

Ofcom ref: 00512050

Information Requests

Email: [information.requests@ofcom.org.uk](mailto:information.requests@ofcom.org.uk)

05 February 2018

## Ref: 00512050 Freedom of Information: Right to Know Request

Thank you for your request for information on complaints about "Fake news". Your request was received on 18 January 2018 and I am responding under the terms of the Freedom of Information Act 2000 ("the FoI Act").

You requested the number of complaints containing the phrase 'fake news', by 'offending' channel, in 2016 and 2017.

We have searched broadcast standards complaints in the calendar years 2016 and 2017. In that period Ofcom received approximately 34,000 complaints across the 2,300 or so TV and radio broadcast licences regulated by Ofcom. We identified 14 complaints in 2016 containing the phrase "fake news", and 39 complaints in 2017.

It is important to note that the results presented by the requested search phrase 'fake news' can capture results that do not necessarily indicate that the complaints were based on 'fake news' (i.e. the grounds for complaint). None of these complaints resulted in compliance breaches on the basis of the transmission of 'fake news', therefore the channels concerned are not considered to be 'offending' channels and it would be inaccurate to describe or list them as such. Consequently, if your request is for a list of complaints by non-compliant channel (i.e. where Ofcom has made a breach finding), our response is that there are no channels to be listed.

If your request is for a list of complaints by channel notwithstanding that the channel has not been found in breach in relation to the matter complained of, we consider that the exemption in Section 44 of the FoI Act applies. This exemption prevents organisations releasing information if another act has said that it should not. Section 393 of the Communications Act 2003 prevents Ofcom releasing information if it is about a particular business (for example, complaints about a particular subject matter against specific programmes and broadcasters), unless we have the consent of that business or releasing that information helps Ofcom to carry out its duties, neither of which apply here.

We hope this information is of assistance. If you have any queries, then please contact [information.requests@ofcom.org.uk](mailto:information.requests@ofcom.org.uk). Please remember to quote the reference number above in any future communications.

Yours sincerely,

## Information Requests

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