

Ofcom ref: 00495865

Alistair Hall
Information Requests
Direct line: 020 77834445
Email: information.requests@ofcom.org.uk

1 December 2017

Ref: 00495865 Freedom of Information: Right to Know Request

Thank you for your request for information on breaches of broadcasting rules recorded by Ofcom. Your request was received on 17 November 2017 and I am dealing with it under the terms of the Freedom of Information Act 2000.

You requested the following information from 2007 to 2017, year on year:

- Total breaches of OFCOM Broadcasting Rules (including all types of breaches) as well as the total number of Upheld Complaints by the following Broadcasters - BBC, ITV, CH4, CH5, RT + RUSSIA TODAY, FOX + FOX NEWS, SKY (All subsidiaries, SKYSPORTS etc) and CNN.

Complaints about broadcast standards are handled under *Procedures for handling complaints, investigations and sanctions on TV, radio and video-on-demand services*¹. After an initial assessment, we then consider whether there may have been a breach of our rules, including the Broadcasting Code. In cases where we think there may have been a breach, we will launch an investigation. The possible outcomes of an investigation are that we decide an issue is in breach, resolved or not in breach of our rules.

Ofcom's Broadcast and On Demand Bulletin, published every fortnight on our website, includes decisions about the complaints we have considered here: <https://www.ofcom.org.uk/about-ofcom/latest/bulletins/broadcast-bulletins>.

In addition, Ofcom's Annual Reports include statistics on broadcasting complaints, cases and sanctions for the period 1 April in one year to 31 March the following year, including total broadcasting investigations recording breaches of the Broadcasting Code (or other Ofcom codes). We consider this to be representative of complaints received by Ofcom over the annual periods you requested. You can find the full Annual Reports on our website at: <https://www.ofcom.org.uk/about-ofcom/annual-reports-and-plans>

For ease of reference I have set out below a table illustrating the number of investigations by Ofcom resulting in breaches of the Broadcasting Code (or other Ofcom codes) being recorded, as published

¹ Available at:

<https://www.ofcom.org.uk/tv-radio-and-on-demand/information-for-industry/guidance/procedures>

in the last ten Annual Reports. Please note that for reporting purposes we do not distinguish between complaints found to be in breach in full or in part.

Reporting period	Total Complaints investigated and in breach.
1 April 2007 - 31 March 2008	135
1 April 2008 - 31 March 2009	211
1 April 2009 - 31 March 2010	152
1 April 2010 - 31 March 2011	168
1 April 2011 - 31 March 2012	104
1 April 2012 - 31 March 2013	144
1 April 2013 - 31 March 2014	124
1 April 2014 - 31 March 2015	126
1 April 2015- 31 March 2016	127
1 April 2016 - 31 March 2017	97

In addition, we have searched our records to list below the number of breaches recorded against the specific broadcasters you referred to for the same period:

Reporting Period	BBC (all channels)	ITV	Channel 4	Channel 5	RT / Russia Today	Fox / Fox News	Sky (all channels)	CNN
1 April 2007 - 31 March 2008	8	10	1	0	0	0	3	0
1 April 2008 - 31 March 2009	9	13	3	0	0	0	3	0
1 April 2009 - 31 March 2010	4	5	3	0	0	0	7	1
1 April 2010 - 31 March 2011	2	4	2	0	0	0	3	2
1 April 2011 - 31 March 2012	1	6	1	8	0	0	8	0
1 April 2012 - 31 March 2013	2	2	5	8	3	1	7	0
1 April 2013 - 31 March 2014	3	4	3	4	3	1	4	0
1 April 2014 - 31 March 2015	8	1	4	6	3	0	1	0
1 April 2015- 31 March 2016	4	3	3	4	3	1	1	3
1 April 2016 - 31 March 2017	3	1	2	1	2	5	3	0

I hope this information is of assistance. If you have any queries then please contact information.requests@ofcom.org.uk. Please remember to quote the reference number above in any future communications.

Yours sincerely,

Alistair Hall

If you are unhappy with the response or level of service you have received in relation to your request from Ofcom, you may ask for an internal review. If you ask us for an internal review of our decision, it will be treated as a formal complaint and will be subject to an independent review within Ofcom. We will acknowledge the complaint and inform you of the date by which you might expect to be told the outcome.

The following outcomes are possible:

- the original decision is upheld; or
- the original decision is reversed or modified.

Timing

If you wish to exercise your right to an internal review **you should contact us within two months of the date of this letter**. There is no statutory deadline for undertaking internal reviews and it will depend upon the complexity of the case. However, we aim to conclude all such reviews within 20 working days, and up to 40 working days in exception cases. We will keep you informed of the progress of any such review. If you wish to request an internal review, you should contact:

Steve Gettings
The Secretary to the Corporation
Ofcom
Riverside House
2a Southwark Bridge Road
London SE1 9HA

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF