

# **Ofcom broadcast bulletin**

**Issue number 71  
16 October 2006**

## Contents

Introduction	3
<b>Standards cases</b>	
In Breach	4
Resolved	5
<b>Fairness &amp; Privacy cases</b>	
Not Upheld	12
Other programmes not in breach/outside remit	26

## Introduction

Ofcom's Broadcasting Code took effect on 25 July 2005 (with the exception of Rule 10.17 which came into effect on 1 July 2005). This Code is used to assess the compliance of all programmes broadcast on or after 25 July 2005. The Broadcasting Code can be found at <http://www.ofcom.org.uk/tv/ifi/codes/bcode/>

The Rules on the Amount and Distribution of Advertising (RADA) apply to advertising issues within Ofcom's remit from 25 July 2005. The Rules can be found at <http://www.ofcom.org.uk/tv/ifi/codes/advertising/#content>

The Communications Act 2003 allowed for the codes of the legacy regulators to remain in force until such time as Ofcom developed its own Code. While Ofcom has now published its Broadcasting Code, the following legacy Codes apply to content broadcast before 25 July 2005.

- Advertising and Sponsorship Code (Radio Authority)
- News & Current Affairs Code and Programme Code (Radio Authority)
- Code on Standards (Broadcasting Standards Commission)
- Code on Fairness and Privacy (Broadcasting Standards Commission)
- Programme Code (Independent Television Commission)
- Programme Sponsorship Code (Independent Television Commission)
- Rules on the Amount and Distribution of Advertising

From time to time adjudications relating to advertising content may appear in the bulletin in relation to areas of advertising regulation which remain with Ofcom (including the application of statutory sanctions by Ofcom).

## Standards

### In Breach

#### Cash House

TWC, 22 February 2006, 18:00

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#### Introduction

In this competition viewers were asked to identify the “odd one out” of four similar photographs of a display of food, herbs and spices on a table. The photographs were numbered one to four.

A viewer claimed that nobody won the competition and believed that all the pictures were the same. A recording of the programme showed that the competition was won by a caller who identified photograph three and was awarded a prize of £100. However, when the difference between the photographs was highlighted on screen, it appeared that photograph four was actually the correct answer, rather than photograph three.

Rule 2.11 of Ofcom’s Broadcasting Code requires that:

*“Competitions should be conducted fairly...”*

#### Response

TWC told us that it had intended the competition to be run fairly and the wrong answer had been input into the relevant software due to human error. It added that, over more than three years, the production company had created “thousands of questions” and that this was a very rare mistake. The broadcaster assured us that the production company had a vigorous checking procedure and would review its inspection procedures to ensure no recurrence.

#### Decision

We welcomed the broadcaster’s assurances. However, the broadcaster had confirmed that its answer to the quiz was incorrect. This would have resulted in callers being incorrectly rejected. The cash prize also decreased over time.

The competition was therefore not conducted fairly, and was in breach of Rule 2.11 of the Broadcasting Code.

#### Breach of Rule 2.11

## Resolved

### **Trisha Goddard**

*Five, 24 July 2006, 10:30*

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#### **Introduction**

One viewer complained that a guest's statement during a confrontation with his former partner, "I can't be fucking bothered", was inappropriate for broadcast before the watershed and when many children would be present in the audience due to summer holidays.

#### **Response**

Five explained that in production there were a number of steps in place to check for swearing and offensive language which must be removed before broadcast. During this process, notes of offending material were made, edited, and rechecked by the Tape Editor and Post Production team. On delivery to Five, the programme was viewed again by the legal and compliance team and if any further edits were requested by Five, the production team went through their procedures again.

Five said on this occasion, while some swearing was picked up and removed from the programme, unfortunately this example was missed – the man using the word did so in a heated exchange where he and his partner were talking over one another and what he said was not particularly discernible.

Nevertheless, Five recognised this language was unacceptable and expressed its apologies, with an assurance that the episode in question has since been edited to ensure the word does not feature again in any repeat broadcast.

#### **Decision**

Such strong swearing was unsuitable in this context – broadcast mid-morning during the school holidays. However in view of the steps Five had taken and the subsequent editing of the programme to ensure this language will not feature in a future repeat broadcast, we consider the matter resolved.

#### **Resolved**

## **Invicta FM**

*8 August 2006, 08:00*

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### **Introduction**

A listener called to enter a competition on this station. When asked her age by the presenter she replied that she was a pensioner - he then asked her whether she smelt.

Another listener found this objectionable.

### **Response**

GCap, which owns Invicta FM, explained that the presenter in question was a replacement presenter who was covering the normally scheduled 'Morning Zoo' breakfast show. The presenter had been reminded of his obligations with regard to the Ofcom Broadcasting Code and specifically relating to the area of harm and offence. The presenter had offered his sincere apologies for any offence his remarks caused. The station wished to stress that it takes its responsibilities very carefully with regard to the content of its programming.

### **Decision**

Rule 2.3 of Ofcom's Broadcasting Code states:

*"In applying generally accepted standards broadcasters must ensure that material which may cause offence is justified by the context (see meaning of "context" below). Such material may include, but is not limited to...humiliation...violation of human dignity, discriminatory treatment or language (for example on the grounds of age, disability...).*

This remark was made on a mainstream station at a time when children would have been listening. Listeners were unlikely to expect such a comment directly to a listener during the breakfast show. As implicit within the station response, the remark was not justified by the context and was based on a derogatory stereotype of elder people. However in view of the reflective nature of the station's response, we consider the matter resolved.

### **Resolved**

## **World Cup Match of the Day Live**

*BBC 1, 25 June 2006, 15.30*

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### **Introduction**

Prior to the match, while the players were waiting in the tunnel, the word “fucking” was used by people off-screen.

One viewer complained, saying that he found it unacceptable that this sort of language was broadcast when young viewers might be watching.

### **Response**

The BBC said it regretted the offence caused. However it said there were limits to what it could do when it was taking a live feed from a host broadcaster. As the sound was live, even the host broadcaster was unable to take pre-emptive action to prevent bad language, when it occurred, getting to air.

The sound supervisor was asked to be particularly vigilant after this event, and the commentator, recognising the potential for offence, referred to the “strong language in the tunnel” later in the commentary.

The BBC acknowledged that such language can only rarely be justified in any broadcast output at that time of day, when children may well be in the audience. As a result of this complaint, BBC Sport had been alerted to the risk of something like this happening again, and the need to react – for example by fading the sound.

### **Decision**

Ofcom’s Broadcasting Code requires that:

**1.14** *The most offensive language must not be broadcast before the watershed or when children are particularly likely to be listening.*

We accept that the BBC had little control over the feed it received. However, given that the word “fucking” was used, more than once, a clear apology from the commentator may have mitigated offence to the audience, which would have included children. However we welcome the BBC’s subsequent action and consider the matter resolved.

### **Resolved**

## **Bratz**

*CITV, 15 March 2006, 16:30*

*ITV, 28 April 2006, 16:00*

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### **Introduction**

Two viewers complained about the use of the word “spaz” in these episodes of the children’s series *Bratz*.

Both complainants felt that the word is a ‘deeply offensive’ and ‘derogatory’ term referring to a disability. They were particularly concerned that it was used as an insult in a programme made specifically for a child audience.

### **Response**

ITV said that it had reviewed the tapes prior to transmission. In the programme of 15 March 2006, it had considered the term to be borderline but within the bounds of acceptability because it was used as a derogatory term by one of the ‘bad’ characters in the series. In addition, it was not a reference to an actual disability. Later in the same scene the insulted character demanded an apology and was given one a few seconds later. The broadcaster therefore initially felt that, on balance, the use of the term was acceptable because it was not used by a ‘role model’ and was seen to merit an apology and was therefore clearly ‘wrong’.

However, after being made aware of viewer concern about the term, ITV had since undertaken a review of all episodes of *Bratz* and removed any terminology which might be considered unacceptable.

ITV had also taken steps to remind colleagues handling similar material to take particular care with language in this area, especially in relation to US acquired material that on occasion contained terms that had more scope for offence in this country than the US.

### **Decision**

Ofcom’s research (Language and Sexual Imagery in Broadcasting: A Contextual Investigation - 2005) indicated that respondents considered the word ‘spastic’ to be very offensive to most people, although a few thought that it was permissible to use the word ‘spas’ or ‘spaz’.

Rule 1.16 of the Broadcasting Code states that:

*“Offensive language must not be broadcast before the watershed, or when children are particularly likely to be listening, unless it is justified by the context. In any event, frequent use of such language must be avoided before the watershed”.*

The word ‘spaz’ does not necessarily cause the same level of offence in America and therefore its use in acquired programmes such as this series presents UK broadcasters with editing and scheduling judgements.

In this instance ITV had considered the first of the two instances borderline but justified by the fact that the character who used the term was known to be a ‘bad’ character, had been made to apologise and the word was not used as a reference to a specific disability.

Judgements about the inclusion of such words are particularly complex when used within a programme for younger children who will not necessarily have the maturity to understand the associated context. The fact that the word “spaz” was not used in reference to a specific disability may not negate its potential for causing offence.

We note the action taken by ITV to try to avoid similar future occurrences, and consider the matter resolved.

**Resolved**

## **Sponsorship: Conroy, with First Bus**

*Vibe fm 101 (South Wales and South West England), 31 July 2006, 19:00*

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### **Introduction**

A sponsor credit claimed that listeners could “travel anywhere on a First Bus for £2 with a FirstDay ticket.” A listener believed this was misleading, claiming that the fare and ticket cited was only valid for children.

### **Response**

Vibe fm 101 (now Kiss 101) said that ‘demo’ material had been loaded for broadcast by mistake. The broadcaster added that the error had been discovered and the material withdrawn after being aired three times in one show. It confirmed that procedures had then been put in place to check that any ‘demo’ versions of sponsor credits were clearly separated from audio that may eventually be approved for broadcast.

### **Decision**

From information on the sponsor’s website, it seems that First Bus’ £2 FirstDay tickets appear to be limited not only to children but also to weekends and public holidays. Rule 9.4 of the Broadcasting Code requires:

*“Sponsorship on radio and television must comply with both the advertising content and scheduling rules that apply to that medium.”*

In this case the Rule means that the content of sponsor credits broadcast on commercial radio must comply with the *BCAP Radio Advertising Standards Code* which requires that:

*“Advertisements must not ... mislead about the product or service advertised...”*  
Section 2 (General Rules) Rule 3 (Misleadingness)

We welcome the broadcaster’s recognition of the error and assurance about future output. As the sponsor credit was aired briefly and by mistake, we believe this resolves the matter in this instance.

### **Resolved**

## **World Cup Competition**

*Fox FM, 5 June 2006, 08:00*

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### **Introduction**

During this competition a prize was described as “500 pounds worth of stuff” and listeners were offered a choice of a television package or £500 to spend in the pub or on pampering sessions.

A winner’s husband claimed that listeners were led to believe the package alone was worth £500. He told us that the prize she chose – the television package – had subsequently been valued at £329 and that the broadcaster had told him that the total prize value included administrative and shipping costs.

### **Response**

GCap Media, who own Fox FM, accepted that listeners could have interpreted the amount referred to in the prize description as its retail value. However the broadcaster believed that listeners could also have interpreted it as the total cost to the broadcaster in providing the package. It added that wildly fluctuating prices could be found on the internet, “with differing levels of service and delivery, the latter often charged for.”

GCap had therefore included an events company’s handling charge in the prize value, some of which had covered delivery to the prize winner’s home. It did not believe that there had been an inaccurate description of the prize.

However, GCap said it was keen to avoid any possible ambiguity and that it had therefore put in place procedures, “to ensure clarity of description particularly where values are ascribed to prizes.” It clarified that, if a monetary value was broadcast, it would “endeavour to state from where this value derives”. In the case of retail goods, it would state the likely retail value.

### **Decision**

The purpose of describing a prize on-air is primarily to provide listeners with sufficient information to decide whether to enter the associated competition. We acknowledge that the price charged for consumer electrical goods can vary greatly. However, we do not believe that listeners would generally expect additional handling charges (such as delivery charges) to be included in a broadcast prize value.

In this case, we believe the generic reference to all the prizes available (“500 pounds worth of stuff”) clearly indicated prizes of a similar value to the winner. This interpretation was supported by the detailed descriptions of the alternative prizes to the television package, as they allowed the winner to spend £500 in specific ways.

However, GCap did not appear to describe the television package with any intent to mislead listeners. We welcomed its assurance concerning future transparency concerning prize descriptions, and we believe this resolves the matter on this occasion.

### **Resolved**

## Fairness and Privacy Cases

### Not Upheld

#### **Mrs Clare Bradford on her own behalf and on behalf of Henbury Secondary School**

*The West Tonight News, ITV West, 19 January 2006*

**Summary:** Ofcom has not upheld Mrs Clare Bradford's complaint, made on her own behalf and on behalf of Henbury Secondary School, of unfair treatment in this programme. Nor has Ofcom upheld Mrs Bradford's complaint made on behalf of the School that its privacy was unwarrantably infringed in the making and broadcast of the programme.

This news item reported on Bristol's poor performance in the latest school and college achievement and attainment tables (formerly and colloquially known as school performance tables) in terms of GCSE results. The programme named Henbury Secondary School ("the School") as one of the five worst performing schools in Bristol and included footage of the School's grounds and students. The item also included interviews with the Head Teacher, Mrs Clare Bradford, and two unnamed students of the School.

Mrs Clare Bradford made a complaint, on her own behalf and on behalf of Henbury School, of unfair treatment and unwarranted infringement of privacy.

In relation to fairness Ofcom found as follows:

- It was Ofcom's view that Mrs Bradford appeared to have a reasonable understanding of the programme. In particular, she seemed aware, or should have been aware given the information provided, that the programme would raise the topic of the School's recent poor performance in the GCSE school performance tables. Ofcom found the programme had been fair in its reporting of the tables and did not portray the School in an unfairly negative way.
- Mrs Bradford's interview and the interviews of two students were edited fairly. The edited interviews accurately reflected the views of the participants and were directly relevant to the main focus of the programme.

In relation to privacy Ofcom found as follows:

- *In the making of the programme*

Ofcom considered that the filming did not intrude upon the private actions of the School and the footage captured by the programme makers was not inherently private to the School itself. Ofcom concluded that the school's privacy was not infringed in the making of the programme.

- *In the programme as broadcast*

In Ofcom's opinion it was unlikely that viewers would have been able to identify either the students or the activity of smoking and concluded that the

students in the programme as broadcast were unidentifiable. Ofcom found that the programme did not disclose any information about the School that was inherently private. Ofcom concluded that the school's privacy was not infringed in the programme as broadcast.

## **Introduction**

This news item reported on Bristol's position in the latest school and college achievement and attainment tables (formerly and colloquially known as school performance tables) in terms of GCSE results. It said that Bristol had been named as the worst performing educational authority in England. The report focussed on why Bristol continued to perform at the bottom of the table for GCSE results.

The report named Henbury Secondary School ("the School") as one of the five worst performing schools in Bristol and included footage of the School's grounds and students. The item also included interviews with the Head Teacher, Mrs Clare Bradford, and two unnamed students of the School. The students who were interviewed gave their reasons as to why they believed the School had performed so poorly. Mrs Bradford's interview highlighted the fact that in the last two years the School had seen a great improvement in the number of students leaving with qualifications.

As part of the report a live interview with Bristol City Councillor, Cllr Jos Clark, was conducted in the studio.

Mrs Clare Bradford made a complaint on her own behalf and on behalf of Henbury Secondary School of unfair treatment and unwarranted infringement of privacy.

## **The Complaint**

### **Mrs Bradford's case**

In summary, Mrs Bradford complained on her own behalf and on the behalf of the School that they were treated unfairly in the programme as broadcast in that:

- a) The programme makers had assured Mrs Bradford, prior to filming, that they were "not looking to do a negative piece". Mrs Bradford complained the item was completely negative and this was unfair given the programme makers' assurances.
- b) The programme makers had unfairly edited the interviews in that:
  - i) the students' interviews were edited in such a way as to only convey a negative impression of the School. Mrs Bradford said that, in reality, most of what the students said was positive; and
  - ii) most of Mrs Bradford's interview had been cut from the item.

In summary Mrs Bradford complained the privacy of the School was unwarrantably infringed in the making and broadcast of the programme in that:

- c) The programme makers filmed and broadcast footage of students behind a hut on the School grounds (showing at least one student smoking) without consent. Mrs Bradford said she only gave permission for the interviews to be filmed, and

gave explicit directions that the filming of the interviews would have to take place indoors as the interview would be filmed during the School's lunch break.

### **ITV's response to the complaint**

- a) ITV said that, on the day of the interview, Mrs Bradford was asked to take part in a news item about Bristol schools' poor GCSE results and the fact that her school had been named one of the five worst performing schools in Bristol. The programme maker did not recall or believe that he told Mrs Bradford that "ITV was not looking to do a negative piece". But he did recall that he reassured her with words along the lines that "ITV would not be trying to catch you out or trick you. We just want to give you a right of response".

ITV believed the news item presented the facts in a fair manner and gave the School a right of response with respect to the relevant issues. The item included positive points from Mrs Bradford and an interview with Councillor Jos Clarke, the Executive Member for Children's Services in Bristol. Further, Mrs Bradford was given sufficient information about the purpose of the piece and was well aware of the content of the item.

- b) ITV denied that the interviews had been edited unfairly.
- i) In relation to the students' interviews, ITV said the purpose was to understand from the students themselves why the School was doing so poorly in the performance tables. The two students had been selected by Mrs Bradford, who told the students to be as open and honest as they wanted to be, and placed no conditions on the filming. While the students raised both positive and negative issues during their interviews, the programme makers believed the crux of the issue was their opinion that some students did not want to learn, which was why they believed the students' grades at the school were so poor. This point was included in the programme as broadcast.
- ii) ITV said it was not possible to include the entirety of Mrs Bradford's three minute interview, but that the portion which had been used was very positive about the School. It put forward the main thrust of her argument that the School was improving. ITV were confident they had presented a fair and balanced report and had given Mrs Bradford a right of response as promised.
- c) ITV believed that footage of the group of students behind the shed was not capable of infringing the privacy of an individual student, let alone the privacy of the School in general. ITV said that neither the activity of smoking nor the student smoking behind the shed was identifiable in the programme as broadcast. ITV argued that if under close scrutiny the activity of smoking had been possible to identify, this would not infringe the student's privacy as the act of smoking is not particularly private; the student was aware that she was being filmed at the time; and the student's actions were in the public domain as she would have been visible from the public highway.

With regard to the School's privacy, ITV contended that Mrs Bradford and the School did not have the standing to make a privacy complaint, given that there was nothing private in the programme as broadcast so far as Mrs Bradford or the School were concerned.

In relation to Mrs Bradford's request to film indoors ITV said that when Mrs Bradford was phoned to arrange the interview, Mrs Bradford mentioned the

interviews would have to take place indoors as the students would become excited if they saw a camera. This suggestion was made to prevent disruption of the interview by other students, rather than a concern that filming would take place outside.

The general shots of the School's sign; the exterior of the building and of some non-identifiable children had been filmed in the open, with the knowledge of the school staff. ITV said that while filming was taking place Mrs Bradford's personal assistant approached the programme makers to inform them that Mrs Bradford was ready to see them.

### **Mrs Bradford's response**

- a) Mrs Bradford said that she was absolutely clear the programme maker had told her that ITV were "not looking to do a negative piece", and that it had been this explicit assurance that had allayed her apprehension about taking part in the item. Mrs Bradford believed that while she and the Councillor had been given an opportunity to make positive comments, the tone of the whole item had certainly been negative.
- b) In relation to the editing of the interviews Mrs Bradford responded as follows:
  - i) Mrs Bradford said the students' interviews had not been fairly edited as all of their positive comments had been removed. Further, the programme makers had prompted the students to speak about problems the School had with student learning. Mrs Bradford agreed that she had encouraged the students to be open and honest, but she had expected that the balance of their comments would be reflected. Mrs Bradford said the students felt very let down and embarrassed that their comments had been taken out of context.
  - ii) As noted above, Mrs Bradford said that while there had been opportunities for her to make positive comments about the School, the whole tone of the item had been negative.
- c) Mrs Bradford said ITV's suggestion that it would only be possible to identify a student smoking under close scrutiny, was belied by the fact that many students, parents and members of staff complained the day after broadcast, after seeing the footage once.

Mrs Bradford said that there are a number of child protection issues concerning pictures taken in schools, which mean that any filming must be explicitly sanctioned and supervised. Mrs Bradford maintained that the programme makers had been explicitly told that filming was to be done inside the school and supervised at all times and these directions were not given just to prevent the interviews from being disrupted by students.

Mrs Bradford said all filming taken on the outside grounds of the School was without her knowledge or permission. Mrs Bradford said her personal assistant confirmed to her that she was completely unaware that the filming was taking place at all. Mrs Bradford said the unedited recordings confirm that the outdoor filming took place well away from the reception and the entrance to the School. Further, the unedited recordings show that filming was not taking place when her personal assistant approached the film crew.

### **ITV's second statement of response**

- a) ITV reiterated that the researcher was sure he had not told Mrs Bradford that he "was not looking to do a negative piece" and was completely open and honest about the nature of the piece.
- b) In relation to the editing of the interviews:
  - i) ITV denied that the students were persistently prompted to talk about the School's problems with student learning. ITV said that in retrospect Mrs Bradford was unhappy with the responses the students gave and the responses which ITV had chosen (using their editorial discretion) to include in the programme. ITV noted that Mrs Bradford had been present during the interviews and did not object to the programme maker's questions, or request that any part of the students' interviews be edited.
  - ii) ITV said that they had given Mrs Bradford a right of response as promised, by including her positive comments about the School in the programme as broadcast.
- c) ITV restated that they did not believe that the footage taken of the students infringed the privacy of the School as there was nothing inherently private about the information captured or broadcast. Further neither the individual nor the activity in question was identifiable in the programme.

ITV said the programme makers were very noticeable to numerous students and would have been equally noticeable to the staff supervising those students during the lunch break.

### **Decision**

Ofcom's statutory duties include the application, in the case of all television and radio services, of standards which provide adequate protection to members of the public and all other persons from unfair treatment in programmes and unwarrantable infringement of privacy in and in the making of programmes included in such services.

In carrying out its duties, Ofcom has regard to the need to secure that the application of these standards is in the manner that best guarantees an appropriate level of freedom of expression. Ofcom is also obliged to have regard, in all cases, to the principles under which regulatory activities should be transparent, accountable, proportionate and consistent and targeted only at cases in which action is needed.

This complaint of unfair treatment and unwarranted infringement of privacy was considered only in so far as it related to either the School as a whole or Mrs Bradford directly.

In this case Ofcom's Executive Fairness Group found as follows:

- a) Mrs Bradford complained that the programme portrayed the school in a negative light, which was unfair because the programme makers had assured her that they were "not looking to do a negative piece".

Ofcom considered this head of complaint only in so far as it related to a possible unfairness to either Mrs Bradford and/or the School, in the programme as broadcast.

Programme makers need to ensure that guarantees given to contributors, for example relating to the content of a programme, confidentiality or anonymity should normally be honoured.

From the information provided by both parties it was clear to Ofcom that Mrs Bradford genuinely believed an assurance had been given to her by the programme makers that the news item would not be "a negative piece". Equally the programme makers appeared certain that such an assurance had not been offered. Ofcom is not a fact finding tribunal and based on the information available, was not able to determine whether Mrs Bradford had been given a guarantee that the School would be presented in a particular way. Notwithstanding this, Ofcom was required to establish whether the programme's presentation of the School was fair.

Ofcom sought to establish whether Mrs Bradford had understood the nature of the programme and whether the School had been presented in an unfairly negative light. In reaching a decision Ofcom noted that the School had been asked to participate in this programme, following the announcement of the results for the school performance tables. The tables placed Bristol as the worst performing area of England, and Henbury Secondary School as one of Bristol's five worst performing schools in terms of GCSE results.

When a person is invited to make a contribution to a programme they should normally at an appropriate stage be told the nature and purpose of the programme, what the programme is about and be given a clear explanation of why they were asked to contribute.

As noted above, some of the details relating to the conversation that took place between Mrs Bradford and the programme maker, when she was first asked to participate, are in dispute. However, it is agreed that Mrs Bradford was aware that the programme makers were seeking her participation for a programme about GCSE school performance tables. This is confirmed by Mrs Bradford in her letter of complaint to ITV News of 24 January 2006:

*"I was called on Thursday morning by one of [ITV News's] researchers, to ask if I would do a piece to camera for the lunchtime news about the publication of the school league tables."*

In Ofcom's opinion, Mrs Bradford appeared to have a reasonable understanding of the programme. In particular, she seemed aware, or should have been aware given the information provided, that the programme would raise the topic of the School's recent performance in the school performance tables.

Ofcom appreciated that the broadcast of these results was not particularly positive publicity for the schools involved. However as regards the programme's presentation of the GCSE school performance tables, Ofcom considered that the report had been straightforward and balanced. Ofcom observed that the programme's criticism of Henbury Secondary School had been limited to the statement that:

*“Just 20% of pupils achieved GCSE grades A Star to C last year. That’s only 2 in every 10 achieving the national standard.”*

Ofcom noted that in the programme, this statement was balanced by the following comment by Mrs Bradford:

*“Two years ago 21% of children left this school without a qualification which was appalling. This year that figure was down to 8% and that’s a radical improvement which means more children are leaving with qualifications at different levels and going on to successfully follow courses and into employment.”*

The programme then explained to viewers that a number of external factors were to blame for Bristol schools’ poor performance, including teacher shortages, insufficient funding and bureaucracy. In the light of all these considerations, Ofcom found that the programme had been fair in its reporting of the GCSE performance tables and did not portray Henbury Secondary School in an unfairly negative way.

- b) Mrs Bradford complained that the programme makers had unfairly edited her interview and the interviews of two of the School’s students.

This head of complaint was considered by Ofcom only in so far as it related to a possible unfairness to either Mrs Bradford and/or the School, in the programme as broadcast.

When considering this complaint, Ofcom weighed up the programme makers’ right to select and edit footage to appear in the programme, and their responsibility to ensure that the programme as broadcast accurately and fairly reflected the participants’ views.

After viewing the unedited footage of the interviews, Ofcom noted that in both sets of interviews only a relatively small portion of the footage was used in the final programme. However, it should be noted that a programme will not result in unfairness to a contributor simply because all of the views expressed by a contributor are not presented in full. In cases such as these, Ofcom is firstly required to determine whether the portion of the contribution that was included in the programme was presented fairly, and secondly whether the programme makers disregarded or omitted material facts in a way that resulted in unfairness to an individual or organisation.

Ofcom noted that the views of Mrs Bradford and the students, as they appeared in the programme, accurately reflected those of the unedited footage. In addition Ofcom considered that the views included in the report were directly relevant to the main focus of the programme that examined “Why are Bristol schools performing so poorly?” and “What can be done to address the situation?” The students’ comments about why they believed the School had not performed, alongside Mrs Bradford’s comments about the School’s success with children’s qualifications at different levels, addressed the questions which were central to the report.

In relation to those parts of their interviews not included in the programme, Ofcom considered that the programme makers did not remove any footage which would have materially affected the viewers’ opinion of Mrs Bradford or Henbury Secondary School in an unfair way. In Ofcom’s opinion, viewers were likely to have understood from both Mrs Bradford and the students’ interviews

that Henbury Secondary School, despite performing poorly in the GCSE results, has made significant improvements in the last two years. In the circumstances Ofcom concluded that the editing of the interviews was not unfair.

- c) Mrs Bradford complained that the programme makers filmed and broadcast images of students (including at least one who was smoking) behind a hut on school grounds without consent. Mrs Bradford complained that this unwarrantably infringed the School's privacy in both the making of the programme and in the programme as broadcast.

Ofcom noted that this complaint of unwarranted infringement of privacy was brought by Mrs Bradford on behalf of the School – it was not made by the students featured behind the hut, or by their parents. As such, it is important to note that Ofcom's assessment of the footage was considered only in so far as it related to the potential unwarranted infringement of the School's privacy.

In Ofcom's view, the line to be drawn between the public's right to information and the citizen's right to privacy can sometimes be a fine one. In considering complaints about the unwarranted infringement of privacy, Ofcom will therefore, where necessary, address itself to two distinct questions: First, has there been an infringement of privacy? Second, if so, was it warranted?

In the case of this complaint, Ofcom was also required to have regard for the greater protection afforded by the Code to potentially sensitive places such as schools.

#### In the making

Ofcom understood from Mrs Bradford's complaint that while she gave express consent to filming interviews with the children from within the School, she did not give express consent for any other filming.

Ofcom first considered whether the filming of the students on the School grounds was likely to have resulted in an infringement of the School's privacy and as a consequence would have required express consent from the School. In doing so Ofcom took into account whether or not the actions or images obtained by the programme makers could reasonably be considered to be private to the School. Ofcom also considered whether the programme makers' actions were likely to have physically interfered with the School's privacy.

After viewing a copy of the unedited footage, Ofcom noted that the filming of the School's grounds was carried out in the open. Ofcom also noted from the recordings that throughout filming, students could be clearly seen acknowledging the camera, and overheard in conversation with the camera operators. While Ofcom was unable to confirm whether any teachers were aware of the filming or present at the time of filming, Ofcom was satisfied that the filming of the school grounds was not carried out in a surreptitious or secretive manner.

In its first statement to Ofcom ITV said that although the filming did take place on the School grounds, the students behind the hut were observable from the public highway and therefore the images of the students could in no way be deemed to be private to the School. Ofcom noted that Mrs Bradford's comments in response to ITV's statement did not contradict this point. After viewing the unedited footage Ofcom noted that the filming appeared to be taken near to the entrance of the School (i.e. relatively close to a public highway). Ofcom

considered that, in the absence of persuasive evidence to the contrary from Mrs Bradford, and given the supportive nature of the unedited footage, it was reasonable to conclude that the broadcaster's claim that the students were visible from a public place was accurate.

In Ofcom's view, the manner in which the images of students behind a hut were obtained did not constitute an infringement of the School's privacy. In reaching this view Ofcom considered that the filming did not intrude upon any legitimately private interests or activities of the School. In that sense Ofcom concluded that the obtaining of the footage (which could not be described as inherently private to the School itself) did not require the programme makers to obtain express consent from Mrs Bradford in order to obtain the footage.

#### In the programme as broadcast

Mrs Bradford complained that the broadcast of footage of students behind a hut on school grounds, unwarrantably infringed the privacy of the School in the programme as broadcast.

When filming or recording in potentially sensitive places such as schools, separate consent should normally be obtained for broadcast. However if an individual will not be identifiable in the programme then separate consent for broadcast will not be required.

After viewing the programme Ofcom noted that footage of the students behind the hut was filmed out of focus and lasted for approximately two seconds. In Ofcom's opinion it was unlikely that viewers would have been able to identify either the students or the activity of smoking and concluded that the students in the programme as broadcast were unidentifiable.

In Ofcom's view the programme did not disclose any information about the School that might be considered to be inherently private.

In the circumstances, Ofcom was satisfied that separate consent for broadcast of the footage was not required from the School, and the privacy of the School had not been infringed in the programme as broadcast.

Accordingly Ofcom has not upheld Mrs Bradford's complaint of unfair treatment and unwarranted infringement of privacy in either the making of the programme or in the programme as broadcast.

## **Dr Tuppy Owens**

*The Search for Animal Farm, Channel 4, 12 April 2006*

**Summary:** Ofcom has not upheld this complaint of unfair treatment. This programme looked at the history behind the making of the pornographic film that became known as *Animal Farm*. Dr Tuppy Owens was interviewed for the programme.

Dr Owens complained to Ofcom that she was treated unfairly in the programme. Dr Owens claimed that the programme described her as a “pornographer” and implied that she had been a smuggler of bestiality videos. She also complained that footage from her interview was presented unfairly in the programme.

Ofcom found the following:

- Ofcom was not satisfied that describing Dr Owens as a pornographer was likely to have materially affected viewers’ understanding of her in a way that was unfair;
- Ofcom was not persuaded by Dr Owens’ claim that comments she made regarding the illicit importation of pornography included in the programme could have implied that she had smuggled bestiality videos into the country; and,
- Ofcom did not consider that Dr Owens’ contribution was misrepresented or otherwise presented in a manner that was likely to result in unfairness to her.

### **Introduction**

The programme, *In Search of Animal Farm*, was part of Channel 4’s *Dark Side of Porn* series. This programme looked at the history and background behind the making of the pornographic film that became known as *Animal Farm*. The programme described the film as “the most shocking film ever made” and went on to examine the life of Ms Bodil Joensen who featured in the film and became known as the “queen of bestiality”. The programme included footage from interviews with various individuals who spoke about the film itself and also the pornography industry at the times the film was made and later began circulating in the United Kingdom. The programme went on to examine the social context at that time.

The programme also included views on a bill going through Parliament which concerned extreme pornography.

Dr Tuppy Owens was interviewed for the programme. Three extracts from her interview were included in the programme as broadcast. The programme described her (using an on-screen caption) as a pornographer.

Dr Owens complained to Ofcom that she was treated unfairly in the programme as broadcast.

## **The Complaint**

### **Dr Owens' case**

In summary, Dr Owens complained that she was treated unfairly in the programme as broadcast in that:

- a) She was incorrectly labelled a pornographer in the programme. Dr Owens stated that such a label was damaging since she was in fact currently a campaigner/pioneer, running a registered charity and helpline;
- b) The programme falsely implied that she had been a smuggler of bestiality videos;
- c) Clips of her interview were used out of context in the programme as broadcast. The programme made her appear to be a "seedy pornographer" and negated her current work as a campaigner; and,
- d) The programme failed to mention that she was campaigning on behalf of the Sexual Freedom Coalition and an extract of her interview included in the programme followed a long speech by another contributor, Ms Julie Bindell, which gave a "biased and irrelevant dogma against pornography".

### **Channel 4's response to complaint**

In summary, Channel 4 responded that:

- a) Channel 4 said that when it approached Dr Owens with regard to contributing to the programme it was in her capacity as an expert of the pornography industry and because of her views on the internet/censorship debate.

The programme makers believed that in the context of the programme, the description of Dr Owens as a "pornographer" accurately reflected her credentials as someone who had worked extensively in the pornography industry during the time that "Animal Farm" was first being distributed and seen in the UK. Channel 4 also submitted that when Dr Owens was interviewed she referred to having pornographic photos taken of her; that she had been involved as an actress of pornographic films and that she had been involved in the distribution of pornography during the time "Animal Farm" was being distributed in the UK. Channel 4 also submitted that various adult film websites referred to Dr Owens as a pornographer.

Channel 4 explained that nevertheless the programme makers had subsequently written to Dr Owens and offered to reflect the fact that she no longer makes pornography in any future repeat broadcast of the programme.

- b) In response to Dr Owens' complaint that the programme implied that she had been a smuggler of bestiality videos, Channel 4 stated that the programme quite clearly made a distinction between the general comments that Dr Owens and another contributor had made regarding the illicit importation of pornographic material from Denmark generally and the importation of four copies of *Animal Farm*. The programme quite clearly stated that Animal farm had been imported by "someone" during a particular summer. This statement was accompanied by footage of an unidentified person (clearly male) at an airport bringing the film through.

Dr Owens' comments regarding her own experiences of smuggling pornographic films into the UK were used to set a general context for this section. Channel 4 said that the particular reference to the importation of *Animal Farm* was clearly separate from Dr Owens' general comments.

- c) In response to Dr Owens' complaint that footage from her interview was used out of context, Channel 4 said that the interview material was used in accordance with the original interview outline as communicated to Dr Owens. Extracts of Dr Owens' interview were edited for reasons of length. However, Channel 4 denied that there was any distortion of meaning or context of what Dr Owens said in her interview in any of the three extracts used in the programme.
- d) In response to Dr Owens' complaint concerning the failure to mention that she was campaigning on behalf of the Sexual Freedom Coalition and the positioning of this extract of her interview, Channel 4 said that there was no agreement between the programme makers and Dr Owens that she had to be described in the programme as campaigning on behalf of the Sexual Freedom Coalition. They also said that her views were not distorted and were used in the relevant section of the programme.

## Decision

Ofcom's statutory duties include the application, in the case of all television and radio services, of standards which provide adequate protection to members of the public and all other persons from unfair treatment in programmes and unwarrantable infringement of privacy in and in the making of programmes included in such services.

In carrying out its duties, Ofcom has regard to the need to secure that the application of these standards is in the manner that best guarantees an appropriate level of freedom of expression. Ofcom is also obliged to have regard in all cases, to the principles under which regulatory activities should be transparent, accountable, proportionate and consistent and targeted only at cases in which action is needed.

In this case Ofcom's Executive Fairness Group found as follows:

- a) Dr Owens complained that the programme incorrectly referred to her as a pornographer in the programme and that this was damaging to her in light of her present work as a campaigner/pioneer and as someone running a registered charity and helpline.

Broadcasters should take reasonable care to satisfy themselves that material facts have not been presented in a way that is unfair to an individual.

Having viewed the programme as broadcast, Ofcom noted that the programme described Dr Owens (using an on-screen caption) as a pornographer.

Ofcom considered whether, based on the submissions of both parties, it appeared to be accurate to present Dr Owens as a pornographer, and if it was not accurate whether, in any event, this resulted in any unfairness to Dr Owens.

In Ofcom's view, it was not accurate to present Dr Owens as a pornographer, given that there was no evidence to suggest that Dr Owens was actively employed in the pornography industry at the time the programme was made.

However, Ofcom was not persuaded that presenting her as such resulted in unfairness to Dr Owens. In reaching this decision Ofcom noted that Dr Owens had worked in the pornography industry as an actress in films and had been involved in the distribution of pornography. It also appeared to Ofcom that Dr Owens remained an advocate of pornography. This was supported by her unedited interview in which she spoke freely about her experiences within the pornography industry.

Furthermore, it was evident from the material before Ofcom, that the programme makers had made it clear to Dr Owens at the outset that they had contacted her because of her experience and understanding of the pornography industry. Ofcom also took into account information taken from a website, and provided to Ofcom by Channel 4, which refers to Dr Owens as having been a pornographer.

In all the circumstances, Ofcom was not satisfied that describing Dr Owens as a pornographer was likely to have materially affected viewers' understanding of her in a way that was unfair.

- b) Dr Owens complained that the programme had falsely implied that she had been an importer of bestiality videos.

Ofcom was not persuaded by Dr Owens' claim that her comments regarding the illicit importation of pornography included in the programme could have implied that she had smuggled bestiality videos into the country.

In particular Ofcom considered that the element of Dr Owen's interview in which she mentioned methods of illicitly importing hard-core pornography was used in part of the programme which examined the rise in demand for hard-core pornography in the UK; the efforts of the authorities in the United Kingdom to clamp down on illegal hard core films; and the techniques employed by pornographers (described by Dr Owens as "hard-core scams") to avoid the authorities. This part of the programme did not specifically concern the importation of *Animal Farm* or any other bestiality videos.

Ofcom considered that the programme went on to clearly state that *Animal Farm* had been imported into the country by "someone" in the summer of 1981. It did not suggest that Dr Owens was responsible. Further, the visual reconstruction which accompanied the statement included footage of an unidentified man who appeared to be bringing the film through an airport.

In the circumstances, Ofcom considered that the programme quite clearly made a distinction between the general comments that Dr Owens and another contributor had made regarding the illicit importation of pornographic material from Denmark generally and the importation of four copies of *Animal Farm*.

Ofcom found no unfairness in the programme's presentation of Dr Owens' comments in this respect

- c) Dr Owens complained that clips of her interview were used out of context in the programme.

Ofcom's Broadcasting Code says that when a programme is edited, contributions should be represented fairly.

In considering this element of Dr Owens' complaint Ofcom examined both the footage from Dr Owens' interview that was included in the programme as broadcast and the full unedited footage of her interview in order to determine if her contribution had been presented fairly.

Ofcom did not believe that any of the three brief extracts from Dr Owens' interview were used in the programme out of context. The programme's presentation of the extracts fairly reflected Dr Owens' views as expressed in her unedited interview. Specifically, as noted above, Dr Owens' comments concerning methods of illicitly importing hard-core pornography were used in the part of the programme that dealt with that subject. Also, Dr Owens' comments on the legislation affecting extreme pornography were included in that part of the programme which dealt with a bill going through Parliament which concerned extreme pornography.

Further, the use of the extracts in the programme was in keeping with the questions provided to Dr Owens prior to the interview being conducted. These questions mirrored the outline of the programme as broadcast

Ofcom therefore found no unfairness to Dr Owens with respect to the programme's presentation of extracts from her interview.

- d) Dr Owens complained that the programme failed to mention that she was campaigning on behalf of the Sexual Freedom Coalition. She also stated that an extract of her interview was included in the programme after a long speech by another contributor which had given a "biased and irrelevant dogma against pornography".

Guarantees given to contributors, for example relating to the content of a programme, should normally be honoured.

In considering this complaint Ofcom examined the submissions of both parties. This was to determine whether it appeared that Dr Owens had been told by the programme makers that the programme would mention that she was campaigning on behalf of the Sexual Freedom Coalition. Ofcom was not persuaded that there was any evidence before it that suggested there was an agreement between the programme makers and Dr Owens that she should be described in the programme as a campaigner on behalf of the Sexual Freedom Coalition. In correspondence with Dr Owens, the programme producers indicated that they would be interviewing her on a broad range of topics including her involvement in the pornographic industry and what it was like at the time she was active in it.

In cases such as these, Ofcom is also required to determine whether the portion of the contribution that was included in the programme was presented fairly. In Ofcom's view (and as noted above) Dr Owens' comments on the legislation affecting extreme pornography were included in the programme at the appropriate point and in the proper context.

In all the circumstances, and for the reasons outlined at heads a), b) and c) above, Ofcom did not consider that Dr Owens' views were misrepresented or otherwise presented in a manner that was likely to result in unfairness to her.

Accordingly Ofcom has not upheld Dr Owens' complaint of unfair treatment.

## Other Programmes Not in Breach/Out of Remit

13 September 2006 – 26 September 2006

Programme	Trans Date	Channel	Category	No of complaints
9/11: The Twin Towers	07/09/2006	BBC1	Generally Accepted Standards	1
Afterlife	16/09/2006	ITV1	Generally Accepted Standards	1
Al-Qaeda - Time to Talk?	03/09/2006	BBC2	Violence	1
Alan Brazil Sports Breakfast	04/09/2006	Talksport	Generally Accepted Standards	1
Alison Bell	30/07/2006	LBC97.3	Due Impartiality/Bias	1
Anglia News	10/08/2006	ITV1	Crime Incitement/Encouragement	1
BBC Breakfast News	20/09/2006	BBC1	Offensive language	1
BBC News	07/09/2006	BBC1	Generally Accepted Standards	1
BBC News 24	02/09/2006	BBC News 24	Inaccuracy/Misleading	1
Ben Jones	17/08/2006	Virgin Radio	Generally Accepted Standards	1
Big Brother's Big Mouth	03/06/2006	Channel 4	Inaccuracy/Misleading	1
Big Brother's Big Mouth	04/08/2006	E4	Generally Accepted Standards	2
Brainiac: Science Abuse	20/08/2006	Sky One	Crime Incitement/Encouragement	1
Brainteaser	11/09/2006	Five	Generally Accepted Standards	1
Celebrity Masterchef	13/09/2006	BBC1	Religious Offence	1
Channel 4 News	30/08/2006	Channel 4	Due Impartiality/Bias	1
Christian O'Connell	18/08/2006	Virgin Radio	Offensive language	1
Come Dine with Me	15/09/2006	Channel 4	Offensive language	1
Come Dine with Me	20/09/2006	Channel 4	Offensive language	1
Come Dine with Me	21/09/2006	Channel 4	Offensive language	1
Coronation Street	11/09/2006	ITV1	Generally Accepted Standards	3
Coronation Street	15/09/2006	ITV1	Generally Accepted Standards	1
Coronation Street	19/09/2006	ITV1	Generally Accepted Standards	1
Dances With Wolves	09/09/2006	Five	Violence	1
Dragons' Den	17/08/2006	BBC Radio 2	Generally Accepted Standards	1
EastEnders	25/08/2006	BBC1	Violence	1
EastEnders	07/09/2006	BBC1	Generally Accepted Standards	1
EastEnders	08/09/2006	BBC1	Generally Accepted Standards	1
EastEnders	25/08/2006	BBC1	Violence	1
Emmerdale	06/09/2006	ITV1	Generally Accepted Standards	1

Extras	14/09/2006	BBC2	Offensive language	1
F*** Off, I'm Fat	03/09/2006	BBC3	Offensive language	1
F*** Off, I'm Fat	07/09/2006	BBC3	Generally Accepted Standards	1
Family Forensics UK	22/05/2006	Living	U18s in Programmes	1
Family Sins	20/09/2006	Five	Scheduling	1
Five Live	02/09/2006	BBC Radio 5 Live	Sex/Nudity	1
Friday Night With Jonathan Ross	08/09/2006	BBC1	Generally Accepted Standards	1
Friday Night With Jonathan Ross	08/09/2006	BBC1	Offensive language	1
George Galloway	06/05/2006	Talksport	Due Impartiality/Bias	1
Getting on the Property Ladder	07/09/2006	Five	Generally Accepted Standards	1
GMTV	15/09/2006	ITV1	Generally Accepted Standards	1
How Do You Solve a Problem Like Maria?	09/09/2006	BBC1	Sex/Nudity	1
How to Find a Husband	08/09/2006	UKTV Style	Generally Accepted Standards	1
I Smack and I'm Proud	21/09/2006	ITV1	U18s in Programmes	1
I'm with Stupid	13/09/2006	BBC1	Sex/Nudity	1
Ian Wright's Unfit Kids	13/09/2006	Channel 4	U18s in Programmes	2
ITV News	24/07/2006	ITV1	Inaccuracy/Misleading	1
ITV News	04/09/2006	ITV1	Crime Incitement/Encouragement	1
ITV News	14/09/2006	ITV1	Inaccuracy/Misleading	1
ITV News	17/09/2006	ITV1	Crime Incitement/Encouragement	1
James Whale Show	03/08/2006	Talksport	Due Impartiality/Bias	1
James Whale Show	31/08/2006	Talksport	Generally Accepted Standards	1
Jeepers Creepers	16/09/2006	Channel 4	Generally Accepted Standards	1
Law of the Playground	14/09/2006	E4	Violence	1
Life Begins	11/09/2006	ITV1	Sex/Nudity	4
Little Britain	11/09/2006	BBC1	Generally Accepted Standards	1
Loose Women	20/09/2006	ITV1	Due Impartiality/Bias	1
Losing It	13/09/2006	ITV1	Other	1
Low Winter Sun	14/09/2006	Channel 4	Offensive language	3
Mark Gracey	01/09/2006	Radio Norwich	Sex/Nudity	1
Men Behaving Badly	22/08/2006	BBC1	Offensive language	1
Midsomer Murders	15/09/2006	ITV1	Offensive language	1
Midsomer Murders	18/09/2006	ITV1	Offensive language	1
News	31/07/2006	Pirate FM	Inaccuracy/Misleading	1
News	23/07/2006	LBC97.3	Inaccuracy/Misleading	1
Newsbeat	21/09/2006	BBC Radio 1	Advertising	1
Nice House, Shame About the Garden	30/08/2006	Five	Offensive language	1

Nice House, Shame About the Garden	30/08/2006	Five	Sex/Nudity	1
North East Tonight	12/09/2006	ITV1	Generally Accepted Standards	1
Panorama	21/09/2006	BBC1	Due Impartiality/Bias	1
PokerFace	10/07/2006	ITV1	Generally Accepted Standards	1
Princess Nikki	16/09/2006	Channel 4	Animal welfare	3
Quiz Call	18/05/2006	Quiz Call	Competitions	1
Quiz Call	14/06/2006	Quiz Call	Competitions	1
Quiz Call	28/08/2006	Quiz Call	Competitions	1
Quizmania	02/07/2006	ITV Play	Competitions	1
Respectable	13/09/2006	Five	Generally Accepted Standards	1
Richard and Judy	04/08/2006	Channel 4	Due Impartiality/Bias	2
Robin Banks	06/09/2006	Kiss 100 FM	Generally Accepted Standards	1
Rogue Traders	11/09/2006	BBC1	Animal welfare	1
Sky News	13/09/2006	Sky News	Inaccuracy/Misleading	1
Sky News	15/09/2006	Sky News	Offensive language	1
Sky News	25/09/2006	Sky News	Due Impartiality/Bias	1
Smooth FM	25/07/2006	100.4 Smooth FM	Competitions	1
Swinging	06/09/2006	Five	Crime Incitement/Encouragement	1
The Afternoon Play	06/06/2006	BBC Radio 4	Offensive language	1
The Beginner's Guide to L Ron Hubbard	04/09/2006	Channel 4	Due Impartiality/Bias	1
The Charlotte Church Show	08/09/2006	Channel 4	Generally Accepted Standards	1
The Charlotte Church Show	01/09/2006	Channel 4	Offensive language	1
The Charlotte Church Show	15/09/2006	Channel 4	Generally Accepted Standards	1
The Chris Moyles Show	03/07/2006	BBC Radio 1	Violence	1
The Chris Moyles Show	24/08/2006	BBC Radio 1	Generally Accepted Standards	1
The Complete Guide to Parenting	11/09/2006	ITV1	Religious Offence	2
The Department	30/08/2006	BBC Radio 4	Generally Accepted Standards	1
The Friday Night Project	04/08/2006	Channel 4	Generally Accepted Standards	1
The Great Big British Quiz	16/09/2006	Five	Competitions	1
The Jeremy Kyle Show	11/09/2006	ITV1	Violence	1
The Jon Gaunt Show	19/06/2006	Talksport	Generally Accepted Standards	1
The Jon Gaunt Show	29/08/2006	Talksport	Undue prominence	1
The Jon Gaunt Show	05/09/2006	Talksport	Religious Offence	1
The Late Edition: Live From Edinburgh	25/08/2006	BBC4	Generally Accepted Standards	1
The News Quiz	08/08/2006	BBC Radio 4	Generally Accepted Standards	1

The Planet's Funniest Animals	10/09/2006	ITV1	Sex/Nudity	1
The Sharon Osbourne Show	14/09/2006	ITV1	Offensive language	1
The Sharon Osbourne Show	15/09/2006	ITV1	Generally Accepted Standards	1
The Sharon Osbourne Show	21/09/2006	ITV1	Offensive language	1
The World's Most Extreme TV	10/09/2006	Channel 4	Generally Accepted Standards	1
This Morning	11/09/2006	ITV1	Due Impartiality/Bias	1
This Morning	19/09/2006	ITV1	Offensive language	1
This Morning	20/09/2006	ITV1	Due Impartiality/Bias	1
Top Gear	18/07/2006	BBC2	Generally Accepted Standards	1
UFO	08/08/2006	ITV4	Sponsorship	1
War of the World	24/07/2006	Channel 4	Due Impartiality/Bias	1
Weekend Breakfast	09/09/2006	BBC Radio 5 Live	Generally Accepted Standards	1
Whatever	15/09/2006	Channel 4	Sex/Nudity	1
Wire in the Blood	20/09/2006	ITV1	Generally Accepted Standards	2
World Cup Wonder Goal of All Time	07/06/2006	Five	Advertising	1
World Cup Wonder Goal of All Time	07/06/2006	Five	Sex/Nudity	3
Y Tu Mama Tambien	19/09/2006	Channel 4	Sex/Nudity	1