018	Other	1
Good Morning Britain	ITV	13/12/2018	Religious/Beliefs discrimination/offence	1
Good Morning Britain	ITV	17/12/2018	Generally accepted standards	15
Good Morning Britain	ITV	18/12/2018	Due impartiality/bias	1
Good Morning Britain	ITV	19/12/2018	Generally accepted standards	4
Harry Hill's Alien Fun Capsule	ITV	27/12/2018	Violence	1
Harry Hill's Alien Fun Capsule	ITV	28/12/2018	Race discrimination/offence	1
Advertisement	ITV	22/12/2018	Political advertising	1
I'm a Celebrity...Get Me Out of Here!	ITV	01/12/2018	Animal welfare	53
I'm a Celebrity...Get Me Out of Here!	ITV	01/12/2018	Sexual material	1
I'm a Celebrity...Get Me Out of Here!	ITV	02/12/2018	Animal welfare	2
I'm a Celebrity...Get Me Out of Here!	ITV	02/12/2018	Voting	2
I'm a Celebrity...Get Me Out of Here!	ITV	04/12/2018	Disability discrimination/offence	1
I'm a Celebrity...Get Me Out of Here!	ITV	06/12/2018	Animal welfare	2
I'm a Celebrity...Get Me Out of Here!	ITV	06/12/2018	Disability discrimination/offence	2
I'm a Celebrity...Get Me Out of Here!	ITV	06/12/2018	Generally accepted standards	5
I'm a Celebrity...Get Me Out of Here!	ITV	06/12/2018	Materially misleading	1
I'm a Celebrity...Get Me Out of Here!	ITV	07/12/2018	Animal welfare	9

Programme	Service	Transmission Date	Categories	Number of complaints
I'm a Celebrity...Get Me Out of Here!	ITV	07/12/2018	Generally accepted standards	2
I'm a Celebrity...Get Me Out of Here!	ITV	08/12/2018	Other	1
I'm a Celebrity...Get Me Out of Here!	ITV	09/12/2018	Animal welfare	13
I'm a Celebrity...Get Me Out of Here!	ITV	09/12/2018	Generally accepted standards	1
I'm a Celebrity...Get Me Out of Here!	ITV	09/12/2018	Religious/Beliefs discrimination/offence	3
I'm a Celebrity...Get Me Out of Here!	ITV	12/12/2018	Generally accepted standards	1
I'm a Celebrity...Get Me Out of Here!	ITV	Various	Animal welfare	1
ITV News	ITV	01/11/2018	Due impartiality/bias	1
ITV News	ITV	19/11/2018	Due impartiality/bias	1
ITV News	ITV	26/11/2018	Due accuracy	1
ITV News	ITV	27/11/2018	Generally accepted standards	1
ITV News	ITV	04/12/2018	Due impartiality/bias	2
ITV News	ITV	06/12/2018	Under 18s in programmes	1
ITV News	ITV	11/12/2018	Due accuracy	1
ITV News	ITV	11/12/2018	Due impartiality/bias	1
ITV News	ITV	14/12/2018	Due impartiality/bias	1
ITV News	ITV	19/12/2018	Due impartiality/bias	2
ITV News	ITV	21/12/2018	Generally accepted standards	1
ITV News	ITV	26/12/2018	Due impartiality/bias	1
ITV Regional News	ITV	15/12/2018	Race discrimination/offence	1
ITV Weather	ITV	12/12/2018	Generally accepted standards	1
Judge Rinder	ITV	04/12/2018	Generally accepted standards	1
Loose Women	ITV	07/11/2018	Generally accepted standards	1
Loose Women	ITV	18/12/2018	Sexual material	1
Loose Women	ITV	03/01/2019	Race discrimination/offence	1
Lorraine	ITV	06/12/2018	Generally accepted standards	1
Lorraine	ITV	07/12/2018	Generally accepted standards	1

Programme	Service	Transmission Date	Categories	Number of complaints
Peston	ITV	13/12/2018	Generally accepted standards	1
Spy School	ITV	09/12/2018	Generally accepted standards	1
The Big Audition	ITV	29/12/2018	Sexual material	1
The Chase	ITV	09/12/2018	Generally accepted standards	1
The Chase	ITV	16/12/2018	Generally accepted standards	1
The Chase	ITV	19/12/2018	Generally accepted standards	1
The Jeremy Kyle Show	ITV	11/12/2018	Generally accepted standards	1
The Jonathan Ross Show	ITV	15/12/2018	Offensive language	2
The Jonathan Ross Show	ITV	15/12/2018	Race discrimination/offence	7
The Jonathan Ross Show	ITV	19/12/2018	Offensive language	1
The Jonathan Ross Show	ITV	22/12/2018	Sexual material	1
The Jonathan Ross Show	ITV	28/12/2018	Race discrimination/offence	1
The Royal Variety Performance	ITV	11/12/2018	Offensive language	1
The X Factor	ITV	01/12/2018	Generally accepted standards	1
This Morning	ITV	28/11/2018	Nudity	5
This Morning	ITV	06/12/2018	Sexual material	13
This Morning	ITV	07/12/2018	Materially misleading	2
This Morning	ITV	02/01/2019	Generally accepted standards	1
This Morning: 30 Unforgettable Years	ITV	31/12/2018	Nudity	1
Through the Christmas Keyhole	ITV	14/12/2018	Sexual material	3
Tombola Arcade's sponsorship of I'm a Celebrity...Get Me Out of Here!	ITV	06/12/2018	Sponsorship	1
Who Wants to Be a Millionaire?	ITV	01/01/2019	Race discrimination/offence	4
You've Been Framed	ITV	08/12/2018	Generally accepted standards	1
ITV News Central	ITV Central	04/12/2018	Violence	1

Programme	Service	Transmission Date	Categories	Number of complaints
ITV News Granada Reports	ITV Granada	03/12/2018	Violence	1
ITV News Granada Reports	ITV Granada	18/12/2018	Due impartiality/bias	1
ITV News London	ITV London	20/12/2018	Due impartiality/bias	1
London Tonight	ITV London	14/12/2018	Due accuracy	1
Celebrity Juice	ITV2	15/12/2018	Generally accepted standards	1
Coronation Street	ITV2	01/01/2019	Sexual material	1
Ibiza Weekender (trailer)	ITV2	30/12/2018	Gender discrimination/offence	1
I'm a Celebrity: Extra Camp	ITV2	06/12/2018	Generally accepted standards	1
I'm a Celebrity: Extra Camp	ITV2	08/12/2018	Generally accepted standards	1
I'm a Celebrity: Extra Camp	ITV2	09/12/2018	Generally accepted standards	1
Planet's Got Talent	ITV2	11/12/2018	Animal welfare	1
Take Me Out	ITV2	27/12/2018	Materially misleading	1
Midsomer Murders	ITV3	09/12/2018	Offensive language	1
The Mummy Diaries	ITVBe	25/11/2018	Generally accepted standards	1
The Real Housewives of Melbourne	ITVBe	10/12/2018	Race discrimination/offence	1
Totally Unbelievable	ITVBe	02/01/2019	Offensive language	1
Ajj Da Mudda	Jus Punjabi	04/12/2018	Hatred and abuse	1
Breaking News med Filip & Fredrik	Kanal 5 (Sweden)	23/10/2018	Generally accepted standards	2
£30,000 competition	Kiss	n/a	Competitions	1
Ian Payne	LBC 97.3 FM	02/01/2019	Race discrimination/offence	1
James O'Brien	LBC 97.3 FM	29/11/2018	Generally accepted standards	1
James O'Brien	LBC 97.3 FM	11/12/2018	Generally accepted standards	1
James O'Brien	LBC 97.3 FM	13/12/2018	Due impartiality/bias	1
James O'Brien	LBC 97.3 FM	13/12/2018	Generally accepted standards	2
James O'Brien	LBC 97.3 FM	17/12/2018	Age discrimination/offence	1
James O'Brien	LBC 97.3 FM	17/12/2018	Generally accepted standards	4
James O'Brien	LBC 97.3 FM	02/01/2019	Generally accepted standards	2

Programme	Service	Transmission Date	Categories	Number of complaints
Maajid Nawaz	LBC 97.3 FM	13/10/2018	Religious/Beliefs discrimination/offence	6
Maajid Nawaz	LBC 97.3 FM	09/12/2018	Sexual orientation discrimination/offence	1
News	LBC 97.3 FM	03/01/2019	Generally accepted standards	1
Nick Ferrari	LBC 97.3 FM	21/12/2018	Materially misleading	1
Nick Ferrari (trailer)	LBC 97.3 FM	20/12/2018	Generally accepted standards	1
Nigel Farage	LBC 97.3 FM	06/12/2018	Due impartiality/bias	1
Nigel Farage	LBC 97.3 FM	23/12/2018	Due impartiality/bias	1
Shelagh Fogarty	LBC 97.3 FM	07/12/2018	Due accuracy	1
Steve Allen	LBC 97.3 FM	14/11/2018	Generally accepted standards	1
Steve Allen	LBC 97.3 FM	20/11/2018	Generally accepted standards	1
Steve Allen	LBC 97.3 FM	10/12/2018	Generally accepted standards	1
Steve Allen	LBC 97.3 FM	10/12/2018	Sexual material	1
Steve Allen	LBC 97.3 FM	21/12/2018	Generally accepted standards	1
Steve Allen	LBC 97.3 FM	30/12/2018	Generally accepted standards	1
Steve Allen	LBC 97.3 FM	01/01/2019	Other	1
Tom Watson	LBC 97.3 FM	30/12/2018	Due impartiality/bias	1
Your Point of View	Link FM	02/12/2018	Due impartiality/bias	1
Car SOS (trailer)	More4	02/01/2019	Offensive language	1
Micky Flanagan: Back in the Game	More4	29/12/2018	Generally accepted standards	1
Geordie Shore	MTV	20/11/2018	Generally accepted standards	1
Geordie Shore	MTV	20/11/2018	Violence	2
The Royal World	MTV	05/12/2018	Generally accepted standards	5
Hitler's Germany	PBS America	24/11/2018	Scheduling	1
Caught on Dashcam	Pick	16/12/2018	Violence	1
Ratburger	Pick	28/12/2018	Race discrimination/offence	1
Supergirl	Pick	14/12/2018	Sexual material	1
Counterfeit Cat	POP	12/11/2018	Offensive language	1
Sunday Brunch with Mark Lima	Q Radio	16/12/2018	Offensive language	1
Breakfast Show	Radio Hartlepool	12/11/2018	Commercial communications on radio	1

Programme	Service	Transmission Date	Categories	Number of complaints
Cash Register	Radio Tay FM	28/11/2018	Competitions	1
The Chris Moyles Show	Radio X	06/12/2018	Race discrimination/offence	1
News	RT	28/11/2018	Due impartiality/bias	1
Programming	RT	20/12/2018	Due impartiality/bias	1
Celebrity Portrait Artist of the Year (trailer)	Sky Arts	15/12/2018	Gender discrimination/offence	1
Sally4ever	Sky Atlantic	15/11/2018	Generally accepted standards	1
Sally4ever	Sky Atlantic	18/11/2018	Generally accepted standards	1
Soccer AM	Sky Football	29/12/2018	Generally accepted standards	1
Premier League Football: Liverpool v Manchester United	Sky Main Event	16/12/2018	Disability discrimination/offence	1
All Out Politics	Sky News	11/12/2018	Due impartiality/bias	6
All Out Politics	Sky News	14/12/2018	Due impartiality/bias	3
All Out Politics	Sky News	14/12/2018	Generally accepted standards	3
All Out Politics	Sky News	21/12/2018	Due impartiality/bias	1
Celebrity Portrait Artist of the Year (trailer)	Sky News	15/12/2018	Gender discrimination/offence	1
Paper Review	Sky News	07/12/2018	Due impartiality/bias	1
Sky News	Sky News	27/09/2018	Due impartiality/bias	23
Sky News	Sky News	02/12/2018	Due impartiality/bias	1
Sky News	Sky News	04/12/2018	Due impartiality/bias	2
Sky News	Sky News	05/12/2018	Due accuracy	1
Sky News	Sky News	06/12/2018	Generally accepted standards	1
Sky News	Sky News	08/12/2018	Due impartiality/bias	1
Sky News	Sky News	09/12/2018	Due impartiality/bias	1
Sky News	Sky News	10/12/2018	Due impartiality/bias	1
Sky News	Sky News	12/12/2018	Due impartiality/bias	2
Sky News	Sky News	14/12/2018	Due impartiality/bias	1
Sky News	Sky News	17/12/2018	Due accuracy	1
Sky News	Sky News	17/12/2018	Violence	1
Sky News	Sky News	18/12/2018	Due accuracy	1
Sky News	Sky News	19/12/2018	Due accuracy	1
Sky News	Sky News	20/12/2018	Due impartiality/bias	2
Sky News	Sky News	22/12/2018	Due accuracy	1
Sky News	Sky News	23/12/2018	Privacy	1

Programme	Service	Transmission Date	Categories	Number of complaints
Sky News	Sky News	28/12/2018	Due accuracy	1
Sky News	Sky News	29/12/2018	Generally accepted standards	1
Sky News with Kay Burley	Sky News	17/12/2018	Due impartiality/bias	97
Sunrise	Sky News	01/12/2018	Due impartiality/bias	1
Sunrise	Sky News	12/12/2018	Generally accepted standards	1
The News Hour	Sky News	28/11/2018	Due accuracy	1
Soccer AM	Sky Premier League	15/12/2018	Sexual material	1
Live Premier League Football	Sky Premier League and Sky Main Event	20/10/2018	Promotion of products/services	1
Sky Sports (trailer)	Sky Sports Main Event	06/12/2018	Religious/Beliefs discrimination/offence	1
Sky Sports News	Sky Sports News	28/12/2018	Materially misleading	1
Romesh's Look Back to the Future	Sky1	17/12/2018	Race discrimination/offence	3
Romesh's Look Back to the Future	Sky1	24/12/2018	Race discrimination/offence	1
Romesh's Look Back to the Future	Sky1	27/12/2018	Offensive language	1
Romesh's Look Back to the Future	Sky1	27/12/2018	Race discrimination/offence	1
The Flash	Sky1	01/12/2018	Offensive language	1
The Queen and I	Sky1	24/12/2018	Generally accepted standards	2
Romesh's Look Back to the Future	Sky2	26/12/2018	Race discrimination/offence	1
The More Music Workday	Star Radio	18/12/2018	Offensive language	1
Studio 66 Days	Studio 66	18/11/2018	Participation TV – Protection of under 18s	1
£200k Jingle Jackpot competition	STV	11/12/2018	Competitions	1
Mike Graham	Talk Radio	26/11/2018	Generally accepted standards	2
Alan Brazil Sports Breakfast	Talksport	06/12/2018	Generally accepted standards	1
Alan Brazil Sports Breakfast	Talksport	06/12/2018	Sexual orientation discrimination/offence	1
Saggs on Sunday	Talksport	09/12/2018	Race discrimination/offence	2
Sportsbar	Talksport	19/11/2018	Materially misleading	1

Programme	Service	Transmission Date	Categories	Number of complaints
Weekend Sports Breakfast	Talksport	22/12/2018	Due impartiality/bias	1
Secrets of Sex: Mary Millington	Together	30/11/2018	Generally accepted standards	1
Alaska: The Last Frontier	Travel Channel	03/10/2018	Animal welfare	1
Programming	Various	01/12/2018	Offensive language	1
Programming	Various	11/12/2018	Scheduling	1
One Born Every Minute	W	19/11/2018	Sexual orientation discrimination/offence	1

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

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

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

Programme	Service	Transmission Date	Categories	Number of complaints
Question Time	BBC 1	04/10/2018	Disability discrimination/offence	1
Remembrance Sunday: The Cenotaph 2018	BBC 1	11/11/2018	Religious/Beliefs discrimination/offence	1
The Andrew Marr Show	BBC 1	15/07/2018	Due accuracy	1
The Andrew Marr Show	BBC 1	28/10/2018	Due accuracy	1
Newsnight	BBC 2	09/08/2017	Other	1
Programming	BBC channels	04/10/2018	Due accuracy	1
Programming	BBC channels	Various	Due impartiality/bias	1
Jeremy Vine	BBC Radio 2	30/10/2018	Due impartiality/bias	1
A Point of View	BBC Radio 4	20/05/2018	Due impartiality/bias	1
Treasure Quest	BBC Radio Three Counties	Various	Competitions	1

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

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

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

Here is an alphabetical list of complaints that, after careful assessment, Ofcom has decided not to pursue between 10 December 2018 and 6 January 2019 because they did not raise issues warranting investigation.

Licensee	Licensed service	Categories	Number of complaints
Channel 5 Broadcasting Limited	Channel 5 Channel 5 +1	Television Access Services	1
Channel Four Television Corporation	Channel 4	Television Access Services	1
Sky UK Limited	Sky1	Television Access Services	1

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

Complaints assessed under the Procedures for investigating breaches of rules for On Demand programme services

Service provider	Categories	Number of complaints
Various	Access services	1

For more information about how Ofcom assesses complaints about on demand services, go to: https://www.ofcom.org.uk/_data/assets/pdf_file/0033/74499/procedures-investigating-breaches.pdf

Complaints outside of remit

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

Programme	Service	Transmission Date	Categories	Number of complaints
Advertisement	All 4	07/12/2018	Animal welfare	1
The Man in the High Castle	Amazon Prime	08/12/2018	Drugs, smoking, solvents or alcohol	1
Atlas Radio	Atlas Radio	05/12/2018	Outside of remit	1
Babestation	Babestation	18/12/2018	Outside of remit	1
EastEnders	BBC 1	19/11/2018	Generally accepted standards	1
Advertisement	Channel 4	23/12/2018	Advertising content	1
Advertisement	Channel 4	28/12/2018	Advertising content	1
Advertisement	Channel 4	30/12/2018	Advertising content	1
Brexit: The Uncivil War	Channel 4	22/12/2018	Outside of remit	1
Rugby Union: Cardiff Blues v Saracens	Channel 4	15/12/2018	Outside of remit	1
Advertisement	Drama	09/12/2018	Advertising content	1
Advertisement	E4	10/12/2018	Advertising content	1
Titanic	E4	01/01/2019	Outside of remit	1
Advertisement	GOLD	28/12/2018	Advertising content	1
Advertisement	Horror	01/01/2019	Advertising content	1
The Rainbow Kids	Iran International	05/12/2018	Outside of remit	1
Advertisement	ITV	06/12/2018	Advertising content	1
Advertisement	ITV	07/12/2018	Advertising content	1
Advertisement	ITV	14/12/2018	Advertising content	1
Advertisement	ITV	20/12/2018	Advertising content	1
Advertisement	ITV	23/12/2018	Advertising content	1
Advertisement	ITV	27/12/2018	Advertising content	1
Advertisement	ITV	28/12/2018	Advertising content	1
Advertisement	ITV	30/12/2018	Advertising content	1
Advertisement	ITV	01/01/2019	Advertising content	1
Coronation Street	ITV	17/12/2018	Outside of remit	1
I'm a Celebrity...Get Me Out of Here!	ITV	06/12/2018	Outside of remit	1
I'm a Celebrity...Get Me Out of Here!	ITV	07/12/2018	Outside of remit	2
ITV News	ITV	03/01/2019	Outside of remit	1
Loose Women	ITV	03/01/2019	Outside of remit	2
Programming	ITV	01/01/2019	Outside of remit	1
This Morning	ITV	14/12/2018	Outside of remit	1
Brexit debate	ITV / BBC	n/a	Outside of remit	1

Programme	Service	Transmission Date	Categories	Number of complaints
Advertisement	ITV2	29/12/2018	Advertising content	1
The Matt Spracklen Show	Keep It Country TV	07/12/2018	Outside of remit	1
Advertisement	LBC 97.3 FM	19/12/2018	Advertising content	1
Iain Dale	LBC 97.3 FM	25/12/2018	Outside of remit	1
Advertisement	More4	22/12/2018	Advertising content	1
Advertisement	More4	03/01/2019	Advertising content	1
The 40 Greatest Christmas Songs	MTV Music	25/12/2018	Outside of remit	1
Advertisement	n/a	n/a	Advertising content	1
Advertisement	Quest	30/12/2018	Advertising content	1
Testimony Time	Revelation TV	25/11/2018	Outside of remit	1
Jurassic Park (trailer)	Samsung TV Plus	21/12/2018	Violence	1
Samsung TV Plus	Samsung TV Plus	06/12/2018	Protection of under 18s	1
Advertisement	Sky Main Event	16/12/2018	Advertising content	1
Football League: Derby County vs Nottingham Forest	Sky Main Event / Sky Football	17/12/2018	Outside of remit	1
Sky News with Kay Burley	Sky News	17/12/2018	Outside of remit	1
Programming	Sky Sports Football	26/12/2018	Outside of remit	1
Advertisement	Sky1	19/12/2018	Advertising content	1
UK Soul Chart	Starpunkt Radio	Various	Outside of remit	1
Advertisement	Talking Pictures TV	30/12/2018	Advertising content	1
Danger UXB	Talking Pictures TV	20/12/2018	Outside of remit	1
Advertisement	TLC	18/12/2018	Advertising content	1
Advertisement	Tower FM	12/12/2018	Advertising content	1
Advertisement	Travel Channel	29/12/2018	Advertising content	1
Advertisement	Various	Various	Advertising content	1
Programming	Various	25/12/2018	Outside of remit	1
Advertisement	YourTV	08/12/2018	Advertising content	1
Advertisement	YouTube	31/01/1979	Advertising content	1
Södertäljepolisen (trailer)	YouTube	30/11/2018	Other	1

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>

BBC First

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

Under the BBC Agreement, Ofcom can normally only consider complaints about BBC programmes where the complainant has already complained to the BBC and the BBC has reached its final decision (the 'BBC First' approach).

The complaints in this table had been made to Ofcom before completing the BBC's complaints process.

Complaints about BBC television, radio or on demand programmes

Programme	Service	Transmission or Accessed Date	Categories	Number of Complaints
BBC News	BBC	01/01/2018	Due impartiality/bias	1
BBC News	BBC	Various	Outside of remit	1
Programming	BBC	n/a	Due impartiality/bias	1
Programming	BBC	Various	Due impartiality/bias	2
Programming	BBC	Various	Outside of remit	1
BBC News	BBC 1	26/11/2018	Due impartiality/bias	1
BBC News	BBC 1	09/12/2018	Due impartiality/bias	1
BBC News	BBC 1	10/12/2018	Due impartiality/bias	3
BBC News	BBC 1	20/12/2018	Due impartiality/bias	1
BBC News	BBC 1	31/12/2018	Due impartiality/bias	1
BBC News	BBC 1	01/12/2018	Due impartiality/bias	1
BBC Sports Personality of the Year	BBC 1	16/12/2018	Generally accepted standards	1
Breakfast	BBC 1	12/12/2018	Due impartiality/bias	1
Care	BBC 1	09/12/2018	Generally accepted standards	1
Care	BBC 1	09/12/2018	Other	1
Doctor Blake Mysteries	BBC 1	12/12/2018	Violence	1
Doctor Who	BBC 1	01/01/2019	Due impartiality/bias	1
EastEnders	BBC 1	23/11/2018	Generally accepted standards	1
EastEnders	BBC 1	07/12/2018	Generally accepted standards	1
EastEnders	BBC 1	13/12/2018	Sexual material	1
EastEnders	BBC 1	25/12/2018	Generally accepted standards	1
Luther	BBC 1	01/01/2019	Violence	1
Michael McIntyre's Big Show	BBC 1	15/12/2018	Sexual material	1
Mrs Brown's Boys	BBC 1	25/12/2018	Offensive language	1
New Year's Eve Fireworks	BBC 1	31/12/2018	Due impartiality/bias	1

Programme	Service	Transmission or Accessed Date	Categories	Number of Complaints
Outnumbered	BBC 1	25/12/2018	Disability discrimination/offence	1
Programming	BBC 1	07/12/2018	Other	1
Question Time	BBC 1	13/12/2018	Due impartiality/bias	5
Strictly Come Dancing	BBC 1	15/12/2018	Nudity	4
Strictly Come Dancing	BBC 1	15/12/2018	Offensive language	1
Strictly Come Dancing	BBC 1	15/12/2018	Voting	5
The ABC Murders	BBC 1	26/12/2018	Materially misleading	1
Trailer	BBC 1	11/12/2018	Gender discrimination/offence	1
Watership Down	BBC 1	23/12/2018	Violence	1
Disclosure	BBC 1 Scotland	17/12/2018	Due impartiality/bias	1
Confetti	BBC 2	25/12/2018	Nudity	1
Newsnight	BBC 2	01/12/2018	Due impartiality/bias	1
Newsnight	BBC 2	04/12/2018	Due impartiality/bias	1
Newsnight	BBC 2	11/12/2018	Due impartiality/bias	1
Newsnight	BBC 2	23/12/2018	Due impartiality/bias	1
Politics Live	BBC 2	14/12/2018	Materially misleading	1
BBC News	BBC channels	Various	Other	1
Programme trailers	BBC channels	18/12/2018	Outside of remit	1
Care	BBC iPlayer	10/12/2018	Materially misleading	1
Care	BBC iPlayer	12/12/2018	Generally accepted standards	1
Disclosure – The Dark Side of Dairy	BBC iPlayer	11/12/2018	Due impartiality/bias	1
Inside No. 9	BBC iPlayer	21/12/2018	Generally accepted standards	1
News	BBC Look North	27/12/2018	Generally accepted standards	1
BBC News	BBC News Channel	10/12/2018	Generally accepted standards	1
BBC News	BBC News Channel	11/12/2018	Due impartiality/bias	1
BBC News	BBC News Channel	12/12/2018	Generally accepted standards	1
BBC News	BBC News Channel	13/12/2018	Due impartiality/bias	1
BBC News	BBC News Channel	16/12/2018	Due impartiality/bias	1
BBC News	BBC News Channel	19/12/2018	Due impartiality/bias	1
BBC News	BBC News Channel	24/12/2018	Race discrimination/offence	1
BBC News	BBC News Channel	30/12/2018	Due accuracy	1
BBC Newsroom Live	BBC News Channel	11/12/2018	Due impartiality/bias	1
Newshour	BBC News Channel	19/12/2018	Due impartiality/bias	1

Programme	Service	Transmission or Accessed Date	Categories	Number of Complaints
Nick Grimshaw	BBC Radio 1	11/12/2018	Offensive language	1
Jeremy Vine	BBC Radio 2	27/11/2018	Generally accepted standards	1
The Chris Evans Breakfast Show	BBC Radio 2	28/09/2018	Other	1
BBC News	BBC Radio 4	11/12/2018	Religious/Beliefs discrimination/offence	1
BBC News	BBC Radio 4	27/12/2018	Due accuracy	1
PM	BBC Radio 4	18/12/2018	Due impartiality/bias	1
Malcolm Boyden	BBC Radio Oxford	21/11/2018	Generally accepted standards	1

Investigations List

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

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

Here are alphabetical lists of new investigations launched between 10 December 2018 and 6 January 2019.

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

Programme	Service	Transmission date
The Sex Business: Pain For Pleasure	Channel 5	10/12/2018
The Sex Business: Trans On Demand		11/12/2018
The Sex Business: Orgasms For Sale		13/11/2018
Marriage and Divorce	Peace TV	04/11/2018
Janet Pollard	Radio St Austell Bay	27/11/2018
The Independent Republic of Mike Graham	talkRADIO	28/11/2018
Headline News	That's Manchester	02/08/2018

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

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

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

Programme	Service	Transmission date
Sky News	Sky News	09/11/2018

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 Procedures for the consideration and adjudication of BBC Fairness and Privacy complaints

Programme	Service	Transmission date
BBC News	BBC 1	19/07/2018

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

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

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

Licensee	Licensed Service
West Hull Community Radio Limited	West Hull FM 106.9
Wythenshawe Community Media	Wythenshawe 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