

Reference: 1103438

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Freedom of Information: Right to know request

Thank you for your request for information in relation to unlicensed stations.

We received this request on 21 January and have considered it under the Freedom of Information Act 2000.

Your request

You asked:

Please can you break down the below information from calendar years (January 1 to December 31) 2018, 2019 and 2020.

Over this time period, please could you tell me the number of reports of a suspected illegal broadcasting taking place in the UK.

How many investigations by Ofcom were subsequently launched into unlicensed broadcasting stations (please could you tell me the county or if not local authority region each of these premises were located) over the stated period?

How many of these stations were prosecuted (please specify the prosecutorial outcome) as a result of an Ofcom investigation?

Background

Ofcom is the statutory regulator for communications. That includes regulating the use of the electromagnetic spectrum – the airwaves that are used for wireless communications such as mobile telephones, as well as television and radio.

Section 3 of the Communications Act 2003 sets out Ofcom's general duties which include a requirement to secure, in the carrying out of our functions, the optimal use for wireless telegraphy of the electromagnetic spectrum. It also states that in doing so we must have regard to the different needs and interests of all those who may wish to make use of it.

Illegal radio broadcast stations, also known as pirate radio, may cause interference to spectrum and have the potential to disrupt the communications of critical services like air traffic control. Further

information about pirate radio and our remit in this area is available on our website here:

<https://www.ofcom.org.uk/spectrum/interference-enforcement/spectrum-offences/illegalbroadcast>.

Where we receive reports of harmful interference caused by illegal broadcast stations Ofcom will offer advice and assistance and, where appropriate, will investigate.

Our response

Your request has been considered on the basis that “illegal broadcasting” refers to an unlicensed radio broadcast station operating on FM broadcast band in the United Kingdom.

I can confirm that we hold some information falling within the scope of your request.

The number of reports of illegal broadcasting that took place in the UK is set out below by year:

| 2018 | 2019 | 2020 |
|-------------|-------------|-------------|
| 290 | 142 | 228 |

We subsequently launched investigations into some of the illegal broadcasting reports received. We hold this data by financial year as set out below:

| 2018/19 | 2019/20 | 2020/21 |
|----------------|----------------|----------------|
| 226 | 129 | 184 |

We do not hold a list of the county/local authority for each of the investigations we launched. To be helpful we are able to disclose a list of illegal broadcasting reports with the borough/county – please find the attached spreadsheet listing the number of illegal broadcasting reports per year alongside the borough/county data. However, please note that the data is incomplete. When we receive any information from stakeholders or individuals that might help Ofcom identify premises used by illegal broadcasters or those responsible, we ask them to complete our online [Pirate Radio Intelligence Report](#), where we ask for details around stations names, the frequency broadcast, whether it has been reported to the police and the address where interference is occurring. These fields are not mandatory, and the intelligence we receive will have information such as the county either recorded or omitted.

Enforcement activities associated to three illegal broadcast stations resulted in five convictions between 2018 and 2020.

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,

Jerin John

If you are unhappy with the response you have received in relation to your request for information and/or consider that your request was refused without a reason valid under the law you may ask for an internal review. If you ask us for an internal review of our decision, it will be subject to an independent review within Ofcom.

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 responding to 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 exceptional cases. We will keep you informed of the progress of any such review. If you wish to request an internal review, you should contact information.requests@ofcom.org.uk.

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