

# **Ofcom Broadcast and On Demand Bulletin**

**Issue number 313  
26 September 2016**

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## Introduction

Under the Communications Act 2003 (“the Act”), Ofcom has a duty to set standards for broadcast content as appear to it best calculated to secure the standards objectives<sup>1</sup>. Ofcom also has a duty to secure that every provider of a notifiable On Demand Programme Services (“ODPS”) complies with certain standards requirements as set out in the Act<sup>2</sup>. Ofcom must include these standards in a code, codes or rules. These are listed below.

The Broadcast and On Demand Bulletin reports on the outcome of investigations into alleged breaches of those Ofcom codes and rules below, as well as licence conditions with which broadcasters regulated by Ofcom are required to comply. We also report on the outcome of ODPS sanctions referrals made by the ASA on the basis of their rules and guidance for advertising content on ODPS. These Codes, rules and guidance documents include:

- a) [Ofcom’s Broadcasting Code](#) (“the Code”) for content broadcast on television and radio services.
- b) the [Code on the Scheduling of Television Advertising](#) (“COSTA”) which contains rules on how much advertising and teleshopping may be scheduled in television programmes, how many breaks are allowed and when they may be taken.
- c) certain sections of the [BCAP Code: the UK Code of Broadcast Advertising](#), which relate to those areas of the BCAP Code for which Ofcom retains regulatory responsibility for on television and radio services. These include:
  - the prohibition on ‘political’ advertising;
  - sponsorship and product placement on television (see Rules 9.13, 9.16 and 9.17 of the Code) and all commercial communications in radio programming (see Rules 10.6 to 10.8 of the Code);
  - ‘participation TV’ advertising. This includes long-form advertising predicated on premium rate telephone services – most notably chat (including ‘adult’ chat), ‘psychic’ readings and dedicated quiz TV (Call TV quiz services). Ofcom is also responsible for regulating gambling, dating and ‘message board’ material where these are broadcast as advertising<sup>3</sup>.
- d) other licence conditions which broadcasters must comply with, such as requirements to pay fees and submit information which enables Ofcom to carry out its statutory duties. Further information can be found on Ofcom’s website for [television](#) and [radio](#) licences.
- e) Ofcom’s [Statutory Rules and Non-Binding Guidance for Providers of On-Demand Programme Services](#) for editorial content on ODPS. Ofcom considers sanctions in relation to advertising content on ODPS on referral by the Advertising Standards Authority (“ASA”), the co-regulator of ODPS for advertising or may do so as a concurrent regulator.

[Other codes and requirements](#) may also apply to broadcasters, depending on their circumstances. These include the Code on Television Access Services (which sets out how much subtitling, signing and audio description relevant licensees must

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<sup>1</sup> The relevant legislation is set out in detail in Annex 1 of the Code.

<sup>2</sup> The relevant legislation can be found at Part 4A of the Act.

<sup>3</sup> BCAP and ASA continue to regulate conventional teleshopping content and spot advertising for these types of services where it is permitted. Ofcom remains responsible for statutory sanctions in all advertising cases.

provide), the Code on Electronic Programme Guides, the Code on Listed Events, and the Cross Promotion Code.

**It is Ofcom's policy to describe fully the content in television, radio and on demand content. Some of the language and descriptions used in Ofcom's Broadcast and On Demand Bulletin may therefore cause offence.**

## Broadcast Standards cases

### In Breach

#### Weekend Hypes

TV99, 12 April 2016, 11:20

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#### Introduction

TV99 is a general entertainment channel aimed at the Asian community in the UK and in Europe. The licence for the service is held by 99 Media Org Limited (“the Licensee”).

*Weekend Hypes* was a programme covering community events happening in London. A complainant alerted Ofcom to the broadcast on 12 April 2016, which featured references to a Vaisakhi<sup>1</sup> event that was taking place at Monsoon Banqueting Hall in Southall on 16 April 2016.

Ofcom translated Punjabi content in the programme into English.

The programme featured interviews with a number of people attending the event and several verbal references to artists and other famous individuals who would be attending. The dialogue included the following statements:

Interviewer: *“I want you to give this message to all the viewers, so look towards the camera and give your message [points towards camera]”.*

Ajit Singh Jaggar: *“Yes we are having a celebration on 16 April at Monsoon, and that will be a unique celebration as nobody has done anything like this before. Obviously there have been many other musical celebrations but none to specifically celebrate Vaisakhi. Just look at the really excellent artists who are going to appear in it. Heera, Dhamia, Sonu Walia, Sureela also Manjeet Asliwala. Our Bhangra group is also coming along”.*

\*\*\*\*

Interviewer: *“Exactly, and Smile Productions in association with TV99 will bring you this programme right in the heart of Southall, and by that I mean at Monsoon Banqueting Hall where you must all come, and our very own Ajit Singh Jaggar will be there, along with his entire Banghra playing team, and I will be on stage to welcome you to the event, and you must all attend this event. Ajit, with all your passion can you finally tell us about the happiness of Vaisakhi”.*

Ajit Singh Jaggar: *“There is great happiness in Vaisakhi, and the other great advantage is that you don’t – as far as Monsoon Hall is concerned – you don’t have to book in advance and there is*

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<sup>1</sup> Vaisakhi, also spelled Baisakhi, refers to a long established harvest festival in the Punjab and is one of the most important dates in the Sikh calendar. It is the Sikh New Year festival.

*plenty of car parking space, the atmosphere is very nice, and the owners are very nice, and as I have said this programme will become an example...*

\*\*\*\*

Interviewer: *"So, I am going to ask you, how are you going to celebrate Vaisakhi this year?"*

Sudhir Sharma: *"With you Roop, on the 16<sup>th</sup> of April".*

Interviewer: *"Now I want to know from you where people should come to meet you and celebrate Vaisakhi and I want to hear you say it".*

Sudhir Sharma: *"Monsoon Banqueting Suite in Southall".*

Interviewer: *"Who else will be there?"*

Sudhir Sharma: *"Sonu Walia, Heera Group and the one and only – [looks to interviewer]"*

Interviewer: *"– Baba Fauja Singh".*

Sudhir Sharma: *"[Laughing] Yeah, that's the one".*

Interviewer: *"Baba Fauja Singh, and I think that I should explain that he is the oldest marathon runner in the whole world, and is very famous. He is appearing in many advertisements and has now actually become a fashion icon. He has made us all proud and I would say that everyone should come and obtain his blessings, what do you think?"*

Sudhir Sharma: *"I absolutely agree and I will be the first person to celebrate Vaisakhi with him this year".*

\*\*\*\*

Interviewer: *"Now we must try and run to Monsoon so we get there by the 16<sup>th</sup>, what do you think?"*

Sudhir Sharma: *"I think we should run as fast and quick as possible, tickets are running out".*

Interviewer: *"The tickets are only available online in advance. You cannot buy the tickets at the venue so please contact us. You know how to contact us, TV99 is going to be there and I want that all of us come over there".*

Ofcom considered that the references to the event at Monsoon Banqueting Hall raised issues under Section Nine of the Code. We sought information from TV99 about any commercial arrangements in place relating to the inclusion of these references. The Licensee confirmed that the references were not in return for payment or other valuable consideration from the venue or the event organisers to TV99, the programme makers, or any person connected with either.

On the basis of the information provided, Ofcom considered that the references raised issues warranting investigation under the following rules of the Code:

- Rule 9.2: “Broadcasters must ensure that editorial content is distinct from advertising.”
- Rule 9.4: “Products, services and trade marks must not be promoted in programming.”
- Rule 9.5: “No undue prominence may be given in programming to a product, service or trade mark. Undue prominence may result from:
- the presence of, or reference to, a product, service or trade mark in programming where there is no editorial justification; or
  - the manner in which a product, service or trade mark appears or is referred to in programming.”

We therefore asked TV99 for comments as to how the material complied with these rules.

### **Response**

TV99 emphasised that it had made no commercial or other gain from the programme and that it did not intentionally breach Rules 9.2, 9.4 and 9.5. The Licensee added that at no time did the owners, employees or customers of the commercial entities referred to have any influence on the content of the broadcast, and that the programme was based on informing the community about the festival of Vaisakhi.

The Licensee apologised for “any lapse [that] happened in the broadcast” and informed Ofcom that it has “taken very firm steps to make sure that there is no repetition of this breach”.

### **Decision**

Under the Communications Act 2003 (“the Act”), Ofcom has a statutory duty to set standards for broadcast content as appear to it best calculated to secure a number of standards objectives, one of which is “that the international obligations of the United Kingdom with respect to advertising included in television and radio services are complied with”. These obligations include ensuring compliance with the Audiovisual Media Services (“AVMS”) Directive.

The AVMS Directive requires, among other things, that television advertising is kept visually and/or audibly distinct from programming. The purpose of this is to prevent programmes becoming vehicles for advertising and to protect viewers from surreptitious advertising. The requirements of the Act and the AVMS Directive are reflected in Section Nine of the Code, including, among other rules, Rules 9.2, 9.4 and 9.5.

#### Rule 9.4

Rule 9.4 states that products, services and trade marks must not be promoted in programming. Ofcom's Guidance<sup>2</sup> on this rule explains: "In general, products or services should not be referred to using favourable or superlative language and prices and availability should not be discussed".

In this programme, Ofcom noted that on a number of occasions the interviewer and the guests explicitly urged viewers to attend the event at Monsoon Banqueting Hall. For example, the interviewer said "*you must all attend this event*" and "*everyone should come*", and had the following exchange with a guest:

Interviewer:           "*Now we must try and run to Monsoon so we get there by the 16<sup>th</sup>, what do you think?*"

Sudhir Sharma:       "*I think we should run as fast and quick as possible...*"

We also noted several instances of favourable or superlative language being used by the interviewer and the guests to describe the venue, the event and the artists who would be participating. The Monsoon Banqueting Hall was described in the following terms: "*[Y]ou don't have to book in advance and there is plenty of car parking space, the atmosphere is very nice, the owners are very nice*". The event was described as a "*unique celebration*", which "*nobody has done anything like...before*". The artists were described as "*really excellent*", "*very good*" and "*very famous*".

There were also references to the availability of tickets for the event and details of how to purchase them:

Sudhir Sharma:       "*I think we should run as fast and quick as possible, tickets are running out*".

Interviewer:           "*The tickets are only available online in advance. You cannot buy the tickets at the venue so please contact us*".

In Ofcom's view, the repeated encouragements to viewers to attend the event, the favourable and superlative language used to describe the venue, the event and the acts, and the references to the availability of tickets and details of how to purchase them were promotional. The content was therefore in breach of Rule 9.4.

#### Rule 9.5

Rule 9.5 states that no undue prominence may be given in programming to a product, service or trade mark, noting that undue prominence may result from a reference to a product, service or trade mark where there is no editorial justification, or from the manner in which a product, service or trade mark is referred to. According to Ofcom's Guidance: "Whether a product, service or trade mark appears in a programme for solely editorial reasons...or as a result of a commercial arrangement between the broadcaster or producer and a third party funder...there must be editorial justification for its inclusion. The level of prominence given to a product, service or trade mark will be judged against the editorial context in which the reference appears".

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<sup>2</sup> <http://stakeholders.ofcom.org.uk/broadcasting/broadcast-codes/broadcast-code/commercial-references/>

Ofcom took into account that the editorial context of the programme was a feature on the celebration of Vaisakhi in Southall. The Licensee argued that the purpose of the programme was to inform the local community about this festival, and we accepted that the subject was likely to have been of particular interest to viewers of TV99. In that context, there was sufficient editorial justification for referring to the event at Monsoon Banqueting Hall. However, Ofcom did not consider that the extent and nature of the references to the event and the venue were editorially justified, for the reasons set out below.

We noted that the programme included some discussion of the tradition of the Vaisakhi festival more generally, such as *“Vaisakhi is a happy occasion and is a celebration filled with happiness and has no connection with religion”* and *“You must have celebrated Vaisakhi many times in the past, could you tell us the significance of this festival?”* However, we considered that this discussion was not the main focus of the programme, which instead centred on the particular event at Monsoon Banqueting Hall. In our view, the programme became a platform for showcasing the event, with a view to encouraging viewers to attend, because of the repeated references to it, and the promotional language that was used.

For example, in the following exchange the interviewer prompted the guests to refer to the venue and to the acts taking part in the event:

- Interviewer: *“So, I am going to ask you, how are you going to celebrate Vaisakhi this year?”*
- Sudhir Sharma: *“With you Roop, on the 16<sup>th</sup> of April”.*
- Interviewer: *“Now I want to know from you where people should come to meet you and celebrate Vaisakhi and I want to hear you say it”.*
- Sudhir Sharma: *“Monsoon Banqueting Suite in Southall”.*
- Interviewer: *“Who else will be there?”*
- Sudhir Sharma: *“Sonu Walia, Heera Group and the one and only – [looks to interviewer]”*
- Interviewer: *“– Baba Fauja Singh”.*
- Sudhir Sharma: *“[Laughing] Yeah, that’s the one”.*

In Ofcom’s view, this emphasis was not editorially justified, even in the context of a programme about the celebration of Vaisakhi in Southall. In addition, the manner in which the venue and the event were referred to was unduly prominent. As a result, the content was in breach of Rule 9.5.

### Rule 9.2

Rule 9.2 states that broadcasters must ensure that editorial content is kept distinct from advertising. This rule ensures that licensees maintain editorial control over their programming, and that it is clear to viewers that programming has not been subject to the control of advertisers. Rule 9.2 therefore seeks to ensure that viewers are easily able to differentiate between editorial material and advertising.

TV99 stated that it had not received any commercial benefit from the inclusion of references to commercial entities in programme, and added that these commercial entities did not influence the content of the broadcast in any way. However, Ofcom judged that the material was promotional and unduly prominent to such a degree that it was akin to advertising. We noted that at one point the interviewer invited a guest to address viewers directly and inform them about the event at Monsoon Banqueting Hall:

Interviewer: *“I want you to give this message to all the viewers, so look towards the camera and give your message [points towards camera]”.*

Ajit Singh Jaggar: *“Yes we are having a celebration on 16 April at Monsoon, and that will be a unique celebration as nobody has done anything like this before”.*

In this way, the programme became a vehicle for promoting the event. As such, this editorial item was not sufficiently distinct from advertising and breached Rule 9.2.

### Conclusion

For the reasons set out above, our decision was that the programme was in breach of Rules 9.2, 9.4 and 9.5 of the Code.

Ofcom is concerned that the Licensee’s comments in this case imply a fundamental misunderstanding of the requirements of Section Nine of the Code relating to the promotion of products, services and trade marks. In light of this, Ofcom will invite the Licensee to attend a meeting to discuss the rules in question.

### **Breaches of Rules 9.2, 9.4 and 9.5**

## Resolved

### Harry Hill's TV Burp

Dave, 23 May 2016, 16:00

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#### Introduction

Dave is a television channel aimed at a predominantly male adult audience. It broadcasts programmes such as *Mock the Week*, *Top Gear* and *Have I Got News for You*. The licence for Dave is held by UKTV Media Limited (“UKTV” or “the Licensee”).

A viewer alerted Ofcom to an episode of *Harry Hill's TV Burp* including an item which referred to a Channel 4 documentary entitled *The Pregnant Man*. The documentary was about Thomas Beatie, a transgender male who was able to conceive and carry a baby because he had chosen to retain his female reproductive organs. The item intercut clips of the Channel 4 documentary with content featuring the comedian Harry Hill as he sat behind a desk in the studio and commented on the various clips.

The viewer considered that the item contained references which were offensive and discriminatory towards the transgender community.

At the start of the item, Harry Hill introduced the clips from the Channel 4 documentary *The Pregnant Man* as follows:

*“I do enjoy medical documentaries on Channel 4 such as The Real Elephant Man, The Boy Whose Skin Fell Off, and 80-Year-Old Children – the sensitive treatment of rare disorders or stories that in less thoughtful hands might just end up as exceptional exploitation reminiscent of the worst excesses of the Victorian freak show. Which brings me to the latest offering...”*

A brief clip of the documentary including footage of Thomas Beatie and his wife, Nancy, was then broadcast, with the following voice-over from the original Channel 4 documentary:

*“For years, he’s been a devoted husband to his wife, so much so that when Nancy discovered she was unable to conceive, Thomas came up with a novel solution”. [Images of a pregnant Thomas Beatie were shown]. He got pregnant”. [This was immediately followed by laughter from Harry Hill’s studio audience].*

The item cut back to Harry Hill in the studio who said:

*“The Pregnant Man, yeah they’ve done it again. Hang on a minute – a pregnant man? How is that possible?”*

Another brief clip of the Channel 4 documentary was broadcast with the original voice-over:

*“Thomas [who was shown in this clip with a beard] has met his now wife Nancy while he was still a woman, but he later began the testosterone treatment that would make him into the man that he is today”.*

The programme cut back to Harry Hill in the studio, who said:

*“Oh I see – it’s a woman with a beard. It’s just that with a title like *The Pregnant Man*, I assumed he was a pregnant man. He was Tracy but now she’s Thomas. Fair enough”.*

A third clip of the documentary was then shown, in which Mr Beatie was filmed as he was looking at old pictures of himself before transitioning. Mr Beatie said: *“I probably would have been attracted to her [i.e. the female Mr Beatie had been before he transitioned to being male]. Is that weird?”*

The programme then cut back to Harry Hill in the studio again, who responded to the question Thomas Beatie had asked in the clip as follows:

*“Yes it is! Mind you, I sometimes look at old photos of myself, from when I was a woman, and think phwoar...I’d give myself one [Harry Hill made grunting noises at this point]. Because I used to be a woman, yeah. I used to be Sinead O’Connor. And now I’m pregnant by Dale Winton. [Harry Hill then opened his shirt to reveal a fake bare pregnant belly that he started rubbing]. It’s OK, I’ve told my mum Brian Blessed and my dad Martina Navratilova and they’re fine about it, yeah. [Harry Hill then pretended to have contractions before giving birth, making groaning noises]. I think I’m having it. I think I better put my beard on” [Harry then stuck a fake beard on his face].*

From this point onwards, the item became increasingly surreal, with Harry Hill putting on an oxygen mask to breathe and pretending to give birth under the desk to a plastic baby doll. Once the doll was ‘born’, Harry Hill pretended that the doll called him *“Dada”* to which he replied *“No. Mummy!”* Harry Hill then used a shark puppet to attack the doll.

Ofcom considered that the material raised issues warranting investigation under Rule 2.3 of the Code:

*“In applying generally accepted standards broadcasters must ensure that material which may cause offence is justified by the context...Such material may include, but is not limited to...humiliation, distress, violation of human dignity, discriminatory treatment or language (for example on the grounds of...gender...). Appropriate information should also be broadcast where it would assist in avoiding or minimising offence”.*

We therefore asked the Licensee how the material complied with this rule.

## **Response**

UKTV explained that the premise of *Harry Hill’s TV Burp* is to “take elements of the week’s television and poke fun at them in a surreal manner”. It said that Harry Hill was known for taking clips out of context and that the item featuring the Channel 4 documentary *The Pregnant Man* was “typical of the *Harry Hill’s TV Burp* programmes’ format to which its audience was accustomed”. The Licensee explained that “[w]hile some of Harry’s comments may be viewed as absurd and juvenile”, it did not believe “they ever intended to cause offence to the LGBT community” and added its view that the comments were not intended to be discriminatory.

The Licensee said it would have been clear to viewers that Harry Hill was referring to “sensationalist, EPG-grabbing titles” of the Channel 4 medical documentaries Harry

Hill mentioned when introducing<sup>1</sup> the item. It argued that this satirical analysis of Channel 4's documentary *The Pregnant Man* provided sufficient context for viewers to understand that Mr Beatie was not the object of Harry Hill's mockery. UKTV also said that "[a]t no point in the UKTV transmission does Harry question Thomas Beatie's right to be a man or to have a child" and that "the overall effect was comedic and was typical of this long-running, anarchic, satirical comedy show".

The Licensee said it had given due consideration to this item prior to its broadcast, and had removed one minute of potentially offensive material from it, because it "did stray away from mocking the documentary as a whole to mocking Thomas Beatie personally". UKTV argued that as a result of the edit, any potential offence had been sufficiently contextualised.

The Licensee also referred to the fact this episode of *Harry Hill's TV Burp* was originally broadcast on ITV in December 2008 and had been investigated by Ofcom following complaints about the programme. Noting that Ofcom had not upheld these complaints, UKTV said that "this does suggest that at the time neither the ITV audience nor Ofcom considered Harry's review of *"The Pregnant Man"* to be offensive or in breach of the Code".

Nonetheless, the Licensee acknowledged that "public awareness of, and attitudes towards trans issues have changed since the episode was originally recorded" in 2008. The Licensee therefore asked that Ofcom acknowledge that it had "ruled on this episode in February<sup>2</sup> 2009 and did not find it in breach". It added that it felt that "this is a pertinent point as it demonstrates not only that audience attitudes shifted, but those of the regulator have altered too"

In conclusion, UKTV said that given the change in public attitudes to trans issues, it had therefore re-edited this episode of *Harry Hill's TV Burp* to remove this item entirely from any future broadcast.

## Decision

Under the Communications Act 2003, Ofcom has a statutory duty to set standards for broadcast content as appear to it best calculated to secure the standards objectives, including that "generally accepted standards are applied to the contents of television and radio services so as to provide adequate protection for members of the public from the inclusion in such services of offensive and harmful material". This duty is reflected in Section Two of the Code.

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<sup>1</sup> i.e. when Harry Hill said "I do enjoy the medical documentaries of Channel 4, such as *The Real Elephant Man*, *The Boy Whose Skin Fell Off*, *80 Year Old Children* – the sensitive treatment of rare disorders or stories that in less thoughtful hands might just end up as sensational exploitation, reminiscent of the worst excesses of the Victorian freak show...".

<sup>2</sup> In its representations, UKTV referred to Ofcom's Decision finding this episode of *Harry Hill's TV Burp* not in breach of the Code in February 2009 (following its original broadcast on ITV in December 2008) following complaints in relation to nudity contained in the episode (see Ofcom Broadcast Bulletin, Issue number 127, <http://stakeholders.ofcom.org.uk/binaries/enforcement/broadcast-bulletins/obb127/issue127.pdf>, p.90). However, at the time, Ofcom also received 13 complaints about the same episode from people who found the material offensive towards the transgender community. In March 2009, Ofcom published its decision that Harry Hill's comments about "The Pregnant Man" complied with the Code (see Ofcom Broadcast Bulletin, Issue number 130 (<http://stakeholders.ofcom.org.uk/binaries/enforcement/broadcast-bulletins/obb130/issue130.pdf>, p.72).

In reaching its Preliminary View in this case, Ofcom has taken account of the Licensee's and audience's right to freedom of expression, as set out in Article 10 of the European Convention on Human Rights.

Rule 2.3 of the Code requires that potentially offensive material is justified by the context. Context is assessed by reference to a range of factors including: the editorial content of the programme, the service on which the material was broadcast, the time of broadcast, what other programmes are scheduled before and after, the degree of harm or offence likely to be caused, likely audience expectations, and warnings given to viewers.

In reaching a Decision, Ofcom took into account that there is a long history on British television and radio of broadcast comedy tackling difficult issues and deliberately pushing against boundaries of contemporary taste. In accordance with the right to freedom of expression, the Code does not prohibit broadcast content from referring to any particular topic, subject or group of people. However, under Rule 2.3, broadcasters must ensure that potentially offensive material (including discriminatory material) is justified by the context. This means that although there is significant room for innovation, creativity and challenging material within programming, broadcasters do not have *unlimited* licence to include offensive material in programmes.

Ofcom first considered whether the material in this programme had the potential to cause offence. Throughout this item, the key element of Harry Hill's humour derived from his references to a member of the transgender community, a community which has "protected characteristic[s]"<sup>3</sup> under UK law.

We took into account Harry Hill's use of the phrase "*Victorian freak show*" when he introduced the first clip of the Channel 4 documentary. We acknowledged that this expression could have been interpreted by viewers as a reference to some documentaries' more sensationalist approach to particular topics, as argued by UKTV. However, given the proximity of the clips of Mr Beatie to Harry Hill's use of this description, and the relatively prolonged and mocking treatment of Mr Beatie by Harry Hill which followed, we considered it likely that the audience could have also interpreted the use of the phrase "*Victorian freak show*" to refer to Mr Beatie in particular and the transgender community more widely. We considered that this was likely to be highly offensive to the transgender community, and to viewers in general.

Harry Hill went on to say about Mr Beatie:

*"Oh I see – it's a woman with a beard. It's just that with a title like 'The Pregnant Man' I assumed he was a pregnant man. He was Tracy but she's Thomas. Fair enough".*

We considered that the statement "*Oh I see – it's a woman with a beard*" to describe Mr Beatie was also likely to be highly offensive to the transgender community, and to viewers in general. This is because this statement appeared to reduce Mr Beatie's transition simply to the addition of facial hair, and by mockingly juxtaposing the fact he had facial hair with the fact he had opted to retain his female reproductive organs.

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<sup>3</sup> The Equality Act 2010 ("the 2010 Act") gave transgender people in the UK explicit protection in their own right against discrimination. Protection for trans people was achieved by means of Section 7 of the 2010 Act, which refers to the "protected characteristic" of gender reassignment.

We considered that Harry Hill's following statement about Mr Beatie ("*He was Tracy but now she's Thomas. Fair enough*"). would have lessened the potential offence to some extent, as Harry Hill correctly referred to Mr Beatie as "*he*" and showed a level of empathy (by saying "*Fair enough*") in relation to Mr Beatie's transition. However, we noted that Harry Hill subsequently made various mocking and derogatory comments towards Mr Beatie's gender identity. For example:

- Harry Hill labelled Mr Beatie as being "*weird*" because in one of the clips played, Mr Beatie said that he might have been attracted to himself when he was looking at pictures of himself before he transitioned;
- Harry Hill sarcastically mimicked Mr Beatie's words as follows: "*I sometime look at old photos of myself, from when I was a woman, and think phwoar...I'd give myself one*"; and
- Harry Hill then pretended to be a pregnant transgender male by saying: "*I used to be a woman, yeah. I used to be Sinead O'Connor. And now I'm pregnant by Dale Winton*". Harry Hill added to his mocking treatment of Mr Beatie's story by: pretending to go into labour; putting on a prop fake beard; pretending to 'give birth' to a doll; and the doll calling him "*Dada*" to which he replied "*No. Mummy!*"

Given all the above, we did not agree with UKTV's argument that Thomas Beatie and his wife were not the object of Harry Hill's mockery. We considered on the contrary that the overall portrayal of Mr Beatie was significantly discriminatory towards him and to transgender people generally. This was because it presented, over a relatively prolonged sequence, Mr Beatie's transition as an object of mockery and humour, and could have been understood by some viewers as making a clear association between Mr Beatie and a "*Victorian freak show*". We therefore considered that the material was clearly capable of causing offence.

Ofcom went on to consider if the broadcast of the material was justified by the context.

In reaching our Decision on this issue, we took account of our 2010 research on offensive language<sup>4</sup>. In that report, we acknowledged that the use of language changes over time and with it the level of offence and acceptability that particular potentially offensive language and words can cause. Our 2010 research also underlined that, where potentially offensive terms were used to mock an individual or group unfairly, they were considered less acceptable. Specifically, that research found that satirical television comedy dealing with a transgender character was considered offensive, if the words used were being used to ridicule a character to an unfair extent, without giving them a chance to retaliate and defend themselves.

In their representations, UKTV referred to Ofcom's Decision<sup>5</sup> to find this episode of *Harry Hill's TV Burp* not in breach of the Code when it was originally broadcast on ITV in 2008. However, we were conscious in taking our Decision in the present case of the changed and evolving attitudes in recent years to the transgender community in the UK since this episode was originally broadcast. For example, a 2015 report of

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<sup>4</sup> Ofcom research on Audience Attitudes towards offensive language on television and radio (see <http://stakeholders.ofcom.org.uk/binaries/research/tv-research/offensive-lang.pdf>)

<sup>5</sup> See footnote 2.

the Women and Equalities Committee of the House of Commons<sup>6</sup> acknowledged that there had been a “positive shift” in the portrayal of transgender people in the media with growing voices in support of changing how transgender people are “viewed, portrayed and treated by society”.

In this case, for all the reasons set out above, Ofcom was of the view that Harry Hill’s comments about Thomas Beatie had the potential to cause considerable offence, particularly to transgender people but also to viewers in general. Ofcom noted that the Licensee said it took steps to edit the item before transmission in an effort to limit the potential for offence (because it “could have caused offence to the transgender community as it did stray from mocking the sensational titles of Channel 4 documentaries to mocking Mr Beatie personally”). UKTV also acknowledged the change of public awareness and attitudes to trans issues since the original programme was first recorded and broadcast in 2008. We acknowledged that these steps taken by the Licensee helped to mitigate the offence to some extent. However, we considered that, even in its edited version, the item still had the potential to cause considerable offence in particular to the transgender community but also to the audience more widely.

We noted UKTV’s various arguments including that: the premise of *Harry Hill’s TV Burp* is to take elements of the week’s television and “poke fun at them in a surreal manner”; that Harry Hill was known for taking clips out of context, and that the item on *The Pregnant Man* was “typical of the *Harry Hill’s TV Burp* programmes’ format to which its audience was accustomed”.

Ofcom took into account that this material was broadcast at 16:00 and there was no warning before or during the programme. We also noted that that this was a comedy programme fronted by a well-known comedian in a well-established format. In Ofcom’s view, the audience for comedy programmes generally expects less challenging material during daytime. We considered however that, although many in the audience for this broadcast would have been familiar with its general type of content and format, viewers overall would not, in 2016 (in light of the changed attitudes referred to above), have expected content of this nature in this programme when broadcast at this time on this channel.

Taking all the elements above into account, we were of the view that the offensive material would have exceeded the audience’s likely expectations and was not justified by the context. We concluded that the material was therefore in breach of Rule 2.3 of the Code.

However, Ofcom noted that the Licensee: did take steps to edit the item before transmission; acknowledged the change of public awareness and attitudes to trans issues since the original programme was recorded and broadcast in 2008; and, had therefore edited out this item completely from this episode going forward so the item would not be broadcast again by UKTV.

In light of these steps taken by UKTV, Ofcom’s Decision was to consider the matter resolved.

## **Resolved**

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<sup>6</sup> See <http://www.publications.parliament.uk/pa/cm201516/cmselect/cmwomeq/390/390.pdf>

## Broadcast Licence Conditions cases

### In Breach

#### Production of recordings

*Safeer TV, 3 June 2016, 11:00*

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##### Introduction

Safeer TV is television channel providing religious and social programming, primarily aimed at a Muslim audience in the UK. The licence is held by Faraj Media Limited (“the Licensee”).

A viewer complained to Ofcom alleging that comments made by a Muslim cleric had incited hatred against the West. Ofcom therefore requested a recording of the programme from the Licensee to assess the content. Despite sending a number of requests by email to the compliance contacts the Licensee had provided to Ofcom, we received no communication from the Licensee and the recording was not provided. The Licensee provided the recording when Ofcom subsequently sent the request by post but this process meant that a considerable period of time had elapsed before the Licensee provided a recording of the programme to Ofcom.

We considered this raised issues warranting investigation under the following Licence Condition:

“11(2) In particular the Licensee shall:

- (b) at the request of Ofcom forthwith produce to Ofcom any...recording for examination or reproduction...”.

Ofcom therefore asked the Licensee for its formal comments on how it had complied with this Licence Condition.

##### Response

The Licensee apologised for the lack of communication and said this was because of organisational changes and a virus affecting its email system. It said after receiving the initial request and sending the DVD it had assumed there was no further communication from Ofcom, when in fact it was not receiving emails due to the virus. Upon receiving the latest correspondence via post, it provided the recording requested and an updated list of contacts for similar requests in the future. It had also updated its procedures to ensure Ofcom is informed of all changes and potential issues with communication.

##### Decision

Under the Communications Act 2003, Ofcom has a duty to ensure that in each broadcaster’s licence there are conditions requiring the licensee to retain recordings of each programme broadcast, in a specified form and for a specific period after broadcast, and to comply with any request to produce such recordings issued by Ofcom. These obligations are reflected in Condition 11 of TLCS licences as set out above.

Licence Condition 11(2)(b) requires licensees to produce recordings to Ofcom forthwith upon request. Breaches of Licence Condition 11(2)(b) are significant because they impede Ofcom's ability to assess whether a particular broadcast raises potential issues under the relevant codes. This affects Ofcom's ability to carry out its statutory duties in regulating broadcast content.

In this case, a considerable amount of time had elapsed after the original deadline specified by Ofcom. We noted the Licensee's explanation that the delay was due to organisational changes and its email system being affected by a virus.

We were concerned that the Licensee had not informed Ofcom of its new contacts at the time of the organisational change. It is important that Ofcom has up-to-date contact information so that it can contact its Licensees. Further, given that the Licensee appeared to be unable to receive emails for a considerable period, we were also concerned that the Licensee did not alert Ofcom to this so that we could correspond by other methods.

As the Licensee did not provide the requested recording "forthwith", Ofcom's Preliminary View is that it breached Licence Condition 11(2)(b) in this case.

This failure by Faraj Media Limited to meet the requirements of Condition 11(2)(b) represents a significant breach of its licence, because it resulted in Ofcom being unable to fulfil its statutory duty properly to assess and regulate broadcast content in this case.

We will monitor the Licensee's arrangements to retain and provide recordings to Ofcom in due course, and should similar compliance issues arise, we will consider taking further regulatory action.

### **Breach of Licence Condition 11(2)(b)**

## In Breach

### Provision of licensed service

*Pulse (Cheddar Valley), from 16 April 2016*

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#### Introduction

Pulse is a community radio station licensed to serve people in Cheddar, Somerset and the surrounding villages. The licence is held by Pulse Media Broadcasting Limited (“Pulse” or “the Licensee”).

Like other community radio stations, Pulse is required to deliver the ‘Key Commitments’ which form part of its licence<sup>1</sup>. These set out how the station will serve its target community and include: a description of the programme service; social gain (community benefit) objectives, such as training provision; arrangements for access for members of the target community; opportunities to participate in the operation and management of the service; and accountability to the community.

Ofcom received a number of complaints that Pulse was playing out continuous music with no editorial content provided, and was consequently failing to deliver some aspects of its Key Commitments.

In order to assess the complaint, we requested audio from Pulse from Tuesday 7 June, Wednesday 8 June and Thursday 9 June 2016 (06:00 to midnight for each day). When providing the audio to Ofcom, Pulse confirmed that it had been playing out a continuous seven-hour loop of non-stop music since 16 April 2016. This was because the station had been evicted from its studio premises by its landlord, and was unable to secure alternative premises at short notice from which to broadcast. It added that it had now been able to secure new studio premises in Draycott, from where it hoped to resume normal programming over the coming weeks.

Having assessed this information and the audio provided by Pulse, we were concerned that that since 16 April 2016 Pulse had not been meeting the following Key Commitments:

- Live output typically comprises 70% music and 30% speech. (‘Speech’ excludes advertising, programme or promotional trails and sponsor credits).
- Speech programming will feature local news...Discussion shows will feature local issues of interest and relevance to the community with the opportunity to participate using phone-ins, email or text messages.
- Output is typically live for 12 hours a day, Monday to Friday, with six hours of live content at the weekend.

Ofcom considered that this issue warranted investigation under Conditions 2(1) and 2(4) in Part 2 of the Schedule to Pulse’s licence. These state, respectively:

“The Licensee shall provide the Licensed Service specified in the Annex for the licence period.” (Section 106(2) of the Broadcasting Act 1990); and

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<sup>1</sup> The Key Commitments are contained in an annex to Pulse’s licence. They can be viewed in full at: <http://www.ofcom.org.uk/static/radiolicensing/Community/commitments/cr000239.pdf>

“The Licensee shall ensure that the Licensed Service accords with the proposals set out in the Annex so as to maintain the character of the Licensed Service throughout the licence period.” (Section 106(1) of the Broadcasting Act 1990).

We therefore wrote to Pulse to request its comments on how it was complying with these conditions, with reference to the specific Key Commitments set out above.

## **Response**

The Licensee stated that, due to “circumstances with our landlord” it had to leave its studios in April at very short notice. It said that it was very difficult to find a suitable new studio location that would enable it to utilise a radio link to its FM transmitter. Given these difficulties, Pulse subsequently decided to install a landline facility at the transmitter, thereby avoiding the need for a radio link between the studio and transmitter. It said this would give the station a significantly greater choice of possible studio locations.

The Licensee added that it had, as of 15 June 2016, secured new studio premises at the Strawberry Inn public house in Draycott. In submitting its representations on 7 July 2016, it reported that although it had resumed a reduced programming service since 20 June 2016, it was still not able to be “fully operational” while the new studios were being built.

## **Decision**

Ofcom has a number of duties in relation to radio broadcasting, including securing a diverse range of local radio services which are calculated to appeal to a variety of tastes and interests, along with the optimal use of the radio spectrum. These matters are reflected in the licence condition requiring the provision of the specified licensed service. Provision by a licensee of its licensed service on the frequency assigned to it is the fundamental purpose for which a community radio licence is granted.

By the station’s own admission, Pulse had not been providing a service that was compliant with its Key Commitments since 16 April 2016, the day it was required by its landlord to leave its previous studio premises.

Although we appreciate that Pulse was required to leave its premises at very short notice, it appeared to us that the station’s management had taken an unacceptably long time to secure alternative premises. This meant that the licensed service had not been provided to listeners for nearly three months. Furthermore, Pulse did not contact Ofcom at the time to notify us that it was experiencing these difficulties.

We therefore concluded that Pulse had breached Licence Conditions 2(1) and 2(4) for failing to provide its licensed service. We also noted that this breach followed breaches recorded by Ofcom against Pulse in August 2015 (for failing to deliver the local news and speech programming required by its Key Commitments), and in October 2015 (for failing to provide the specialist music programming required by its Key Commitments).

We regarded Pulse’s failure to provide the licensed service since 16 April 2016 as a significant breach of licence, and we noted the previous failures by the station to deliver particular Key Commitments which have resulted in licence breaches. We are therefore putting the Licensee on notice that, should it not re-commence broadcasting a service that is compliant with its published Key Commitments, we will

consider taking further regulatory action which could include the consideration of the imposition of a statutory sanction.

**Breaches of Licence Conditions 2(1) and 2(4) in Part 2 of the Schedule to the community radio licence held by Pulse Media Broadcasting (licence number CR000239BA/1).**

## In Breach

### Broadcasting licensees' non-payment of licence fees

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Ofcom is partly funded by the broadcast licence fees it charges television and radio licensees. Ofcom has a statutory duty to ensure that the fees paid by licensees meet the cost of Ofcom's regulation of broadcasting. The approach Ofcom takes to determining licensees' fees is set out in the Statement of Charging Principles<sup>1</sup>. Detail on the fees and charges payable by licensees is set out in Ofcom's Tariff Tables<sup>2</sup>.

The payment of a licence fee is a requirement of a broadcasting licence<sup>3</sup>. Failure by a licensee to pay its licence fee when required represents a significant and fundamental breach of a broadcast licence, as it means that Ofcom may be unable properly to carry out its regulatory duties.

#### In Breach

The following radio licensees failed to pay their annual licence fees by the required payment date. These licensees have therefore breached their broadcast licences.

The outstanding payments have now been received by Ofcom. Ofcom will not be taking any further regulatory action in these cases.

Licensee	Licence Number	Service Name
Menter Môn Cyf	CR000245BA/1	Môn FM
North Manchester FM Community Interest Company	CR000165BA/3	North Manchester FM
Pulse Community Radio Ltd	CR000138BA/3	Pulse Community Radio (Glasgow)
Quidem Midlands Limited	DP101081BA/2	Touch FM

#### Breaches of Licence Conditions 3(1) and (2) in Part 2 of the Schedule of the relevant licences.

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1

[http://stakeholders.ofcom.org.uk/binaries/consultations/socp/statement/charging\\_principles.pdf](http://stakeholders.ofcom.org.uk/binaries/consultations/socp/statement/charging_principles.pdf)

2 [http://www.ofcom.org.uk/content/about/annual-reports-plans/tariff-tables/Tariff\\_Tables\\_2015\\_16.pdf](http://www.ofcom.org.uk/content/about/annual-reports-plans/tariff-tables/Tariff_Tables_2015_16.pdf)

3 As set out in Licence Condition 3 for radio licensees and Licence Condition 4 for television licensees.

## Investigations Not in Breach

Here are alphabetical lists of investigations that Ofcom has completed between 5 and 18 September 2016 and decided that the broadcaster or service provider did not breach Ofcom's codes, rules, licence conditions or other regulatory requirements.

### Investigations conducted under the Procedures for investigating breaches of content standards for television and radio

Programme	Broadcaster	Transmission date	Categories
Crimewatch Roadshow	BBC1	30/06/2016	Scheduling
Channel 4 News	Channel 4	06/01/2016	Protection of U18s

For more information about how Ofcom conducts investigations about content standards on television and radio programmes, go to:

<http://stakeholders.ofcom.org.uk/broadcasting/procedures/standards/>

### Investigations conducted under the General Procedures for investigating breaches of broadcast licences

Licensee	Licensed service	Categories
Community Broadcast Initiative Tyneside Limited	NE1 FM	Key Commitments

For more information about how Ofcom conducts investigations about broadcast licences, go to: <http://stakeholders.ofcom.org.uk/broadcasting/procedures/general-procedures/>

## Complaints assessed, not investigated

Here are alphabetical lists of complaints that, after careful assessment, Ofcom has decided not to pursue between 5 and 18 September 2016 because they did not raise issues warranting investigation.

### Complaints assessed under the Procedures for investigating breaches of content standards for television and radio

For more information about how Ofcom assesses complaints about content standards on television and radio programmes, go to:

<http://stakeholders.ofcom.org.uk/broadcasting/procedures/standards/>

Programme	Broadcaster	Transmission Date	Categories	Number of complaints
Waaris on &tv	&TV	25/08/2016	Generally accepted standards	1
From the Start! Rihanna	4Music	22/08/2016	Generally accepted standards	1
Sun, Sex and Suspicious Parents	4Music	05/09/2016	Other	1
100% Hotter!	5Star	06/07/2016	Transgender discrimination/offence	3
Celebrity Big Brother's Bit on the Side	5Star	21/08/2016	Sexual material	2
Neighbours	5Star	01/09/2016	Religious/Beliefs discrimination/offence	1
Programme trailers	5Star	25/08/2016	Sexual material	1
Programme trailers	5Star	26/08/2016	Sexual material	1
Sex Pod	5Star	11/08/2016	Sexual material	1
Sex Pod	5Star	17/08/2016	Generally accepted standards	1
Sex Pod	5Star	17/08/2016	Sexual material	1
Sex Pod	5Star	24/08/2016	Due accuracy	1
Sex Pod	5Star	31/08/2016	Sexual material	1
Sex Pod, Swipe Right for Sex (trailers)	5Star	23/08/2016	Sexual material	1
Sex Pod, When Kids Kill (trailers)	5Star	30/08/2016	Scheduling	1
Swipe Right for Sex (trailer)	5Star	12/08/2016	Sexual material	1
Olympics 2016	BBC	07/08/2016	Generally accepted standards	1
Olympics 2016	BBC	18/08/2016	Other	1
BBC News	BBC 1	06/09/2016	Race discrimination/offence	3
Breakfast	BBC 1	02/09/2016	Cross/self promotions	1
Breakfast	BBC 1	05/09/2016	Crime and disorder	1
Breakfast	BBC 1	05/09/2016	Race discrimination/offence	1
Casualty	BBC 1	27/08/2016	Violence	3

<b>Programme</b>	<b>Broadcaster</b>	<b>Transmission Date</b>	<b>Categories</b>	<b>Number of complaints</b>
Class of 92: Still Out of Their League	BBC 1	05/09/2016	Offensive language	1
Crimewatch	BBC 1	05/09/2016	Generally accepted standards	3
Crimewatch	BBC 1	05/09/2016	Race discrimination/offence	1
EastEnders	BBC 1	17/08/2016	Generally accepted standards	1
Fake or Fortune?	BBC 1	17/07/2016	Generally accepted standards	1
Flog It!	BBC 1	15/07/2016	Outside of remit	1
Olympics 2016	BBC 1	20/08/2016	Race discrimination/offence	1
Olympics 2016	BBC 1	21/08/2016	Outside of remit	1
One Of Us	BBC 1	08/09/2016	Materially misleading	1
Our Girl	BBC 1	07/09/2016	Violence	1
Poldark (trailer)	BBC 1	03/09/2016	Scheduling	1
Porridge	BBC 10.	28/08/2016	Disability discrimination/offence	1
Porridge	BBC 1	28/08/2016	Transgender discrimination/offence	1
Question Time	BBC 1	15/09/2016	Generally accepted standards	6
Saturday Kitchen Live	BBC 1	06/08/2016	Offensive language	1
Strictly Come Dancing	BBC 1	03/09/2016	Materially misleading	1
The Andrew Marr Show	BBC 1	04/09/2016	Generally accepted standards	1
The Doctor Who Gave Up Drugs	BBC 1	15/09/2016	Materially misleading	1
The Great British Bake Off	BBC 1	31/08/2016	Sexual material	1
The Great British Bake Off	BBC 1	14/09/2016	Outside of remit	1
The One Show	BBC 1	06/09/2016	Sexual orientation discrimination/offence	1
Britain's Hardest Workers: Inside the Low Wage Economy	BBC 2	22/08/2016	Generally accepted standards	1
Britain's Hardest Workers: Inside the Low Wage Economy	BBC 2	22/08/2016	Offensive language	1
Equestrian: Burghley Horse Trials	BBC 2	04/09/2016	Animal welfare	1
Fleabag	BBC 2	21/08/2016	Sexual material	2
John Carter	BBC 2	04/09/2016	Scheduling	1
New York: America's Biggest City	BBC 2	04/09/2016	Scheduling	1
Ripper Street	BBC 2	22/08/2016	Religious/Beliefs discrimination/offence	1
Sahara with Michael Palin	BBC 2	25/08/2016	Animal welfare	3

<b>Programme</b>	<b>Broadcaster</b>	<b>Transmission Date</b>	<b>Categories</b>	<b>Number of complaints</b>
Saturday Kitchen Best Bites	BBC 2	04/09/2016	Animal welfare	1
My Nazi Legacy	BBC 4	04/09/2016	Other	1
BBC News	BBC News Channel	21/08/2016	Drugs, smoking, solvents or alcohol	1
BBC News	BBC News Channel	21/08/2016	Due accuracy	1
Who Women Want	BBC News Channel	10/07/2016	Sexual material	1
Newsbeat	BBC Radio 1	15/08/2016	Sexual material	1
Scott Mills	BBC Radio 1	13/09/2016	Scheduling	1
Jeremy Vine	BBC Radio 2	20/07/2016	Crime and disorder	1
Jeremy Vine	BBC Radio 2	20/07/2016	Race discrimination/offence	3
Jeremy Vine	BBC Radio 2	10/08/2016	Generally accepted standards	5
Jeremy Vine	BBC Radio 2	26/08/2016	Religious/Beliefs discrimination/offence	1
Zoe Ball: Jason Derulo "Kiss the Sky" music track	BBC Radio 2	08/09/2016	Offensive language	1
Daphne Sounds Expensive	BBC Radio 4	14/07/2016	Race discrimination/offence	1
Eastern Europeans in Brexitland	BBC Radio 4	14/09/2016	Offensive language	1
Reading Europe – Greece: The Final Reckoning	BBC Radio 4	14/08/2016	Offensive language	1
Today	BBC Radio 4	06/09/2016	Generally accepted standards	3
Women's Hour	BBC Radio 4	30/08/2016	Generally accepted standards	1
DriveTime	BBC Radio 5 Live	25/08/2016	Generally accepted standards	1
Nick Conrad	BBC Radio Norfolk	14/07/2016	Generally accepted standards	1
Sasha Twining	BBC Radio Solent	05/09/2016	Generally accepted standards	1
Olympics 2016	BBC Red Button	20/08/2016	Generally accepted standards	1
Scottish Football	BT Sport 1	26/08/2016	Offensive language	2
Toni Phillips	Capital Xtra	08/08/2016	Sexual material	1
Teen Titans	Cartoon Network	28/08/2016	Offensive language	1
Let's Go Club	CBeebies	10/09/2016	Scheduling	1
Show Me Show Me	CBeebies	07/09/2016	Offensive language	1
Judge Judy (trailers)	CBS Reality	Various	Materially misleading	1
My Reality	CBS Reality	04/08/2016	Scheduling	1
My Reality	CBS Reality	19/08/2016	Scheduling	1
My Reality	CBS Reality	09/09/2016	Generally accepted standards	1
Triangle (trailer)	CBS Reality	13/09/2016	Scheduling	1

Programme	Broadcaster	Transmission Date	Categories	Number of complaints
The Chase	Challenge	04/09/2016	Generally accepted standards	1
999: What's Your Emergency?	Channel 4	25/08/2016	Generally accepted standards	1
999: What's Your Emergency?	Channel 4	01/09/2016	Generally accepted standards	1
Beauty and the Baker	Channel 4	23/08/2016	Materially misleading	1
Channel 4 News	Channel 4	25/05/2016	Other	1
Channel 4 News	Channel 4	27/07/2016	Religious/Beliefs discrimination/offence	1
Channel 4 News	Channel 4	11/08/2016	Due impartiality/bias	2
Channel 4 News	Channel 4	18/08/2016	Scheduling	3
Channel 4 News	Channel 4	29/08/2016	Religious/Beliefs discrimination/offence	1
Channel 4 News	Channel 4	02/09/2016	Due impartiality/bias	1
Channel 4 News	Channel 4	05/09/2016	Animal welfare	1
Channel 4 News	Channel 4	06/09/2016	Due impartiality/bias	1
Ellen	Channel 4	01/09/2016	Generally accepted standards	1
Eurotrash	Channel 4	17/06/2016	Generally accepted standards	1
Gogglebox: Brexit Special	Channel 4	03/08/2016	Sexual orientation discrimination/offence	1
Hollyoaks	Channel 4	26/08/2016	Offensive language	1
Naked Attraction	Channel 4	01/08/2016	Nudity	1
Naked Attraction	Channel 4	10/09/2016	Generally accepted standards	2
Naked Attraction	Channel 4	14/09/2016	Generally accepted standards	1
National Treasure (trailer)	Channel 4	12/09/2016	Scheduling	1
Paralympics 2016	Channel 4	Various	Generally accepted standards	1
Paralympics 2016: Opening Ceremony	Channel 4	07/09/2016	Advertising placement	1
President Trump: Can He Really Win?	Channel 4	23/08/2016	Due impartiality/bias	1
Rio 2016 Paralympics (trailer)	Channel 4	14/07/2016	Generally accepted standards	1
Rio 2016 Paralympics (trailer)	Channel 4	18/08/2016	Generally accepted standards	1
Rio 2016 Paralympics (trailer)	Channel 4	22/08/2016	Generally accepted standards	1
Rio 2016 Paralympics (trailer)	Channel 4	28/08/2016	Generally accepted standards	1
Rio 2016 Paralympics (trailer)	Channel 4	Various	Generally accepted standards	13
Royal Ascot	Channel 4	18/06/2016	Surreptitious advertising	1
Sex Box	Channel 4	Various	Generally accepted standards	1

<b>Programme</b>	<b>Broadcaster</b>	<b>Transmission Date</b>	<b>Categories</b>	<b>Number of complaints</b>
The Good Terrorist	Channel 4	27/08/2016	Generally accepted standards	1
The Wolf of Wall Street	Channel 4	04/09/2016	Generally accepted standards	1
Naked Attraction, Sex Pod, Sex Box	Channel 4, Channel 5	18/08/2016	Generally accepted standards	1
Celebrity Big Brother	Channel 5	31/07/2016	Gender discrimination/offence	2
Celebrity Big Brother	Channel 5	01/08/2016	Generally accepted standards	29
Celebrity Big Brother	Channel 5	02/08/2016	Gender discrimination/offence	1
Celebrity Big Brother	Channel 5	03/08/2016	Generally accepted standards	3
Celebrity Big Brother	Channel 5	04/08/2016	Generally accepted standards	3
Celebrity Big Brother	Channel 5	05/08/2016	Violence	1
Celebrity Big Brother	Channel 5	07/08/2016	Generally accepted standards	6
Celebrity Big Brother	Channel 5	08/08/2016	Generally accepted standards	7
Celebrity Big Brother	Channel 5	08/08/2016	Sexual material	2
Celebrity Big Brother	Channel 5	09/08/2016	Generally accepted standards	8
Celebrity Big Brother	Channel 5	09/08/2016	Sexual material	1
Celebrity Big Brother	Channel 5	10/08/2016	Generally accepted standards	60
Celebrity Big Brother	Channel 5	10/08/2016	Voting	1
Celebrity Big Brother	Channel 5	11/08/2016	Crime and disorder	3
Celebrity Big Brother	Channel 5	11/08/2016	Generally accepted standards	50
Celebrity Big Brother	Channel 5	11/08/2016	Voting	1
Celebrity Big Brother	Channel 5	12/08/2016	Generally accepted standards	9
Celebrity Big Brother	Channel 5	12/08/2016	Materially misleading	2
Celebrity Big Brother	Channel 5	12/08/2016	Sexual material	2
Celebrity Big Brother	Channel 5	12/08/2016	Voting	4
Celebrity Big Brother	Channel 5	13/08/2016	Generally accepted standards	3
Celebrity Big Brother	Channel 5	13/08/2016	Nudity	1
Celebrity Big Brother	Channel 5	14/08/2016	Generally accepted standards	85
Celebrity Big Brother	Channel 5	15/08/2016	Generally accepted standards	21
Celebrity Big Brother	Channel 5	15/08/2016	Sexual material	5
Celebrity Big Brother	Channel 5	16/08/2016	Generally accepted standards	28
Celebrity Big Brother	Channel 5	16/08/2016	Product placement	1
Celebrity Big Brother	Channel 5	16/08/2016	Sexual material	1
Celebrity Big Brother	Channel 5	16/08/2016	Voting	2
Celebrity Big Brother	Channel 5	17/08/2016	Generally accepted standards	4

<b>Programme</b>	<b>Broadcaster</b>	<b>Transmission Date</b>	<b>Categories</b>	<b>Number of complaints</b>
Celebrity Big Brother	Channel 5	18/08/2016	Generally accepted standards	2
Celebrity big Brother	Channel 5	19/08/2016	Generally accepted standards	1
Celebrity Big Brother	Channel 5	19/08/2016	Materially misleading	1
Celebrity Big Brother	Channel 5	20/08/2016	Generally accepted standards	3
Celebrity Big Brother	Channel 5	22/08/2016	Disability discrimination/offence	1
Celebrity Big Brother	Channel 5	22/08/2016	Generally accepted standards	2
Celebrity Big Brother	Channel 5	22/08/2016	Other	1
Celebrity Big Brother	Channel 5	22/08/2016	Sexual material	2
Celebrity Big Brother	Channel 5	23/08/2016	Generally accepted standards	4
Celebrity Big Brother	Channel 5	23/08/2016	Materially misleading	4
Celebrity Big Brother	Channel 5	23/08/2016	Sexual material	1
Celebrity Big Brother	Channel 5	24/08/2016	Generally accepted standards	87
Celebrity Big Brother	Channel 5	24/08/2016	Materially misleading	1
Celebrity Big Brother	Channel 5	25/08/2016	Generally accepted standards	56
Celebrity Big Brother	Channel 5	25/08/2016	Materially misleading	6
Celebrity Big Brother	Channel 5	26/08/2016	Generally accepted standards	13
Celebrity Big Brother	Channel 5	26/08/2016	Voting	29
Celebrity Big Brother	Channel 5	Various	Generally accepted standards	1
Celebrity Big Brother's Bit on the Side	Channel 5	16/08/2016	Generally accepted standards	1
Celebrity Big Brother's Bit on the Side	Channel 5	17/08/2016	Gender discrimination/offence	1
Celebrity Power Couples 2016	Channel 5	31/07/2016	Generally accepted standards	1
Fireman Sam	Channel 5	28/06/2016	Religious/Beliefs discrimination/offence	1
Fireman Sam	Channel 5	28/06/2016	Religious/Beliefs discrimination/offence	1
Live from V Festival	Channel 5	21/08/2016	Materially misleading	1
NCIS	Channel 5	25/08/2016	Offensive language	1
No Fatties Allowed	Channel 5	01/08/2016	Generally accepted standards	1
Pets Make You Laugh Out Loud	Channel 5	04/09/2016	Religious/Beliefs discrimination/offence	1
Rosamunde Pilcher's Fighting For Her Family	Channel 5	25/08/2016	Offensive language	1
Sex Pod, Swipe Right for Sex (trailers)	Channel 5	26/08/2016	Sexual material	1
Teenage Mutant Ninja Turtles	Channel 5	13/08/2016	Violence	1

<b>Programme</b>	<b>Broadcaster</b>	<b>Transmission Date</b>	<b>Categories</b>	<b>Number of complaints</b>
The Cars That Made Britain Great	Channel 5	02/09/2016	Offensive language	3
The Cars That Made Britain Great	Channel 5	05/09/2016	Offensive language	1
The Cars That Made Britain Great	Channel 5	09/09/2016	Materially misleading	1
The Nightmare Neighbour Next Door	Channel 5	27/08/2016	Offensive language	1
The Wright Stuff	Channel 5	30/08/2016	Due accuracy	1
The Wright Stuff	Channel 5	01/09/2016	Offensive language	1
The Wright Stuff	Channel 5	07/09/2016	Due impartiality/bias	1
Betsafe's sponsorship of primetime on Dave	Dave	Various	Sponsorship credits	5
Sanjhi Mehak	Desi Radio	28/08/2016	Religious/Beliefs discrimination/offence	1
Pickle and Peanut (trailer)	Disney XD	28/08/2016	Generally accepted standards	1
Sharpe	Drama	03/09/2016	Violence	1
Baby Daddy and Animals Unleashed (trailer)	E4	01/09/2016	Generally accepted standards	1
Rude Tube	E4	04/09/2016	Under 18s in programmes	1
Stage School	E4	06/09/2016	Race discrimination/offence	1
Stage School (trailer)	E4	02/09/2016	Generally accepted standards	1
Tattoo Fixers On Holiday	E4	12/09/2016	Generally accepted standards	1
BBC 3 (trailer)	Facebook	05/09/2016	Outside of remit	1
The Heat	Film4	01/09/2016	Other	1
The O'Reilly Factor	Fox News	11/08/2016	Due accuracy	1
Programming	Gold	31/08/2016	Other	1
Heart Breakfast	Heart Radio (West Midlands)	04/08/2016	Race discrimination/offence	1
500 Questions	ITV	22/08/2016	Age discrimination/offence	1
500 Questions	ITV	23/08/2016	Gender discrimination/offence	1
Cold Feet	ITV	05/09/2016	Offensive language	1
Cold Feet	ITV	12/09/2016	Materially misleading	1
Columbo	ITV	20/08/2016	Advertisements	1
Columbo: Troubled Waters	ITV	28/08/2016	Violence	1
Coronation street	ITV	22/08/2016	Offensive language	1
Coronation Street	ITV	29/08/2016	Generally accepted standards	1
Coronation Street	ITV	02/09/2016	Generally accepted standards	1

<b>Programme</b>	<b>Broadcaster</b>	<b>Transmission Date</b>	<b>Categories</b>	<b>Number of complaints</b>
Coronation Street	ITV	05/09/2016	Generally accepted standards	34
Coronation Street	ITV	07/09/2016	Generally accepted standards	99
Coronation Street	ITV	09/09/2016	Disability discrimination/offence	2
Coronation Street	ITV	09/09/2016	Nudity	1
Coronation Street	ITV	12/09/2016	Generally accepted standards	1
Emmerdale	ITV	23/08/2016	Generally accepted standards	1
Emmerdale	ITV	25/08/2016	Disability discrimination/offence	43
Emmerdale	ITV	25/08/2016	Generally accepted standards	1
Emmerdale	ITV	25/08/2016	Sexual material	1
Emmerdale	ITV	30/08/2016	Sexual material	1
Emmerdale	ITV	01/09/2016	Harm	1
Emmerdale	ITV	01/09/2016	Offensive language	1
Emmerdale	ITV	05/09/2016	Sexual material	1
Emmerdale	ITV	06/09/2016	Sexual material	1
Emmerdale	ITV	08/09/2016	Offensive language	2
Emmerdale	ITV	08/09/2016	Sexual material	1
Emmerdale	ITV	09/09/2016	Scheduling	1
Emmerdale / Coronation Street	ITV	12/09/2016	Generally accepted standards	1
Go For It	ITV	27/08/2016	Dangerous behaviour	12
Good Morning Britain	ITV	22/08/2016	Competitions	1
Good Morning Britain	ITV	01/09/2016	Due impartiality/bias	1
Good Morning Britain	ITV	06/09/2016	Generally accepted standards	1
Good Morning Britain	ITV	06/09/2016	Other	1
Good Morning Britain	ITV	13/09/2016	Crime and disorder	1
Good Morning Britain	ITV	13/09/2016	Generally accepted standards	2
Good Morning Britain	ITV	14/09/2016	Generally accepted standards	1
Good Morning Britain	ITV	24/08/2016	Generally accepted standards	1
International Football	ITV	04/09/2016	Religious/Beliefs discrimination/offence	2
ITV News	ITV	23/08/2016	Due impartiality/bias	1
ITV News	ITV	02/09/2016	Generally accepted standards	1
ITV News	ITV	05/09/2016	Due impartiality/bias	1
ITV News at Ten	ITV	12/09/2016	Generally accepted standards	1
Jackpot 24/7	ITV	14/09/2016	Advertisements	1

<b>Programme</b>	<b>Broadcaster</b>	<b>Transmission Date</b>	<b>Categories</b>	<b>Number of complaints</b>
Judge Rinder	ITV	25/08/2016	Disability discrimination/offence	1
Loose Women	ITV	18/08/2016	Generally accepted standards	2
Loose Women	ITV	19/08/2016	Gender discrimination/offence	1
Loose Women	ITV	23/08/2016	Gender discrimination/offence	1
Loose Women	ITV	30/08/2016	Generally accepted standards	1
Loose Women	ITV	02/09/2016	Dangerous behaviour	1
Loose Women	ITV	07/09/2016	Generally accepted standards	1
Lorraine	ITV	31/08/2016	Generally accepted standards	1
Lorraine	ITV	01/09/2016	Scheduling	1
Lorraine	ITV	07/09/2016	Gender discrimination/offence	1
Lorraine	ITV	12/09/2016	Due impartiality/bias	1
Lorraine	ITV	12/09/2016	Outside of remit	1
Lorraine (trailer)	ITV	09/09/2016	Gender discrimination/offence	1
Newzoids	ITV	03/09/2016	Generally accepted standards	5
Programme trailers	ITV	03/09/2016	Other	1
Programming	ITV	09/09/2015	Competitions	1
Talk Talk's sponsorship of The X Factor	ITV	27/08/2016	Sponsorship credits	1
Talk Talk's sponsorship of The X Factor	ITV	03/09/2016	Sponsorship credits	1
The Jeremy Kyle Show	ITV	26/08/2016	Generally accepted standards	1
The Jeremy Kyle Show	ITV	30/08/2016	Generally accepted standards	1
The Jeremy Kyle Show	ITV	30/08/2016	Sexual material	1
The Jeremy Kyle Show	ITV	06/09/2016	Transgender discrimination/offence	1
The Jeremy Kyle Show	ITV	08/09/2016	Offensive language	1
The Jonathan Ross Show	ITV	10/09/2016	Generally accepted standards	1
The X Factor	ITV	03/07/2016	Sexual orientation discrimination/offence	1
The X Factor	ITV	27/08/2016	Generally accepted standards	2
The X Factor	ITV	27/08/2016	Race discrimination/offence	2
The X Factor	ITV	28/08/2016	Generally accepted standards	1
The X Factor	ITV	28/08/2016	Sexual material	1
The X Factor	ITV	03/09/2016	Race discrimination/offence	2

Programme	Broadcaster	Transmission Date	Categories	Number of complaints
The X Factor	ITV	03/09/2016	Scheduling	1
The X Factor	ITV	10/09/2016	Generally accepted standards	1
The X Factor	ITV	11/09/2016	Offensive language	2
This Morning	ITV	20/07/2016	Generally accepted standards	1
This Morning	ITV	31/08/2016	Generally accepted standards	1
This Morning	ITV	09/09/2016	Undue prominence	1
Tonight: Secrets of Your Car Insurance	ITV	01/09/2016	Due impartiality/bias	1
Victoria (trailer)	ITV	22/10/2016	Other	1
You've Been Framed	ITV	13/08/2016	Generally accepted standards	1
Advertisements	ITV channels	06/09/2016	Advertisements	1
London Tonight	ITV London	19/08/2016	Promotion of products/services	1
ITV News	ITV West	24/08/2016	National/regional/local issues	1
Coronation Street	ITV2	10/09/2016	Scheduling	2
Dinner Date	ITV2	08/09/2016	Disability discrimination/offence	1
Family Guy	ITV2	09/09/2016	Generally accepted standards	1
The Xtra Factor	ITV2	28/08/2016	Sexual material	1
The Xtra Factor	ITV2	04/09/2016	Sexual material	1
The Xtra Factor	ITV2	10/09/2016	Generally accepted standards	1
The Xtra Factor (trailer)	ITV2	31/08/2016	Generally accepted standards	1
You've Been Framed	ITV2	25/08/2016	Animal welfare	1
You've Been Framed	ITV2	26/08/2016	Generally accepted standards	1
Coronation Street	ITV2+1	11/09/2016	Scheduling	1
Lights Out (trailer)	ITVBe	18/08/2016	Scheduling	1
James O'Brien	LBC 97.3FM	24/08/2016	Due impartiality/bias	1
James O'Brien	LBC 97.3FM	06/09/2016	Generally accepted standards	1
Maajid Nawaz	LBC 97.3FM	27/08/2016	Due accuracy	1
Nick Ferrari	LBC 97.3FM	23/08/2016	Generally accepted standards	1
Notting Hill Carnival	London Live	29/08/2016	Other	1
Come Dine With Me	More4	27/08/2016	Race discrimination/offence	1
1 to 5	NDTV 24/7	04/08/2016	Due accuracy	1
Sanjay and Craig	Nicktoons	22/05/2016	Generally accepted standards	1
Road Wars	Pick / Spike	19/08/2016	Under 18s - coverage of sexual and other offences	1

Programme	Broadcaster	Transmission Date	Categories	Number of complaints
Hooten & The Lady (trailer)	Pick TV	12/09/2016	Offensive language	1
Playboy TV Chat	Playboy TV Chat	21/08/2016	Sexual material	1
Bear Grylls Born Survivor	Quest	02/09/2016	Animal welfare	1
Salvage Hunters	Quest	15/09/2016	Religious/Beliefs discrimination/offence	1
CFA football	Radio Ramadhan 95.1FM (Leicester)	15/06/2016	Race discrimination/offence	1
Johnny Vaughan Best Bits	Radio X	04/09/2016	Offensive language	1
News	RT	21/08/2016	Generally accepted standards	1
The Weekly	RT	21/08/2016	Generally accepted standards	1
Programming	Safeer TV	03/06/2016	Crime and disorder	1
Corbyn v Smith: The Battle for Labour (trailer)	Sky News	06/09/2016	Due impartiality/bias	1
Hooten & The Lady (trailer)	Sky News	05/08/2016	Scheduling	1
Press Preview	Sky News	27/08/2016	Generally accepted standards	1
Press Preview	Sky News	04/09/2016	Religious/Beliefs discrimination/offence	1
Press Review	Sky News	07/09/2016	Race discrimination/offence	1
Sky News	Sky News	22/08/2016	Generally accepted standards	1
Sky News	Sky News	23/08/2016	Religious/Beliefs discrimination/offence	1
Sky News	Sky News	24/08/2016	Due impartiality/bias	1
Sky News	Sky News	26/08/2016	Due impartiality/bias	1
Sky News	Sky News	31/08/2016	Generally accepted standards	2
Sky News	Sky News	01/09/2016	Generally accepted standards	1
Sky News	Sky News	02/09/2016	Due accuracy	1
Sky News	Sky News	06/09/2016	Offensive language	1
Sky News	Sky News	07/09/2016	Generally accepted standards	1
Sky News	Sky News	11/09/2016	Generally accepted standards	1
Sky News at Nine with Anna Botting	Sky News	05/09/2016	Generally accepted standards	1
The Strain	Sky News	17/08/2016	Race discrimination/offence	1
Weather	Sky News	30/08/2016	Materially misleading	1
The Open	Sky Sports	Various	Advertisements	1
World Matchplay Darts	Sky Sports 3	19/07/2016	Race discrimination/offence	2

Programme	Broadcaster	Transmission Date	Categories	Number of complaints
Carpool Karaoke	Sky1	22/08/2016	Dangerous behaviour	1
NCS' sponsorship of The Simpsons	Sky1	29/08/2016	Sponsorship	1
The Force: Essex	Sky1	14/09/2016	Disability discrimination/offence	1
Beware: Britain Running Riot	Spike	22/08/2016	Animal welfare	1
STV News at Six	STV	23/08/2016	Due impartiality/bias	1
STV News at Six	STV	30/08/2016	Due impartiality/bias	1
Jon Holmes	TalkRADIO	05/09/2016	Generally accepted standards	1
Live Hajj	Ummah Channel	06/09/2016	Materially misleading	1
Programming	Various	24/08/2016	Outside of remit	1
British Superbike	Eurosport	11/09/2016	Outside of remit	1

### Complaints assessed under the General Procedures for investigating breaches of broadcast licences

For more information about how Ofcom assesses complaints about broadcast licences, go to: <http://stakeholders.ofcom.org.uk/broadcasting/procedures/general-procedures/>

Licensee	Licensed service	Categories
The Pakistan Muslim Centre (Sheffield) Limited	Link FM	Other
Nation Radio Ltd	Nation Radio	Format
Viacom18 Media Private Limited	Madhubala-Ek ishq Ek Thapki pyar ki. and Kasam	Television Access Services
Viking Radio Limited	Viking 2	Format

## Complaints outside of remit

Here are alphabetical lists of complaints received by Ofcom that fell outside of our remit. This is because Ofcom is not responsible for regulating the issue complained about. For example, the complaints were about the content of television, radio or on demand adverts, accuracy in BBC programmes or an on demand service does not fall within the scope of regulation.

For more information about what Ofcom's rules cover, go to:

<http://consumers.ofcom.org.uk/complain/tv-and-radio-complaints/what-does-ofcom-cover/>

### Complaints about television or radio programmes

For more information about how Ofcom assesses complaints about television and radio programmes, go to:

<http://stakeholders.ofcom.org.uk/broadcasting/procedures/standards/>

Programme	Broadcaster	Transmission Date	Categories	Number of complaints
Advertisement	Alibi	01/09/2016	Advertising content	1
Dubai Holiday Competition	Asian Sound Radio	29/06/2016	Competitions	1
Advertisements	BBC / ITV	02/09/2016	Advertising content	1
Advertisement	BT Sport 1	15/09/2016	Advertising content	1
Advertisement	Capital FM Scotland	30/08/2016	Advertising content	1
Advertisement	Capital Radio	04/09/2016	Advertising content	1
Advertisement	Channel 4	25/08/2016	Advertising content	1
Advertisement	Channel 4	07/09/2016	Advertising content	2
Advertisement	Channel 4	12/09/2016	Advertising content	3
Advertisement	Discovery	12/09/2016	Advertising content	1
Advertisement	Disney Channel	30/08/2016	Advertising content	1
US Open Tennis Live	Eurosport 1	04/09/2016	Advertising content	1
Advertisement	Gold	10/09/2016	Advertising content	1
Advertisement	ITV	01/06/2016	Advertising content	1
Advertisement	ITV	27/08/2016	Advertising content	1
Advertisement	ITV	28/08/2016	Advertising content	1
Advertisement	ITV	31/08/2016	Advertising content	1
Advertisement	ITV	02/09/2016	Advertising content	2
Advertisement	ITV	03/09/2016	Advertising content	2
Advertisement	ITV	05/09/2016	Advertising content	1
Advertisement	ITV	06/09/2016	Advertising content	1
Advertisement	ITV	07/09/2016	Advertising content	2
Advertisement	ITV	08/09/2016	Advertising content	1
Advertisement	ITV	09/09/2016	Advertising content	2
Advertisement	ITV	10/09/2016	Advertising content	6
Advertisement	ITV	12/09/2016	Advertising content	2

Programme	Broadcaster	Transmission Date	Categories	Number of complaints
Advertisement	ITV	14/09/2016	Advertising content	1
Advertisements	ITV channels	Various	Advertising content	1
Advertisement	ITV2	04/07/2016	Advertising content	1
Advertisement	More4	12/09/2016	Advertising content	1
Advertisements	n/a	12/09/2016	Advertising content	1
Advertisements	n/a	Various	Advertising content	1
Advertisement	Sky News	05/09/2016	Advertising content	1
Advertisement	Sky News	06/09/2016	Advertising content	1
Advertisement	Sky News	07/09/2016	Advertising content	1
Advertisement	Sky Sports	27/08/2016	Advertising content	1
Advertisement	Sky Sports 2	27/08/2016	Advertising content	1
Advertisement	Sky Sports 2	29/08/2016	Advertising content	1
Advertisement	Sky Sports 2	30/08/2016	Advertising content	1
Advertisement	Sky Sports 2	01/09/2016	Advertising content	2
Advertisement	Sky Sports Box Office	10/09/2016	Advertising content	2
Advertisement	Sky Sports Mix	24/08/2016	Advertising content	1
Advertisement	Sky1	10/09/2016	Advertising content	1
Advertisement	Sony Movie Channel	09/09/2016	Advertising content	1
Advertisement	STV	03/09/2016	Advertising content	2
Advertisement	STV	06/09/2016	Advertising content	1
Advertisement	Talksport	06/09/2016	Advertising content	1
Advertisement	Various	09/09/2016	Advertising content	1
Advertisement	Yesterday	07/09/2016	Advertising content	1
BBC website	BBC	22/08/2016	Outside of remit	1
BBC News	BBC 1	05/09/2016	Due impartiality/bias	1
Breakfast	BBC 1	16/09/2016	Due impartiality/bias	1
EastEnders	BBC 1	12/09/2016	Materially misleading	1
Inside Out	BBC 1	05/09/2016	Due impartiality/bias	1
Match Of The Day	BBC 1	13/08/2016	Undue prominence	3
The One Show	BBC 1	12/09/2016	Promotion of products/services	2
BBC News	BBC News Channel	01/09/2016	Due impartiality/bias	1
BBC News	BBC News Channel	02/09/2016	Other	1
BBC News	BBC News website	06/09/2016	Age discrimination/offence	1
BBC News	BBC Radio 6	01/09/2016	Due impartiality/bias	1
Today in Rio	BBC World Service	11/09/2016	Gender discrimination/offence	1

## Complaints about broadcast licences

For more information about how Ofcom assesses complaints about broadcast licences, go to: <http://stakeholders.ofcom.org.uk/broadcasting/procedures/general-procedures/>

Licensed service	Licensee	Categories
Capital FM Regional Network	Capital FM	Other
Lantern Radio Ltd	Heart North Devon	Other

## Complaints about on demand services

Programme	Service name	Accessed date	Categories	Number of complaints
Advertisement	STV Player	04/09/2016	Advertising content	1

For more information about how Ofcom assesses complaints about on demand services, go to: [http://stakeholders.ofcom.org.uk/binaries/broadcast/on-demand/rules-guidance/rules\\_and\\_guidance.pdf](http://stakeholders.ofcom.org.uk/binaries/broadcast/on-demand/rules-guidance/rules_and_guidance.pdf)

## Investigations List

If Ofcom considers that a broadcaster or service provider may have breached its codes, rules, licence condition or other regulatory requirements, it will start an investigation.

**It is important to note that an investigation by Ofcom does not necessarily mean the broadcaster or service provider has done anything wrong. Not all investigations result in breaches of the codes, rules, licence conditions or other regulatory requirements being recorded.**

Here are alphabetical lists of new investigations launched between 5 and 18 September 2016.

### Investigations launched under the Procedures for investigating breaches of content standards for television and radio

Programme	Broadcaster	Transmission date
So Sorry: Sau Nawaz Ki, Ek Modi Ki	AAJ TAK	06 September 2016
The Late Show with Ian Timms	BBC Radio Cumbria	09 August 2016
Celebrity Big Brother	Channel 5	01 August 2016
This is Your Day and Gospel Truth	Flow TV	26 June 2016
Hannity	Fox News	Various
Coronation Street	ITV	29 August 2016
Cross Talk	RT	11 July 2016

For more information about how Ofcom assesses complaints and conducts investigations about content standards on television and radio programmes, go to: <http://stakeholders.ofcom.org.uk/broadcasting/procedures/standards/>

### Investigations launched under the Procedures for the consideration and adjudication of Fairness and Privacy complaints

Programme	Broadcaster	Transmission date
Keiser Report: Summer Solutions	RT	21 July 2016

For more information about how Ofcom considers and adjudicates upon Fairness and Privacy complaints about television and radio programmes, go to: <http://stakeholders.ofcom.org.uk/broadcasting/procedures/fairness/>