

Damage caused by rooftop transmitter installation



Makeshift aerial rigged up to a South London residential block



Testimonials

Local North London Community Station - Nusound Radio 92FM

"On weekday evening and at most weekends, our service deteriorates quite considerably when the illegal stations start their broadcasts.

The impact on our community station is very serious with

our listeners switching off due to interference problems. Valuable programmes of service to the community are then wasted and potential advertisers of Nusound are put off because of interference from illegal stations."

Sujata Sian
Nusound, Station Manager

Enfield Council

"Enfield Council fully supports the work being done by Ofcom to shut down pirate radio stations. Our experience shows that illegal stations cause terrible problems in tower blocks. For example, neighbours are threatened, roof access is damaged, security doors are broken and the electricity supplies of tower blocks are tapped into by the pirates for their studios.



There also can be links between illegal broadcasting and serious crimes such as drug dealing. They do untold damage to legitimate radio stations, in particular their advertising revenue. Pirate stations are also continually undercutting legitimate stations because they do not pay licence fees.

The more illegal stations we can close down the better."

Cllr Ertan Hurer
Cabinet Member for Community Safety & the Voluntary Sector Enfield Council

London Fire Brigade

"London Fire Brigade's main scheme radio system operates in the 70/80 MHz band and suffers serious interference from illegal radio broadcasters due to the strength of the illegal signals. This can cause complications when staff in the Brigade Control and our vehicles across London attempt to communicate with each other.

The interference from illegal broadcasters has the potential to prevent the London Fire Brigade from working at maximum efficiency. This could have serious consequences in preventing Brigade Control from directing fire fighting staff to incidents and thus endangering the lives of the public."



Assistant Commissioner, David Brown
London Fire Brigade

If you require any further information please contact Ofcom's Investigation Manager, Jim McNally on:

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Illegal Broadcasting: The Impact on Local Communities

Foreword

Illegal broadcasting – or pirate radio – is a significant problem in the UK's major urban areas, in particular London, Birmingham, Leeds and Manchester.

Key safety of life services – our ambulance, fire, police and air traffic control services – as well as licensed BBC, commercial and local community radio stations can suffer interference from these illegal stations.



This is not a victimless crime. It can cause misery for local residents and council workers who may be threatened by those running illegal stations. There may in some cases also be links to other serious crimes - our raids on illegal broadcasters have sometimes uncovered weapons, for example.

As the communications regulator, Ofcom takes swift and firm action to remove the sources of interference. Our field force team ensures that the airwaves are kept free from interference. But we rely upon the courts to ensure that offenders are given appropriate sentences in order to protect communities from this dangerous and anti-social crime.

I hope that this information pack will give you a clear picture of how this crime impacts upon local communities and legitimate radio users.

If you have any questions or want to speak to our team, contact details can be found at the end of this pack.

Ed Richards, Ofcom Chief Executive

1 What is Ofcom?

Ofcom is the independent regulator and competition authority for the UK's communications industries, with responsibilities across television, radio, telecommunications and wireless communications services. Radio spectrum – the airwaves used by everyone from taxi companies and boat owners to mobile phone companies and broadcasters – is a vital national and finite resource.

Ofcom is responsible for managing all civilian use of radio spectrum. We issue Wireless Telegraphy Act licences to more than 250,000 people and organisations. We also monitor the airwaves 24 hours a day, 365 days a year and amongst other things take swift action to protect safety-of-life services which depend upon wireless communications. We investigate and take enforcement action against people who transmit illegally.

2 What is Illegal Broadcasting?

Illegal broadcasting is any form of broadcasting without a required radio licence. Pirate radio forms the majority of illegal broadcasting, which is generally transmitted on the FM frequency band. Illegal broadcasting is a widespread urban activity. However, it can encroach into neighbouring rural areas, through the use of powerful transmitters that are commonly positioned on high-rise rooftops.

Ofcom estimates that there are around 150 illegal broadcasters in the UK, with more than 50% operating in London. At any one time it is believed that there are up to 80 illegal broadcasters transmitting in London.





3 Why is illegal broadcasting a problem?

Illegal broadcasting is a criminal and anti-social activity and station operations are a menace to legitimate broadcasters and the public alike. In addition they may:

- cause interference to safety of life radio networks - police, fire and ambulance and air traffic control. In 2007, Ofcom responded to 41 such cases;
- drown out legitimate radio stations, denying listeners their choice of music or news;
- involve other criminal behaviour such as threatening and assaulting neighbours and local authority staff to obtain access to rooftops for transmitter sites and flats used as studio locations;
- protect their criminal activity by carrying knives;
- booby-trap illegal transmitters with razor blades and high-voltage cable;
- put lives at risk by installing unsafe aerials (usually scaffolding poles) on tower blocks and tapping into high-voltage power supplies for communal lifts;
- raise cash from illegal advertising (usually for local nightclub events) or by exploiting young DJs who have to 'pay to play' to get on-air;
- transmit offensive material that could incite racial hatred or encourage crime and disorder;
- pay no business, council, VAT or income taxes and therefore take from, rather than contribute to, the communities they claim to serve.

Illegal Station - Case Study 1

During a 2006 investigation, the Metropolitan Police discovered the close involvement of an individual in a South London illegal station.

Ofcom worked jointly with the police and this individual was convicted at the Inner London Crown Court of four counts of money laundering and two counts relating to management of the illegal station. He was sentenced to twenty months imprisonment ten of which were for broadcasting offences.

4 What is Ofcom's role in tackling illegal broadcasting?

Ofcom works closely with the police to remove transmitters and raid studios being used by illegal broadcasters.

Ofcom takes illegal stations off the air by raiding studios, seizing equipment and prosecuting those involved in running them. In 2007, Ofcom carried out over 900 enforcement operations resulting in 37 people being convicted of offences related to illegal broadcasting.

Illegal Station - Case Study 2

In 2005 Ofcom seized the transmitter of a West London illegal station as it was causing interference to commercial station LBC 97.3FM.

The station manager was later convicted at Acton Magistrates Court of theft of a transmitter, and of rendering a service to an illegal station. He was fined £250 on each count and a forfeiture order was made for a Mercedes vehicle. On another occasion, this same individual was arrested at the station's studio and found to be in possession of a loaded firearm. This individual is now serving a five year prison sentence.

5 Is there a link with other crimes?

There can be a link between illegal broadcasting and serious crime. Illegal broadcasters sometimes resort to violence against caretakers, council workers and residents in an attempt to locate their transmitters in public buildings. Raids on illegal studios have uncovered weapons, including firearms, and drugs. There have also been reports of violent acts committed by members of rival illegal radio stations including serious assaults and shootings.

6 What does the law say?

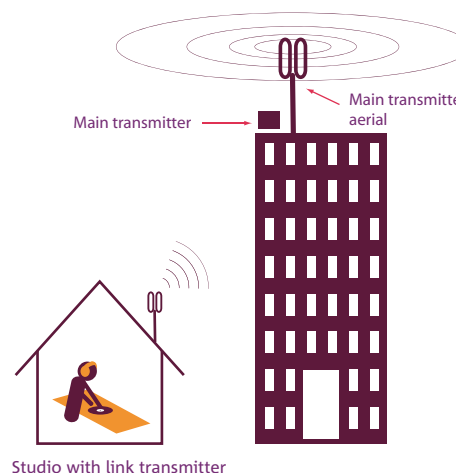
All illegal broadcasting offences are subject to trial. On summary conviction, the defendant could face a £5000 fine and/or 12 months imprisonment (6 months in Scotland and Northern Ireland); and, on indictment, an unlimited fine and/or 2 years imprisonment. Equipment may also be seized by Ofcom and/or forfeited on conviction.

Ofcom is a prosecuting authority; we instruct our own solicitors and usually proceed against suspects through the issuing of a summons. We work with the police and local authorities to secure our convictions. Usually, illegal broadcasting offences are dealt with through the Magistrates' courts, although a number of cases are committed to the Crown Court for trial or sentence.

Illegal Station - Case Study 3

In 2006, an illegal station based in Birmingham was searched and the occupant arrested. During the interview, he denied any involvement with the illegal radio station despite evidence being found of his involvement. In this case, unlike as set out in our other case studies, there was no evidence of other crimes.

At Birmingham Magistrates Court this individual was convicted of unlawful broadcasting; he was fined £500 and £2,000 costs were awarded.



How illegal stations operate