

## Freedom of Information: Right to know request

Thank you for your e-mail of 12 July 2017 in which you requested details of complaints related to smoking. We have considered your request under the Freedom of Information Act 2000 (“the Act”).

Before responding to your question, I would like to provide some background information on Ofcom’s complaints procedures and reporting.

Complaints about content standards are handled under *Ofcom’s Procedures for investigating breaches of content standards for television and radio*<sup>1</sup>.

Individual complaints received by Ofcom are assigned to cases. A case is opened when Ofcom is assessing a specific programme or issue and may consist of one or more complaints.

Ofcom assesses every complaint it receives. Based on an initial assessment of the complaint and a consideration of the related content, Ofcom will consider whether there may have been a breach of the Broadcasting Code (or other Ofcom codes or licence conditions). In cases where Ofcom considers there may have been a breach, it will launch an investigation. The possible outcomes of an investigation are that we judge 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. The Bulletin covers a range of cases, including those which Ofcom has escalated for full investigation, and those which, after careful assessment, Ofcom has decided not to pursue because they did not raise issues warranting investigation. The Bulletins can be accessed via the following link to our website: <https://www.ofcom.org.uk/about-ofcom/latest/bulletins/broadcast-bulletins>

Turning to your request, although details of all complaints we have considered about the programmes are listed in the Bulletins, we only hold searchable information on our complaints database for cases from 2014 onwards. We have therefore responded to your complaint in terms of complaints from 2014 onwards.

We log complaints on our complaints database by category of the complaint issue (with reference to the rules in our codes). Complaints about smoking would usually be logged under the category “Drugs, smoking, solvents or alcohol”, but there is no specific category (or rule) used exclusively for smoking. Unfortunately we do not therefore hold searchable information on complaints to enable us to filter cases specifically about smoking in isolation from drugs, solvents or alcohol.

I will now respond to your questions in turn.

### 1. Top 10 most complained about programmes for smoking.

As explained above, we have searched all complaints between 1 January 2014 and 24 July 2017.

In this period we received 71,968 complaints in total, of which 414 were logged with the category “Drugs, smoking, solvents or alcohol”. The top ten most complained about programmes were:

Programme	Number of complaints
Coronation Street	95

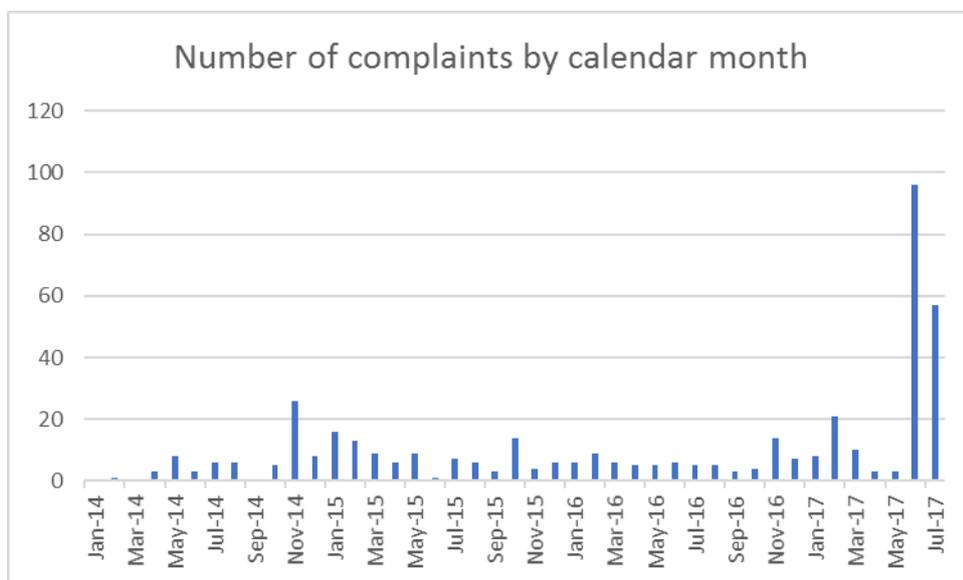
<sup>1</sup> Available at:

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

Love Island	71
Emmerdale	33
The X Factor	31
Celebrity Big Brother	21
EastEnders	18
Sport on ITV4 (trailer)	11
Comic Relief – Face the Funny	6
Alan Carr: Chatty Man	5
Benefits Street	5

**2. Data showing an increase in the number of complaints about smoking on TV over the past 10 years.**

The following table shows the number of complaints logged with the category “Drugs, smoking, solvents or alcohol” by calendar month between 1 January 2014 and 24 July 2017.



For the 95 complaints in June 2017, 75 relate to a scene of drug taking in an episode of *Coronation Street*, and 17 relate to smoking in *Love Island*.

For the 59 complaints in July 2017, 53 relate to smoking in *Love Island*.

### 3. Where does smoking fit alongside other complaints – is it more frequently complained about than swearing for example?

The table below shows how complaints logged with the category “Drugs, smoking, solvents or alcohol” compare to the other most complained about categories.

Category of complaint	Number of complaints
Generally accepted standards	22,810
Animal welfare	5,164
Materially misleading	4,587
Scheduling	3,409
Race discrimination/offence	3,077
Offensive language	2,884
Sexual material	2,804
Elections/Referendums	2,663
Religious/Beliefs discrimination/offence	2,480
Due impartiality / bias	2,280
Outside of remit / other	2,218
Voting	2,053
Violence	1,783
Sexual orientation discrimination/offence	1,525
Advertising content	1,502
Nudity	1,327
Due accuracy	1,070
Crime and disorder	943
Disability discrimination/offence	934
Gender discrimination/offence	775
Drugs, smoking, solvents or alcohol	414

### 4. Total complaints about *Love Island* smoking at end of series (TBC but July 24 suggested)

As of 24 July, Ofcom received 123 complaints about the recent series of *Love Island*, of which 70 related to smoking.

#### 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 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:

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