

# **Ofcom Broadcast Bulletin**

**Issue number 98  
3 December 2007**

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## Introduction

Ofcom's Broadcasting Code ("the 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>

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).

It is Ofcom policy to state the full language used on air by broadcasters who are the subject of a complaint. Some of the language used in Ofcom Broadcast Bulletins may therefore cause offence.

## Standards cases

### Notice of Sanction

#### Connection Makers Ltd

*Babeworld TV, 12 February 2007*

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On 29 November 2007, Ofcom published its decision to impose a statutory sanction on Connection Makers Ltd (“Connection Makers”), in respect of its service Babeworld TV, for seriously and repeatedly failing to ensure compliance with the Code. Babeworld TV is a so-called ‘babe’ channel, which shows mainly ‘live’ programmes using female presenters (described as “babes”), who invite viewers to contact them using premium rate services (“PRS”). The service was found in breach of the following Code rules:

- 1.2 (protection of under eighteens);
- 1.3 (scheduling - children);
- 1.24 (‘adult-sex’ material);
- 2.1 (generally accepted standards);
- 2.3 (material that may cause offence must be justified by context);
- 10.2 (separation of advertising and programming); and
- 10.3 (products and services must not be promoted in programmes).

Ofcom found Connection Makers in breach of these rules due to the following conduct:

- failure to protect viewers under the age of 18 by broadcasting sexually explicit content, that was unsuitable for broadcast on a free-to-air unencrypted channel, soon after the 21:00 watershed (breaches of Rules 1.2, 1.3 and 1.24);
- broadcasting sexually explicit content contrary to viewer expectations for a free-to-air unencrypted channel (breaches of Rules 2.1 and 2.3); and
- failure to separate advertising from programme content by promoting a premium rate telephone service (that neither contributed to the programme nor met the definition of programme-related material) within programme time.

For the reasons set out in the adjudication, Ofcom imposed a financial penalty of **£25,000** on Connection Makers (payable to HM Paymaster General).

The full adjudication can be found at:

[http://www.ofcom.org.uk/tv/obb/ocsc\\_adjud/babeworld.pdf](http://www.ofcom.org.uk/tv/obb/ocsc_adjud/babeworld.pdf)

## In Breach

### Cops on Camera

*Bravo, 4 August 2007, 20:00*

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#### Introduction

*Cops on Camera* is a series that follows the work of police forces. The episode broadcast on 4 August 2007 on Bravo featured footage of a police car chasing a suspect. During the sequence, flashing lights were reflected off the windscreen of the police car. Ofcom received a complaint from a viewer who felt that the flashing lights could have led to photosensitive seizures.

Certain types of flashing images may trigger seizures in viewers who are susceptible to photosensitive epilepsy ("PSE"). Rule 2.13 of the Code therefore states that: "Broadcasters must take precautions to maintain a low level of risk to viewers who have PSE. Where it is not reasonably practicable to follow the Ofcom guidance...and where broadcasters can demonstrate that the broadcasting of flashing lights and/or patterns is editorially justified, viewers should be given an adequate verbal and also, if appropriate, text warning at the start of the programme or programme item".

Ofcom requested a statement from Virgin Media TV (which is responsible for compliance for Bravo) in relation to Rule 2.13.

#### Response

Virgin Media TV said that before its Compliance team views and edits programmes, material is scanned for flashing images. However, in the case of the *Cops on Camera* episode complained of, errors that occurred in the scanning were missed and the material was aired unaltered, without a warning prior to transmission. Following the complaint, Virgin Media TV scanned the sequence in question and confirmed that the machine used to monitor material triggered a warning. Virgin Media TV described the incident "as an unacceptable failure", regretted that a warning was not broadcast and apologised.

In the light of the complaint, Virgin Media TV said that it improved its monitoring of flashing images and will not air the episode again unless the sequence in question can be amended to comply with Ofcom guidelines.

#### Decision

Ofcom has drawn up guidelines<sup>1</sup> to reduce the risk to viewers who are susceptible to PSE. In view of the potential harm which can be caused, broadcasters must exercise care when broadcasting sequences which contain flashing images.

Ofcom tested the sequence complained of and found that there were numerous occasions when the flash brightness, frequency and screen area exceeded the guidelines. The sequence was therefore clearly in breach of Rule 2.13.

#### Breach of Rule 2.13

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<sup>1</sup> Guidance is available at <http://www.ofcom.org.uk/tv/ifi/guidance/bguidance/guidance2.pdf>

## **Looking for the Actual Person**

*Bangla TV, 10 May 2007, 16:00*

### **Jyoti**

*Bangla TV, 16 July 2007, 12:00*

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#### **Introduction**

*Looking for the Actual Person* is a soap opera broadcast on Bangla TV. On 10 May 2007, throughout an episode of the programme, a scroll bar appeared with a mix of news and advertisements. This lasted for more than 20 minutes. The bar was placed across (and very low down) the screen. A viewer complained that the scrolled information contained advertisements and not just material related to the programme.

Rule 10.2 of the Code requires broadcasters to, “ensure that the advertising and programme elements of a service are kept separate”. Rule 1.2 of the Rules on the Amount and Distribution of Advertising (RADA) states that, “in any one clock hour there must be no more than 12 minutes of advertising spots and/or teleshopping spots”.

Ofcom sought a recording of Bangla TV’s output for 10 May 2007 between 16:00 and 17:00, which showed that the bar was scrolling in other programmes. During this hour there were also two advertising breaks of approximately six minutes each.

We therefore requested the broadcaster’s comments with regard to Rule 10.2 of the Code and Rule 1.2 of RADA.

#### **Response**

Bangla TV said the scrolled advertisements were broadcast by mistake, due to human error, and it had taken steps to ensure no scrolled advertising would in future be featured “during the news hour”. The broadcaster added that any future scrolled material in this period would be only a “summary of lead news”. However, it believed that the duration of its advertising breaks between 16:00 and 17:00 on 10 May 2007 complied with Ofcom’s requirements. It added that the remaining promotional material broadcast in that same period comprised only trails of future Bangla TV output.

#### **Decision**

The material broadcast between 16:00 and 17:00 on 10 May 2007 included two commercial breaks. These contained a total of 12 minutes of advertisements – the maximum permitted under RADA Rule 1.2. However, the scrolled information screened in the same hour also contained a significant quantity of advertising. Bangla TV’s output therefore exceeded the total amount of advertising minutage permitted in any one hour, in breach of RADA Rule 1.2.

Broadcasters may scroll additional editorial material across the screen during programming time. However, in this case, the material scrolled during programmes broadcast between 16:00 and 17:00 on 10 May 2007 contained a mix of programming (news editorial) and spot advertisements. The scrolled material included, for example, sample rates of a specified currency supplier, the promotion of a lotion to stop hair loss, cricket results, news of Tony Blair’s resignation and an

invitation to invest in a new airline. The news and advertising elements on 10 May 2007 were not clearly separated, in breach of Rule 10.2 of the Code.

We noted Bangla TV's assurance concerning future output. However, Ofcom sampled the channel's output on 16 July 2007 to verify the position. As a result we discovered another drama (*Jyoti*), throughout which a mix of news and advertising was scrolled. We therefore requested Bangla TV's comments and a recording of the relevant hour of output. In response, Bangla TV apologised but again claimed to have broadcast the scrolled material in error. We found the hour of output provided was similar to the previous material we had considered and this breached RADA Rules 1.2 and 10.2 of the Code for similar reasons.

This raised serious concerns. The broadcaster's compliance procedures to ensure the separation of advertising from editorial had failed and there had been breaches of the Code on both 10 May and 16 July 2007. Further, Bangla TV had breached Rule 10.2 previously, in October 2006 (see Ofcom Broadcast Bulletin 82, at [http://www.ofcom.org.uk/tv/obb/prog\\_cb/obb82/](http://www.ofcom.org.uk/tv/obb/prog_cb/obb82/)).

Bangla TV apologised again for its errors in compliance, and outlined staffing changes and a detailed, regular and ongoing training schedule that it had put in place to ensure much greater awareness of Ofcom's Code requirements among all Bangla TV's editorial, marketing and transmission staff.

While Ofcom considers the broadcaster is making efforts to ensure future compliance, we view Bangla TV's compliance failures as serious, especially given its repeated breaches of Rule 10.2. Ofcom will consider taking further regulatory action in the event of any future Code breach.

### **Breaches of Rule 1.2 of RADA and Rule 10.2 of the Code**

## **Jon Gaunt - Bosch Breakfast Show promotion**

*talkSPORT, 11 October 2007, 10:30*

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### **Introduction**

During this short promotional trailer for the breakfast programme, broadcast during the *Jon Gaunt* show on 11 October 2007, a female voice says “... *and here is the news, mother-crushers...!!!!*”.

Ofcom received a complaint from a listener who, on hearing the words broadcast on that day, believed the term “mother-fuckers” was used not “mother-crushers”. The complainant felt that even if the term was not actually “mother-fuckers” it sounded so similar that it caused the same degree of offence.

Ofcom asked for comments in relation to Rule 2.3 of the Code (generally accepted standards).

### **Response**

talkSPORT informed Ofcom that it had received a separate complaint about the same trailer after its broadcast on 16 October 2007 - five days after the complaint to Ofcom. To err on the side of safety, the programme controller instructed that the trailer be removed from the schedules immediately on 16 October, until it was fully checked.

Following this review, the trailer was remade without the word “mother-crushers”. talkSPORT stated that it would never broadcast a highly offensive word such as “mother-fuckers”. The word “mother-crushers” was a word used in a TV version of *Beverly Hills Cop*. It had replaced the highly offensive term to make it acceptable for television, the humour stemming from the fact that the replacement word was nonsensical.

talkSPORT argued that the use of the word “mother-crushers” is not offensive. However, in the light of the complaint they received, they acted quickly and responsibly in changing the trailer for all future broadcasts.

### **Decision**

Rule 2.3 says that “...*in applying generally accepted standards broadcasters must ensure that material which may cause offence is justified by the context...*”. Ofcom listened to the trailer and the word complained about clearly sounded like “mother-fuckers” and was therefore offensive. When heard in context, it is Ofcom’s opinion, that the use of “mother-crushers” was intended to have the same or a very similar impact as the highly offensive term itself. Ofcom takes the view that what is relevant is what a word *sounds* like in context when broadcast and the offence this may cause.

Ofcom acknowledges that, once the compliance team at talkSPORT became aware of the concern raised by a complainant about the content of the trailer, they removed it from the schedule and re-made the trailer with the term “mother-crushers” edited out. However, this happened on 16 October 2007, even though the trailer had been broadcast on talkSPORT at least from 11 October when it had been heard by the complainant who contacted Ofcom.

The term “mother-fuckers” is considered one of the most offensive terms. There was no justification in context for the use of this word. There was therefore a breach of Rule 2.3.

**Breach of Rule 2.3**

## Not in Breach

### Bringing Up Baby

*Channel 4, 25 September to 16 October 2007, 21:00*

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#### Introduction

This was a short four-part series aimed at exploring three of the most popular childcare methods of the twentieth century. These were the 1950s Truby King method, the 1960s Dr Spock method and the 1970s Continuum method.

Five couples and one single mother, all with newborn babies, had decided to raise their babies using one of these three methods. The relative success or failure of the various aspects (e.g. where a baby should sleep, or when a baby should be fed, etc) were shown by the programme. Each method had a mentor who would support and take the parents through the method. The mentors were strong supporters of one of the three childcare methods.

From time to time during the course of the series, the parents were encouraged to adopt certain different approaches to childcare. For instance, the approaches included: leaving a week-old infant wrapped up in a blanket in a pram in the garden to get 'fresh air', so as to sleep better at night time (the Truby King method); "trusting your instincts" and not having a set routine (the Dr Spock method); constantly carrying and being always available to feed the newborn (the Continuum method).

Ofcom received 752 complaints from viewers. In summary, the principal concerns raised were that the programmes:

- employed techniques that were unethical, abusive, or neglectful and/or went against current UK government or other agency (such as the World Health Organisation) guidelines in respect of childcare;
- employed as mentors people who were not necessarily properly qualified to practise as childcare professionals;
- put children at risk of harm; and
- did not sufficiently highlight to viewers the potentially harmful effects of some of the practices featured, and therefore put the safety of infants in viewers' care at risk.

#### Decision

Ofcom recognises the sensitivities relating to such issues as appropriate and safe child care, and understands the offence that may be caused to viewers who witness approaches and methods that do not accord with their own views and practices.

Under the Communications Act 2003, Ofcom has a statutory duty to set standards for the content of television programmes with which broadcasters must comply. These standards are set to secure certain objectives set out in the Act including the protection of under eighteens and that generally accepted standards are applied to content so as to provide adequate protection for members of the public from the inclusion of offensive and harmful material.

Ofcom considers the standards it has set for the protection of children to be amongst the most important in the Code. These rules are aimed at preventing children

suffering any unnecessary distress or anxiety as a result of being involved in a programme or by its broadcast; requiring that broadcasters take due care over the physical and emotional welfare of children who take part or are otherwise involved in programmes. However, it should be noted that Ofcom's role does not extend to investigating allegations of child abuse, which is the role of the relevant authorities.

The Communications Act 2003 requires Ofcom to have regard to certain matters when setting the standards in its Code; particularly when applying generally accepted standards so that the public is adequately protected from offensive or harmful material, Ofcom must have regard to the need for standards to be applied in a manner that best guarantees an appropriate level of freedom of expression. This is in terms of both the broadcaster's right to impart information and ideas and the right of the audience to receive them. These rights are enshrined in the European Convention of Human Rights incorporated within the Human Rights Act 1998. Accordingly, Ofcom must exercise its duties in light of these rights and not interfere with the exercise of these rights in broadcast services unless it is satisfied that the restrictions it seeks to apply are required by law and necessary to achieve a legitimate aim.

In the case of this series, Ofcom considered the complaints against the following Code Rules:

**1.26:** *“Due care must be taken over the physical and emotional welfare and the dignity of people under eighteen who take part or are otherwise involved in programmes. This is irrespective of any consent given by the participant or by a parent, guardian or other person over the age of eighteen in loco parentis”.*

**1.27:** *“People under eighteen must not be caused unnecessary distress or anxiety by their involvement in programmes or by the broadcast of those programmes”.*

**2.1:** *“Generally accepted standards must be applied to the contents of television...services so as to provide adequate protection for members of the public from the inclusion of harmful...material”.*

**2.2:** *“Factual programmes or items or portrayals of factual matters must not materially mislead the audience”.*

**2.4:** *“Programmes must not include material...which, taking into account the context, condones...dangerous... behaviour and is likely to encourage others to copy such behaviour”.*

In the course of our investigation, we contacted Channel 4 with regard to these matters seeking all relevant background information. It supplied us with further details. Much of the information it provided was also publicly available on the broadcaster's website, which accompanied the series.

It is important to note that the programme was based on three different approaches to childcare. The methods themselves are all based on previously published and well-known books and theories:

- Truby King's *“Feeding and Care of Baby”*;
- Dr Spock's *“Baby and Childcare”*; and
- Jean Liedloff *“The Continuum Concept”*.

These methods and approaches to raising a baby are all in the public domain. As the programmes stated, these were three of the most influential childcare methods of the 20<sup>th</sup> century. Although some of the methods are highly controversial, many parents today do debate these techniques, and they are all used to a greater or lesser extent within the UK. Therefore, Ofcom's starting point must be that a programme which explores and discusses these approaches cannot in itself be problematic, so long as the broadcaster ensures that the material is put in context and that the audience is fully informed; for instance by being made aware of government guidelines, where appropriate. Ofcom would not expect, and it would be a breach of the Code for, a broadcaster to promote or encourage practices which were overall considered to be dangerous or harmful.

### **Possibility of harm to the children involved in the series: Rules 1.26 and 1.27**

The childcare methods used were sometimes controversial (for example: where a baby should sleep; whether a baby should be left to cry; or when a baby should be weaned). Ofcom therefore considered the steps taken by the broadcaster and the programme makers to ensure that no harm would be caused to the children involved.

Ofcom understands from Channel 4 that a range of relevant experts was consulted on current medical opinion with regard to the methods used before filming began. These were:

- a senior psychologist, who advised that following the routines proposed would cause no harm to the babies;
- a neurologist, specialising in brain development issues, who said that there was nothing in the books to suggest brain development would be impaired by a baby being put in any form of routine; and
- a GP who was of the view that none of the particular routines/methods was damaging to a baby's well-being.

A senior consultant paediatrician (currently an honorary senior clinical lecturer at a leading UK university and an associate member of the General Medical Council) also viewed all the programmes in the series, after editing and before their transmission. He was of the view that the babies had not been put at any risk.

Ofcom is also aware that all the families, whilst participating in the series, followed the standard practice (after leaving hospital with a new baby) of consulting with their GP, attending clinics and receiving visits from qualified health care professionals.

In our view, the broadcaster therefore gave careful and appropriate consideration to the potential impact of the methods used on the infants, and sought relevant independent advice. We have seen no evidence to suggest that due care was not taken over the physical and emotional welfare of the children, or that they were caused unnecessary distress or anxiety.

Ofcom also took into account concerns over the professional experience and qualifications of some of the mentors involved with the series. It is not Ofcom's duty to regulate such qualifications, or lack of them, except insofar as it might contribute to a breach of the Code through materially increasing the risk of harm to the children (see also "Claire Verity's Qualifications: Rule 2.2" below). However, in Ofcom's view, a material increase in the risk of harm to the children did not happen here for a number of reasons, including: the fact that the books (Truby King, Spock and Continuum methods, written by acknowledged experts) were essentially the

'providers of the advice' to parents; the appropriate levels of protection from harm provided for the young children throughout the series; the fact that objective independent information from healthcare professionals was available to the parents through the standard medical routes during filming; and the guidance followed by the programme-makers, on the advice of the relevant medical experts consulted.

With regard to the matter of consent, Channel 4 had made it clear that the families involved had been given detailed information on the principles and techniques of the methods being used to ensure that they were able to make an informed choice as to whether to continue with the method they had themselves chosen. It was made clear to the families that they were free to change their minds, and cease using the method in question, at any time they chose to do so during filming.

It should be noted that Ofcom has not received a complaint from the parents who participated in the programmes. Neither has Ofcom received any complaint from the healthcare professionals involved in the independent provision of the standard care to the participating families, as mentioned above.

For all of the reasons set out above, the programmes were not in breach of Rules 1.26 and 1.27.

#### **Possibility of harm being caused, in general, by the broadcast of the programmes: Rules 2.1 and 2.4**

In considering this matter, Ofcom sought to establish whether the broadcaster had applied generally accepted standards to the programmes to ensure adequate protection from material that could be harmful. In other words, did Channel 4 encourage or condone harmful methods which could endanger babies?

In Ofcom's view, *Bringing Up Baby* was a programme which explored different methods of raising a baby which have been, and are still, popular in the UK. The methods adopted were put into context and the pros and cons of each method were explored. In particular, the more controversial approaches were all challenged within the programme, either via the commentary or by the mentors themselves. Further, where the approach differed from *current* public health advice, this was made clear to the viewers and explained. For instance, having the newborn baby sleeping next to the parents in their bedroom was described as "*the safest place to be according to government guidelines*". When the mentor for the Truby King method encouraged the weaning of young babies at the age of 16 weeks, the programme clearly stated that the current World Health Organisation advice is for weaning to take place at 6 months because of the risk of allergies. In discussion about formula milk, the programme was unequivocal, stating that "*breast milk is known to be much better for babies than bottled formula*". The broadcasting of views which challenge *current* medical advice may not, in itself, breach the Code. Programmes should be permitted to explore such issues so long as such views are appropriately explained and put in context.

In Ofcom's view, the programme ensured that the viewer would be left in no doubt, what the pros and cons were of each method, and how each mentor felt about the others' view. According to the Dr Spock mentor, the Truby King method was "*...cruel, hard, awful... when what a baby actually needs love, touch and cuddles*". The Truby King method was itself described by its own mentor as "*quite mean*".

The programmes themselves frequently made it clear that the methods used were controversial, and consequently were not offering universally accepted approaches to

childcare. For example, important issues such as leaving a baby to cry, or allowing a baby to sleep in the same bed as the parents, were both regularly fiercely debated by the three mentors on screen and/or questioned by the participating parents themselves. Therefore there were frequent discussions between the mentors (and the parents) about the appropriateness of the approaches and the viewer would be left in no doubt about which ones would be considered, by many, as problematic.

Further areas of controversy or risk were regularly highlighted in the commentary throughout the series, e.g.:

- “...some people criticise the 1950s routine...”;
- “...today, some experts also believe that having your baby in the same room can help prevent cot death...”;
- “...although co-sleeping [in the parent’s bed] is the norm in some countries, it’s a contentious issue in Britain and should only be done if proper safety guidelines are followed” (the safety guidelines were then outlined by the Continuum mentor and re-stated in the commentary); and
- “...but having no rules isn’t always a blessing...”.

It is also important to note that all the babies, when shown asleep in their cots or prams, were shown lying on their backs and placed at the end of the bed - both positions recommended by today’s practitioners; and that there was an extensive website providing a wide range of information related to the programmes, childcare advice (including reference to currently accepted practices) and debate; the address of which was announced at the end of every programme.

Overall, *Bringing Up Baby* was not a programme that advocated or promoted any one method or particular practice. It gave the viewers the facts about different approaches adopted today and in the past. The methods were put in an historical perspective. Where appropriate, it gave the government or other health guidelines. In our view, it was clear that the parents that featured in the programme had different priorities and chose their method accordingly.

Taking all the above into account, we consider that the broadcaster took the necessary steps to ensure that there was adequate protection for viewers from harm.

The programmes were therefore not in breach of Rules 2.1 and 2.4.

### **Claire Verity’s Qualifications: Rule 2.2**

Concerns were also raised over the qualifications of Claire Verity (who advocated the Truby King theory). In terms of whether the audience was materially misled, Ofcom’s remit, in this case, extended only to what was broadcast (as opposed to what may or may not have been claimed off-air). The programme almost exclusively referred to Claire Verity as a “mentor” (and on one occasion as a “1950s guru”). Such descriptions did not attribute to her any qualifications or expertise beyond what she may or may not have. The broadcaster stated that she had been working with babies and children for over 20 years.

However, the broadcaster did also refer in the introductory sequences to Claire Verity as “a maternity nurse”. Some complainants were concerned that the use of this term implied Claire Verity had qualifications which they believed she did not in fact have. In our view, there is no evidence to suggest that a maternity nurse must have a qualification or belong to any professional body. While some maternity nurses may

have a medical background, others do not but are experienced nannies or carers. Therefore, in our view, the description can refer to someone who is “experienced” in post-birth care both for the baby and the mother, and the programme was not necessarily intending to imply that Ms Verity had medical qualifications.

As it was therefore unclear whether or not Ms Verity had professional qualifications, we went on to consider whether by labelling her as a maternity nurse, there was a risk that some viewers might have assumed that her opinions were backed by professional training, and that she was accountable to a professional body.

On the very few occasions she was referred to as a “*maternity nurse*”, it was always qualified and limited. For example: she was referred to as a “*controversial maternity nurse*”, “*1950s style maternity nurse*” and “*1950s inspired maternity nurse*”. On these occasions, she was also introduced as a “*mentor*” immediately before.

Taking into account all of the above, it is our view that whether Ms Verity has professional qualifications or not, the programmes were not materially misleading to viewers about her professional status, so as to cause harm.

Nevertheless, it is clear that in cases such as these, where there is the potential for harm, broadcasters should be careful when using terms which may imply participants have medical qualifications or other professional status. They need to take into account the potential risk of viewers giving more weight to the opinions of such people. It would therefore have been preferable for the programme not to have used this term (even if only sparingly).

### **Not in Breach**

## Note to Broadcasters

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### Revised guidance concerning society lotteries

On 5 December 2005, Ofcom published guidance concerning society lotteries, to Rule 10.4 (undue prominence) of the Code. In carrying out our statutory duties concerning the broadcast of local material, and the fact that society lotteries are 'not-for-profit' and raise money for good causes, Ofcom considered, on a temporary basis, to allow an *appropriate degree* of flexibility in interpreting and applying Rule 10.4 of the Code when considering broadcast draw coverage of certain locally promoted and operated society lotteries by local broadcasters – Independent Local Radio, Community Radio, Restricted Service Licensees (radio and television) and some Digital Sound Programme Service licensees.

In line with our published intention to review our guidance concerning broadcast society lottery draw coverage, Ofcom has now reconsidered the matter and decided to lift the temporary status of the guidance. We have added criteria (previously issued on request) that should be met when a broadcaster is assessing whether potential coverage would be afforded an *appropriate degree* of flexibility in our interpretation and application of Rule 10.4 of the Code.

As with all Code guidance, should further review become necessary, Ofcom will consider the matter accordingly.

### The following is our revised guidance (to Rule 10.4 of the Code) concerning lotteries:

#### The National Lottery [note: for information only – unchanged]

Ofcom recognises the national and statutory status of the National Lottery and will apply an *appropriate degree* of flexibility in interpreting and applying this Rule in the context of references to the National Lottery in programming.

#### Society Lotteries

In interpreting Rule 10.4 in relation to the coverage of society lottery draws, Ofcom has regard to both its duty to promote 'localness' in radio and the fact that they are for 'good causes' and 'not-for-profit'. When covering society lottery draws, broadcasters should take into account the following:

Ofcom will apply an *appropriate degree* of flexibility in interpreting and applying this Rule, when considering the broadcast of locally operated and promoted society lottery draws on:

- restricted service licence (RSL) services (radio and television);
- local commercial radio (i.e. independent local radio (ILR) services);
- community radio services; and
- digital sound programme services (DSPS) on local digital multiplexes, where the relevant service has a commitment to the broadcast of local content and is broadcasting local content other than locally-promoted society lottery draw coverage;

where:

- the society or societies concerned (the 'good causes') have a significant local presence and purpose or are of particular interest to the community served by

- the RSL, ILR or DSPS service concerned, or deliver social gain, as defined in the Community Radio Order 2004, to the community radio service concerned;
- the licensee's licensed area (total coverage area of the service broadcast (including relays), for television RSL licensees) reasonably reflects the intended lottery catchment area; and
  - the licensee's audience (total audience for the service broadcast (including relays) for television RSL licensees) reasonably reflects potential lottery participants.

Any local broadcaster considering broadcast draw coverage of a locally operated and promoted society lottery should therefore satisfy itself that the lottery contributes towards localness with regard to both the 'good cause' and the status of the lottery itself.

However, broadcasters should also note that any individual 'good cause' benefiting from a society lottery is likely to be a 'product or service' to which the general prohibition in Rule 10.4 against undue prominence applies. It is therefore possible that the broadcasting of draw coverage for a single cause (taking into account such factors as the frequency and prominence of the coverage and the existence of other society lotteries that may be running in the area) could be or become unduly prominent.

## Fairness and Privacy Cases

### Not Upheld

#### Complaint by Mr Kaiser Nisar

*News Bulletin, Sunrise Radio 103.2FM (Yorkshire), 23 March 2006*

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**Summary:** Ofcom has not upheld this complaint. Mr Kaiser Nisar complained that his privacy was unwarrantably infringed in the programme, in that his name and home address were broadcast. The news item related to a contractual dispute between Sunrise Radio and Mr Nisar's company, and referred to an injunction granted by the court in favour of Sunrise Radio that froze Mr Nisar's assets.

Ofcom found that Mr Nisar did not have a legitimate expectation of privacy in the circumstances of this complaint. Mr Nisar's home address had been disclosed in open court and there was evidence that at times Mr Nisar used his different addresses, including his home address, for his various businesses. In all the circumstances, therefore, the Committee considered that Mr Nisar's privacy had not been infringed. Having reached this view, it was not necessary for the Fairness Committee to go on to consider the question of whether any infringement was warranted.

#### Introduction

On 23 March 2006, Sunrise Radio 103.2 FM (Yorkshire) ("Sunrise") broadcast an hourly news bulletin between 12:00 and 18:00 that included an item concerning a contractual dispute between Mr Kaiser Nisar and Sunrise. The dispute had arisen from the refurbishment of the station's studios by Mr Nisar's company, Deltatech UK. The bulletin item reported that Sunrise had been successful in obtaining an injunction that froze Mr Nisar's assets pending a court hearing to be held later in the year. The item also disclosed Mr Nisar's name and postal address. The bulletin item reported that:

*"Sunrise Radio at the High Court in Leeds on 21 March obtained a Freezing Injunction against Kaiser Nisar of 6 Blenheim Mount, Bradford who was trading as Delta Tech..."*

Mr Nisar complained to Ofcom that his privacy was unwarrantably infringed in the programme as broadcast.

Ofcom's Executive Fairness Group ("EFG") originally considered and provisionally adjudicated on this complaint, finding that there had been an infringement of privacy but that this had been warranted in the public interest.

Mr Nisar requested a review of the provisional finding on the ground that it was flawed.

Ofcom's Fairness Committee (its most senior decision making body with regard to fairness and privacy complaints) met to consider afresh Mr Nisar's complaint of unwarranted infringement of privacy in the programme as broadcast.

## **The Complaint**

### **Mr Nisar's case**

In summary, Mr Nisar complained that his privacy was unwarrantably infringed in the programme as broadcast in that his name and home postal address, rather than his business address, were referred to in the news reports.

Mr Nisar said his home address was 6 Blenheim Mount, while his business address was 9 Blenheim Mount. He said that Deltatech UK's headed paper (provided to Ofcom) stated 9 Blenheim Mount as its address and that all business correspondence was sent to this address. Mr Nisar claimed that Ms Usha Parmar, Sunrise's Chief Executive Officer, was well aware of this fact.

### **Sunrise's case**

In summary and in response to Mr Nisar's complaint, Sunrise said that the inclusion of Mr Nisar's home address in the reports was not an infringement of his privacy as it was already in the public domain. Mr Nisar had disclosed this information, in letters and in his own affidavit (copies and extracts of which were provided to Ofcom), to the court. The information about his home address was, therefore, already in the public domain. Sunrise said that neither Mr Nisar nor his legal representatives had applied to the court to keep his home address confidential.

Sunrise also said that the disclosure of Mr Nisar's home address was not an infringement of his privacy, not only because it was already in the public domain, but that it was also well known in the wider community due to his own "disclosures". Sunrise said that it was clear from the documents submitted by Mr Nisar in court that he interchanged the property numbers of the Blenheim Mount addresses to suit his business and residential needs.

### **Mr Nisar's additional comments**

Mr Nisar requested a review of the Provisional Decision on the grounds that it was flawed. Ofcom granted Mr Nisar's request for review on the basis that, in deciding that the infringement was warranted, it was arguable that Ofcom had considered factors beyond the particular circumstances of the case.

### **Sunrise's comments in response**

In summary Sunrise responded as follows:

It reiterated its argument that the report had covered an issue of grave concern to the local Bradford people (Sunrise claimed that this view was supported by the response from its listeners) and that, therefore, the infringement of Mr Nisar's privacy was warranted (particularly because the issue involved a great deal of public money and high profile court case). The broadcaster also stated: that Mr Nisar's behaviour (notably his habitual readiness to change addresses) had made the inclusion of his address one of necessity; that Mr Nisar had brought himself and his link to this issue to the attention of the community; that his particulars were further detailed in the public domain of the judicial system; and, that neither Mr Nisar nor his legal representatives had ever requested that any of the addresses be kept confidential.

## 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 included in such services 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 case was first considered by Ofcom's Executive Fairness Group. It was then referred to the Fairness Committee for review.

The Fairness Committee considered the complaint (together with supporting material); the broadcaster's response (together with supporting material); a recording and transcript of the programme as broadcast; Mr Nisar's request for a review of the Provisional Decision and Sunrise's response to it. In its considerations, the Fairness Committee took account of the Code.

Rule 8.1 of the Code requires:

"Any infringement of privacy in programmes, or in connection with obtaining material included in programmes, must be warranted."

In the view of the Fairness Committee, 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 three distinct questions: First, does the complainant have a legitimate expectation of privacy in the circumstances of the case? Second, if so, has there been an infringement of privacy? Third, if there has been an infringement of privacy was the infringement warranted?

The Fairness Committee first considered whether Mr Nisar had a legitimate expectation of privacy in relation to the disclosure of his name and home address in the news bulletins broadcast on Sunrise Radio.

In reaching its decision the Committee noted the comments made in the news bulletin:

*"Sunrise Radio at the High Court in Leeds on 21 March obtained a Freezing Injunction against Kaiser Nisar of 6 Blenheim Mount, Bradford who was trading as Deltatech..."*

It observed that Mr Nisar claimed that his home address was 6 Blenheim Mount (as mentioned in the report), while the address for his business, Deltatech UK, was 9 Blenheim Mount. It also noted an invoice receipt and various letters (provided to Ofcom by Mr Nisar) that related to Deltatech UK and which were addressed to him at 9 Blenheim Mount. In addition, the Fairness Committee noted an affidavit dated 23 February 2006 made by Mr Nisar in relation to the court action between him (trading as Deltatech UK) and Sunrise which also gave his address as 9 Blenheim Mount.

The Fairness Committee also noted a number of documents relating to Mr Nisar that were submitted by Sunrise in its response to the complaint. Three of the documents were addressed to Mr Nisar at Deltatech UK, and were directed variously to 2, 7 and 9 Blenheim Mount. The Fairness Committee also noted that one further letter sent to the complainant at 2 Blenheim Mount was addressed to a "Mr Nisar" of "Cryotech Limited". The four remaining documents submitted by Sunrise were addressed to Mr Nisar at 6 Blenheim Mount, but did not refer to Deltatech UK. However, Ofcom noted that the correspondence to Mr Nisar at 6 Blenheim Mount might well have been related to business activities. In particular, the Committee observed that the correspondence included a letter addressed to "Kaiser Nisar, Electronic Design Engineer, Digital Dynamics".

The Fairness Committee therefore considered that the supporting material provided to it and referred to above suggested that Mr Nisar used all four of his properties (2, 6, 7 and 9 Blenheim Mount) as interchangeable bases from which to trade and that it was not clear that one property served as the base for one company or indeed that 6 Blenheim Mount was solely a home address.

The Committee then looked at other factors which might have affected Mr Nisar's expectation of privacy in the circumstances of this case.

Given that transparency is essential to an open justice system, and that such transparency relies upon free and open reporting of court proceedings, the Fairness Committee considered that it would have been reasonable for Mr Nisar to have expected that information about him which was disclosed in court (including his address) would be reported. Therefore, in the Committee's view Mr Nisar's expectation of privacy with regard to the broadcast of this material was lowered.

In addition, the Committee recognised that in this case there was no evidence to suggest that any directions had been given by the court to restrict the broadcaster's freedom of expression in reporting information relating to the court case by preventing the disclosure of Mr Nisar's address or other personal information.

Also, in this case, it noted that there was no evidence that the disclosure of this information would have been likely to lead to an increased risk of harm to or harassment of Mr Nisar.

In the Committee's view therefore, while there is a general expectation that a broadcaster will not disclose the location of a person's home or family unless it is warranted, in the specific circumstances of this case Mr Nisar did not have a legitimate expectation of privacy in relation to his home address.

Given that Mr Nisar did not have a legitimate expectation of privacy in the circumstances of this case, the Fairness Committee found that there was no infringement of his privacy. Therefore, the Committee did not go on to consider the question of whether any infringement was warranted.

**Accordingly, the complaint of unwarranted infringement of privacy was not upheld.**

## Other Programmes Not in Breach/Out of Remit

14 to 28 November 2007

Programme	Trans Date	Channel	Category	No of Complaints
9/11: The Conspiracy Files	18/02/2007	BBC2	Due Impartiality/Bias	1
A Girl's Guide to 21st Century Sex	22/11/2007	Five	Sex/Nudity	2
After You've Gone	19/10/2007	BBC1	Generally Accepted Standards	1
After You've Gone	19/10/2007	BBC1	Substance Abuse	1
Agatha Christie's Why Didn't They Ask Evans	25/11/2007	ITV3	Other	1
All Star Family Fortunes	27/10/2007	ITV1	Generally Accepted Standards	4
Another Audience with Al Murray	27/10/2007	ITV1	Generally Accepted Standards	5
Are You Smarter Than a Ten Year Old?	18/11/2007	Sky One	Inaccuracy/Misleading	1
BBC News	13/11/2007	BBC1	Crime (incite/encourage)	1
BBC News	12/11/2007	BBC1	Commercial References	1
BBC News	05/11/2007	BBC1	Sex/Nudity	3
BBC News	01/11/2007	BBC1	Generally Accepted Standards	1
BBC News	12/11/2007	BBC News 24	Inaccuracy/Misleading	1
BBC News	26/10/2007	BBC1	Flashing images	1
BBC News	20/11/2007	BBC1	Due Impartiality/Bias	1
Banged Up Abroad	08/10/2007	Five	Other	1
Big Brother 8	07/06/2007	Channel 4	Generally Accepted Standards	1
Big School (trailer)	19/10/2007	Five	Violence	1
Brainteaser	-	Five	Use of Premium Rate Numbers	1
Breakfast Show	03/10/2007	LBC	Generally Accepted Standards	1
Breakfast Show	24/09/2007	Sunrise Radio	Commercial References	1
Bremner, Bird and Fortune	28/10/2007	Channel 4	Offensive Language	2
Bremner, Bird and Fortune	28/10/2007	Channel 4	Generally Accepted Standards	1
Bremner, Bird and Fortune	21/10/2007	Channel 4	Generally Accepted Standards	1
Britain's Favourite View	09/09/2007	ITV1	Use of Premium Rate Numbers	2
Californication	15/11/2007	Five	Undue Prominence	1
Carling Cup Highlights	31/10/2007	ITV1	Inaccuracy/Misleading	1
Channel 4 News	29/10/2007	Channel 4	Due Impartiality/Bias	1
Channel 4 News	09/11/2007	Channel 4	Due Impartiality/Bias	1
Channel 4 News	08/08/2007	Channel 4	Due Impartiality/Bias	1
Channel S	24/10/2007	RFC Appeal	Crime (payment)	1
Children in Need (trailer)	02/11/2007	BBC1	Generally Accepted Standards	2

Chris Moyles Show	06/11/2007	BBC Radio 1	Generally Accepted Standards	3
Chute	25/10/2007	BBC1	Harm/Food	1
Comedy Lab: Ain't It Funny Being Coloured	24/10/2007	Channel 4	Generally Accepted Standards	1
Coronation Street	04/11/2007	ITV1	Sex/Nudity	1
Coronation Street	26/09/2007	ITV1	Violence	1
Coronation Street	23/10/2007	ITV1	Crime (incite/encourage)	1
Coronation Street	28/10/2007	ITV1	Religious Offence	1
Crimewatch	29/10/2007	BBC1	Generally Accepted Standards	1
Damien and Naomi	25/10/2007	Leicester Sound	Generally Accepted Standards	1
Destiny	30/08/2007	Oneword Radio	Offensive Language	1
Disasters Emergency Committee Appeal	22/11/2007	BBC Radio 4	Use of Premium Rate Numbers	1
Dispatches: Undercover Mosques	15/01/2007	Channel 4	Generally Accepted Standards	388
Dispatches: Unholy War	17/09/2007	Channel 4	Religious Issues	1
Donald Macleod	02/11/2007	93.6 Rock Radio	Animal Welfare	1
Down The Line	13/11/2007	BBC Radio 4	Sex/Nudity	4
Dragon's Den	22/10/2007	BBC2	Exorcism/Occult/Paranormal	1
Drake & Josh	29/10/2007	Nickelodeon	Offensive Language	1
E4 Music	29/10/2007	E4	Offensive Language	1
Eastenders	29/10/2007	BBC1	Other	1
Eastenders	10/09/2007	BBC1	Generally Accepted Standards	1
Eastenders	13/11/2007	BBC1	Violence	1
Eastenders	01/11/2007	BBC1	Offensive Language	1
Eastenders	26/11/2007	BBC1	Undue Prominence	1
Eastenders	16/10/2007	BBC1	Generally Accepted Standards	1
Eastenders	10/09/2007	BBC1	Generally Accepted Standards	2
Eastenders Omnibus	18/11/2007	BBC1	Generally Accepted Standards	1
Emmerdale	12/11/2007	ITV1	Generally Accepted Standards	111
Emmerdale	21/11/2007	ITV1	Generally Accepted Standards	1
Emmerdale	16/10/2007	ITV1	Unconscious influence/hypnosis/	1
Emu	13/10/2007	ITV1	Dangerous Behaviour	1
Essex FM	25/10/2007	Essex FM	Generally Accepted Standards	1
Final Whistle	03/11/2007	talkSPORT	Generally Accepted Standards	12
Five News	17/10/2007	Five	Crime (incite/encourage)	1
Frankenstein	24/10/2007	ITV1	Violence	7
Frankenstein (trailer)	22/10/2007	ITV1	Generally Accepted Standards	2

Funniest Ever You've Been Framed!	24/11/2007	ITV1	Animal Welfare	1
GMTV	29/10/2007	ITV1	Due Impartiality/Bias	1
GMTV	31/10/2007	ITV1	Due Impartiality/Bias	1
GMTV	09/11/2007	ITV1	U18s in Programmes	1
Gay to Z	23/11/2007	Channel 4	Sex/Nudity	1
George Galloway	06/10/2007	talkSPORT	Religious Offence	1
Gordon Ramsay's Kitchen Nightmares (trailer)	05/11/2007	Channel 4	Offensive Language	1
Half Broken Things	28/10/2007	ITV1	Generally Accepted Standards	1
Have I Got News for You	02/11/2007	BBC1	Generally Accepted Standards	2
Have I Got News for You	29/10/2007	BBC2	Generally Accepted Standards	1
Hollyoaks	23/09/2007	Channel 4	Generally Accepted Standards	1
Hollyoaks	30/10/2007	Channel 4	Sex/Nudity	1
Hollyoaks	25/10/2007	E4	Violence	1
Hollyoaks	28/10/2007	Channel 4	Violence	1
How to Be a Property Developer	04/11/2007	Five	Offensive Language	1
Human Guinea Pigs	12/11/2007	Five	Animal Welfare	1
I'm A Celebrity, Get Me Out of Here Now!	22/11/2007	ITV2	Animal Welfare	4
I'm A Celebrity, Get Me Out of Here!	26/11/2006	ITV1	Generally Accepted Standards	1
I'm A Celebrity, Get Me Out of Here!	19/11/2007	ITV1	Animal Welfare	8
I'm A Celebrity, Get Me Out of Here!	15/11/2007	ITV1	Animal Welfare	2
I'm A Celebrity, Get Me Out of Here!	-	ITV	Competitions	1
I'm a Celebrity, Get Me Out of Here!	14/11/2007	ITV1	Animal Welfare	1
I'm a Celebrity, Get Me Out of Here!	20/11/2007	ITV1	Animal Welfare	1
I'm a Celebrity, Get Me Out of Here Now!	14/11/2007	ITV2	Generally Accepted Standards	1
ITV News	17/10/2007	ITV1	Due Impartiality/Bias	1
ITV News	01/11/2007	ITV1	Generally Accepted Standards	2
ITV News	19/10/2007	ITV1	Offensive Language	1
Ice Hockey (trailer)	25/10/2007	Five	Violence	3
India's Missing Girls: This World	22/10/2007	BBC2	Generally Accepted Standards	1
Jack the Lads Weekly Wind-up	06/11/2007	Southern FM	Generally Accepted Standards	1
James Max	28/10/2007	talkSPORT	Use of Premium Rate Numbers	1
James Whale	26/09/2007	talkSPORT	Competitions	1
Jeremy Vine	20/11/2007	BBC Radio 2	Due Impartiality/Bias	1
Jon Gaunt	-	talkSPORT	Competitions	1
Jon Gaunt	15/11/2007	talkSPORT	Commercial References	1

Jonathan Ross	13/10/2007	BBC Radio 2	Crime (incite/encourage)	1
Katie & Peter: Unleashed	12/11/2007	ITV2	Generally Accepted Standards	1
Katy Brand's Big Ass Show	02/11/2007	ITV2	Animal Welfare	3
Katy Brand's Big Ass Show	26/10/2007	ITV2	Religious Offence	1
Katy Brand's Big Ass Show	26/10/2007	ITV2	Generally Accepted Standards	1
Michael Jackson: What Really Happened	24/10/2007	Channel 4	Inaccuracy/Misleading	135
MobileAct Unsigned	04/11/2007	Channel 4	Due Impartiality/Bias	1
More4 News	31/10/2007	More4	Generally Accepted Standards	1
Most Haunted (trailer)	17/10/2007	Living TV	Generally Accepted Standards	1
Most Haunted Live: Halloween 2007	27/10/2007	Living	Religious Offence	6
Most Haunted Live: Halloween 2007	27/10/2007	Living	Dangerous Behaviour	1
Most Haunted Live: Halloween 2007	31/10/2007	Living	Inaccuracy/Misleading	3
Most Haunted Live: Halloween 2007	29/10/2007	Living	Generally Accepted Standards	1
Most Haunted Live: Halloween 2007	31/10/2007	Living	Exorcism/Occult/Paranormal	1
My Spy Family	07/11/2007	Boomerang	Sex/Nudity	3
News	02/11/2007	Leicester Sound	Inaccuracy/Misleading	4
News	22/10/2007	ITV1	Inaccuracy/Misleading	1
Newsnight	17/10/2007	BBC2	Generally Accepted Standards	1
Newsnight	08/10/2007	BBC2	Generally Accepted Standards	1
Ollie Hayes	-	Hallam FM	Use of Premium Rate Numbers	1
Panorama	12/11/2007	BBC1	Due Impartiality/Bias	1
Parkinson	03/11/2007	ITV1	Generally Accepted Standards	1
Postcode Challenge	19/11/2007	STV	Commercial References	1
Question Time	25/10/2007	BBC1	Generally Accepted Standards	1
Radio Broadland	01/10/2007	Radio Broadland	Competitions	1
Ramsay's Kitchen Nightmares	20/11/2007	Channel 4	Inaccuracy/Misleading	2
Ramsay's Kitchen Nightmares	20/11/2007	Channel 4	Offensive Language	1
Ramsay's Kitchen Nightmares	13/11/2007	Channel 4	Offensive Language	1
Ramsay's Kitchen Nightmares	30/10/2007	Channel 4	Generally Accepted Standards	1
Ramsay's Kitchen Nightmares	30/10/2007	Channel 4	Offensive Language	1
Ramsay's Kitchen Nightmares	13/11/2007	Channel 4	Inaccuracy/Misleading	1
Real Football Factories	03/11/2007	Virgin1	Violence	1
Real Radio	10/10/2007	Real Radio	Competitions	1
Real Rescue	05/11/2007	BBC1	Other	1
Rebus	12/10/2007	ITV1	Offensive Language	1
Rick Stein's Mediterranean Escapes	01/11/2007	BBC2	Sex/Nudity	1

Russell Brand	17/11/2007	BBC Radio 2	Sex/Nudity	1
Saturday Cooks!	10/11/2007	ITV1	Use of Premium Rate Numbers	1
Shane Richie's Playlist	17/10/2007	ITV1	Generally Accepted Standards	1
Simon Mayo	09/11/2007	BBC Radio 5 Live	Due Impartiality/Bias	1
Sky News	01/10/2007	Sky News	Inaccuracy/Misleading	1
Sky News	29/10/2007	Sky News	Generally Accepted Standards	1
Soccer AM	03/11/2007	Sky One	Generally Accepted Standards	1
Something for the Weekend	28/10/2007	BBC2	Crime (incite/encourage)	1
Street Wars	03/11/2007	Sky Three	Generally Accepted Standards	1
Strictly Come Dancing	10/11/2007	BBC1	Use of Premium Rate Numbers	1
TMi	27/10/2007	BBC2	Generally Accepted Standards	1
TV is Dead	16/10/2007	Channel 4	Offensive Language	1
The Alan Titchmarsh Show	02/10/2007	ITV1	Sex/Nudity	1
The Bill	18/10/2007	ITV1	Inaccuracy/Misleading	1
The Enforcers	14/11/2007	BBC1	Inaccuracy/Misleading	2
The Gadget Show	12/11/2007	Five	Inaccuracy/Misleading	1
The Graham Norton Show	18/10/2007	BBC2	Offensive Language	1
The Graham Norton Show	01/11/2007	BBC2	Sex/Nudity	3
The Gunpowder Plot: Exploding the Legend	05/11/2007	ITV4	Generally Accepted Standards	1
The Hotel Inspector	12/11/2007	Five Life	Offensive Language	1
The Jeremy Kyle Show	11/10/2007	ITV2	U18s in Programmes	1
The Most Annoying Pop Songs ...We Hate to Love	16/10/2007	BBC3	Offensive Language	1
The ONE Show	20/11/2007	BBC1	Offensive Language	1
The Paul O' Grady Show	10/10/2007	Channel 4	Generally Accepted Standards	1
The Politics Show	18/11/2007	BBC1	Other	1
The Simpsons	26/10/2007	Sky One	Offensive Language	1
The Weather Man	19/10/2007	Sky Movies	Offensive Language	1
The Wright Stuff	25/10/2007	Five	Generally Accepted Standards	2
The Wright Stuff	24/10/2007	Five	Religious Offence	3
The Wright Stuff	24/10/2007	Five	Generally Accepted Standards	1
The Wright Stuff	-	Five	Use of Premium Rate Numbers	1
The Wright Stuff	15/10/2007	Five	Generally Accepted Standards	1
The X Factor	27/10/2007	ITV1	Generally Accepted Standards	4
The X Factor	27/10/2007	ITV1	Inaccuracy/Misleading	5
The X Factor	03/11/2007	ITV1	Sex/Nudity	3
The X Factor	11/11/2007	ITV1	Generally Accepted Standards	2
The X Factor	20/10/2007	ITV1	Sex/Nudity	4
The X Factor - The Results	03/11/2007	ITV1	Offensive Language	3
The Xtra Factor	27/10/2007	ITV2	Violence	1

This Morning	09/11/2007	ITV1	Inaccuracy/Misleading	1
This Morning	21/11/2007	ITV1	Inaccuracy/Misleading	1
This Morning	24/10/2007	ITV1	Due Impartiality/Bias	3
This Morning	02/10/2007	ITV1	Competitions	1
Top Gear	14/10/2007	BBC2	Generally Accepted Standards	6
Top Gear	03/11/2007	BBC3	Generally Accepted Standards	1
Top Gear	24/10/2007	BBC2	Generally Accepted Standards	1
Top Gear	28/10/2007	BBC2	Generally Accepted Standards	4
Traffic Cops	22/10/2007	BBC1	Violence	1
Traffic Cops	22/10/2007	BBC1	Generally Accepted Standards	1
Travel Channel	02/08/2007	Travel Channel	Advertising	1
Trinny and Susannah Undress the Nation	07/11/2007	ITV1	Sex/Nudity	1
Trinny and Susannah Undress the Nation	13/11/2007	ITV1	Offensive Language	1
Vauxhall sponsorship of My Time	30/10/2007	Dave	Dangerous Behaviour	2
Waterloo Road	11/10/2007	BBC1	Generally Accepted Standards	3
Wife Swap	28/10/2007	Channel 4	Animal Welfare	6
Wife Swap	14/10/2007	Channel 4	Generally Accepted Standards	13
Wife Swap	14/10/2007	Channel 4	U18s in Programmes	1
Wife Swap	14/10/2007	Channel 4	Offensive Language	1