

Reference: 1789184

Information requests
Informationrequests@ofcom.uk

4 April 2024

Freedom of Information request: Right to know request

Thank you for your request for information about politically motivated group complaints.

We received this request on 6 March 2024 and we have considered your request under the Freedom of Information Act 2000.

Your request and our response

- 1) *Do you acknowledge that on occasion complaints are made against an individual/TV/radio/online organisation for purely political reasons in order to prevent freedom of speech and an alternative political view from being expressed on that platform?*
- 2) *Do you acknowledge that on occasion templates are shared via social media to make politically motivated complaints against an individual/TV/radio/online organisation with the sole aim of preventing freedom of speech and an alternative political view from being expressed on that platform?*
- 3) *Do you acknowledge that on occasion extreme activists organise coordinated complaints with the sole purpose of shutting down any individual/TV/radio/online organisation that expresses an alternative political view therefore preventing freedom of speech?*
- 4) *Do you take into account the fact that such complaints are purely politically motivated and are a means of preventing freedom of speech and as a result treat them as vexatious and frivolous?*
- 5) *When it is clearly obvious templates have been shared and used, does Ofcom feel manipulated into taking action against the individual/TV/radio/online organisation concerned?*

We note that these questions are not a request for held information. However, to be helpful, we can confirm that Ofcom takes an independent view on issues raised in a complaint, regardless of any particular motivation or co-ordinated campaign by complainants. Ofcom assesses every complaint it receives, and while the volume of complaints may be a consideration in assessing general audience reactions, it is not determinative as to whether Ofcom will proceed to investigate any given case. Rather, it is the particular issues which have been raised by the complainant(s) which are of primary concern in Ofcom's assessment of a broadcast, including whether to proceed to investigate.

- 6) *Does Ofcom have any policy about remaining politically neutral when making decisions regarding politically motivated complaints?*
- 7) *Has Ofcom signed any pledge, policy or guidance agreeing to prevent any kind of political view from being expressed?*

Ofcom is independent – both from Government and the industries we regulate – and we carry out our functions in an impartial, objective and consistent way. In particular, Ofcom has a Conflict of Interests policy which all staff are required to complete on an annual basis to confirm they have no conflicts of interest which may impact on Ofcom’s reputation, independence or impartiality.

We do not have a specific policy or pledge as described in question 7 of your request. However, it may be helpful to know that Ofcom investigates potential breaches of the [Broadcasting Code](#) (“the Code”) in line with our [procedures](#). In particular, [section five](#) of the Code requires broadcasters to maintain due impartiality of news broadcasts or other programming containing matters of political or industrial controversy or matters relating to current public policy, and [section six](#) of the Code contains specific rules relating to election and referendum broadcasts.

As part of our duties, we must have regard to the right to freedom of expression, as set out in Article 10 of the European Convention on Human Rights, which provides for the broadcaster’s and audience’s right to receive and impart information and ideas without unnecessary interference by a public authority. This means that each and every time Ofcom applies the Code to broadcast content, we give careful consideration to the broadcaster’s and the audience’s Article 10 rights, and we do not restrict that right unless we are satisfied that it is necessary and proportionate to do so.

I hope this information is helpful. If you have any further queries, then please send them to information.requests@ofcom.org.uk – quoting the reference number above in any future communications.

Yours sincerely,

Information Requests

Request an internal review

If you are unhappy with the response you have received to your request for information, or think that your request was refused without a reason valid under the law, you may ask for an internal review. If you do, it will be subject to an independent review within Ofcom. We will either uphold the original decision, or reverse or modify it.

If you would like to ask us to carry out an internal review, you should get in touch within two months of the date of this letter. There is no statutory deadline for us to complete our internal review, and the time it takes will depend on the complexity of the request. But we will try to complete the review within 20 working days (or no more than 40 working days in exceptional cases) and keep you informed of our progress.

Please email the Information Requests team (information.requests@ofcom.org.uk) to request an internal review.

Taking it further

If you are unhappy with the outcome of our internal review, then you have the right to [complain to the Information Commissioner’s Office](#).