

# OFCOM BROADCAST AND ON DEMAND BULLETIN

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## Introduction

Under the Communications Act 2003 ("the Act"), Ofcom has a duty to set standards for broadcast content to secure the standards objectives<sup>1</sup>. Ofcom also has a duty to ensure that On Demand Programme Services ("ODPS") comply with certain standards requirements set out in the Act<sup>2</sup>.

Ofcom reflects these requirements in its codes and rules. The Broadcast and On Demand Bulletin reports on the outcome of Ofcom's investigations into alleged breaches of its codes and rules, as well as conditions with which broadcasters licensed by Ofcom are required to comply. The codes and rules include:

- a) [Ofcom's Broadcasting Code](#) ("the Code") for content broadcast on television and radio services licensed by Ofcom, and for content on the BBC's licence fee funded television, radio and on demand services.
- b) the [Code on the Scheduling of Television Advertising](#) ("COSTA"), containing rules on how much advertising and teleshopping may be scheduled on commercial television, how many breaks are allowed and when they may be taken.
- c) certain sections of the [BCAP Code: the UK Code of Broadcast Advertising](#), for which Ofcom retains regulatory responsibility for television and radio services. These include:
  - the prohibition on 'political' advertising;
  - 'participation TV' advertising, e.g. long-form advertising predicated on premium rate telephone services – notably chat (including 'adult' chat), 'psychic' readings and dedicated quiz TV (Call TV quiz services); and
  - gambling, dating and 'message board' material where these are broadcast as advertising<sup>3</sup>.
- d) other conditions with which Ofcom licensed services must comply, such as requirements to pay fees and submit information required for 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 (apart from BBC ODPS). Ofcom considers sanctions for advertising content on ODPS referred to it 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 requirements in the BBC Agreement, the Code on Television Access Services (which sets out how much subtitling, signing and audio description relevant licensees must provide), the Code on Electronic Programme Guides, the Code on Listed Events, and the Cross Promotion Code.

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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.

**It is Ofcom's policy to describe fully 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

#### Hannity

*Fox News, 31 January 2017, 06:15*

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#### Decision

Fox News is a news channel originating in the US. The Licence was held by Fox News Network LLC. It ceased to broadcast in the UK on 29 August 2017 and surrendered its Licence to Ofcom on 1 November 2017. Although the channel has ceased to broadcast and is no longer a licensed television service falling under Ofcom's jurisdiction, Ofcom has decided that publication of this short form decision is appropriate to ensure there is a complete compliance record and to facilitate public understanding of the Code.

This case concerns "due impartiality".

In reaching this Decision, we have taken into account the fact that Fox News is a US news channel, directed at US audiences, which is available in the UK. The people who watch it in the UK are aware that it is a US channel and their expectations are different. It is not a main source of news in the UK. However, we were also mindful that, in our view, this particular programme dealt with major matters relating to current public policy that, as well as being of international significance, were of particular relevance and significance to UK viewers.

*Hannity* is a current affairs discussion programme. On 31 January 2017, it covered President Donald Trump's Executive Order issued on 27 January 2017 restricting travel from seven majority-Muslim countries. Ofcom considered the programme under Code rules 5.9 (adequate representation of alternative views in 'personal view' or discussion programmes), 5.11 (due impartiality on matters of major political and industrial controversy and major matters relating to current public policy) and 5.12 (inclusion of an appropriately wide range of significant views when dealing with matters of major political and industrial controversy and major matters relating to current public policy).

Ofcom considered the Order to be a "major" matter. There was intense international and UK interest in it at the time. Although a domestic US policy, its application was likely to impact non-US citizens, including in the UK. It also attracted scrutiny as an early signal of how the Trump Administration would approach domestic and international affairs. On the day before the broadcast thousands of people joined protests in several UK cities against the travel ban, MPs held an emergency debate at Westminster and more than 1.5 million people had signed a petition calling for Mr Trump's state visit to the UK to be cancelled.

We went on to consider if due impartiality had been preserved by ensuring alternative viewpoints were sufficiently reflected. The opening monologue featured several video clips of public figures reacting critically to the Order. However, these views were briefly represented in pre-recorded videos and repeatedly dismissed or ridiculed by the presenter without sufficient opportunity for the contributors to challenge or otherwise respond to the criticism directed at them. During the rest of the programme, the presenter interviewed various guests who were all prominent supporters of the Trump administration and highly

critical of those opposed to the Order. The presenter consistently voiced his enthusiastic support for the Order and the Trump Administration.

Ofcom acknowledged that viewers were likely to expect *Hannity* to address controversial issues from a perspective that is generally more supportive of the US Republican Party. However, the likely audience expectations did not provide sufficient contextual justification to outweigh the numerous highly critical statements made about people who had opposed the Order, coupled with the clear support being expressed for the policies of President Trump.

**Breaches of Rules 5.9, 5.11 and 5.12**

## In Breach

### **Tucker Carlson Tonight** ***Fox News, 25 May 2017, 07:00***

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#### **Decision**

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In reaching this Decision, we have taken into account the fact that Fox News is a US news channel, directed at US audiences, which is available in the UK. The people who watch it in the UK are aware that it is a US channel and their expectations are different. It is not a main source of news in the UK. However, we were also mindful that, in our view, this particular programme dealt with major matters relating to current public policy that, as well as being of international significance, were of particular relevance and significance to UK viewers.

*Tucker Carlson Tonight* is an opinion and commentary programme. On 25 May 2017, it discussed the reaction of the UK authorities to the Manchester terrorist attack on 22 May 2017. Ofcom considered the programme under Code rules 5.9 (adequate representation of alternative views in 'personal view' or discussion programmes), 5.11 (due impartiality on matters of major political and industrial controversy and major matters relating to current public policy) and 5.12 (inclusion of an appropriately wide range of significant views when dealing with matters of major political and industrial controversy and major matters relating to current public policy).

Ofcom considered the responses of the UK Government and authorities to the terrorist attack in Manchester on 22 May 2017 and public policy in relation to terrorism to be a major matter both domestically and internationally.

The programme included highly critical statements about: Theresa May; the Deputy Mayor of Manchester, Baroness Hughes; the Chief Constable of Greater Manchester, Ian Hopkins; the UK Government; and the UK authorities, including accusations that particular individuals and public bodies had done nothing to: counter terrorism; stop radicalisation; protect citizens from terrorism; or protect "*thousands of underage girls*" from rape and abuse. Further, about public leaders: that their inaction was motivated by political correctness; they valued how people saw them over the lives of children; and they were forcing an "*official lie*" on citizens, which was "*totalitarian*" and "*wicked*". There was no reflection of the views of the UK Government or any of the authorities or people criticised, which we would have expected given the nature and amount of criticism of them in the programme. The presenter did not challenge the views of his contributors, instead, he reinforced their views.

Ofcom considered that viewers were likely to have expected the programme to comment critically on various political targets, which in this case included the UK Government and UK

authorities more generally. However, we considered that these contextual factors were not sufficient to remove the need for the programme to also reflect significant alternative viewpoints, and treat these with due weight.

**Breaches of Rules 5.9, 5.11 and 5.12**



## In Breach

### **F-Stop: Lady Margaret** **Notts TV, 20 August 2017, 20:30**

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#### **Introduction**

Notts TV is a local television service for Nottingham and its surrounding areas. The licence is held by Notts TV Limited ("Notts TV" or "the Licensee").

*F-Stop* is a series showcasing short films produced and directed by local filmmakers. This episode, entitled *F-Stop: Lady Margaret*, included a nine-minute short film along with footage of the film's director, Deborah Haywood, talking about her career and her childhood which had inspired the film.

We received a complaint about the broadcast of offensive language and sexual themes in this pre-watershed programme.

A warning, in text and voiceover, was broadcast at the beginning of the programme stating:

*"WARNING: This programme contains strong language, adult humour and scenes of a violent or sexual nature".*

The film featured a young girl called Sadie who, after accepting a car ride with two older boys (Joe and Danny), was driven into the woods and coerced into a sexually humiliating "striptease" act and threatened that if she did not agree they would leave her stranded in the woods alone at night.

Sadie, Joe and Danny were shown sitting in the car. Joe and Danny tried to scare Sadie by reciting a story of the ghost of Lady Margaret. Joe then suggested to Sadie that they play a game of strip poker:

Joe: *"Look, are you going to make this worth our while?"*

Sadie: *"Can we go home now? You're boring me".*

Joe: *"Let's play a game. Let's play, err strip poker, like, without the cards. You strip and we poke ya [laughs]"*.

Sadie: *"Let's, erm, go for another spin".*

Joe: *"Aw, do you not wanna to play?"*

Sadie: *"I don't play shit games!"*.

Joe: *"[becoming agitated] You know there is a name for girls like you and it's not Paris [an alias Sadie gave when she first met the boys] It's prick-teaser".*

Sadie: *"Yeah, but you need a prick to get prick teased! [Danny laughs]"*.

Joe: " [shouting] *Yo, I can black your eye out with this fucker*".

Sadie: " *Yeah right. Can we go now then? I've got homework*".

Joe: " *I'll tell you what. We'll take you home if you get your tits out*".

Sadie: " [taking out her mobile phone] *No thanks!* [As Sadie dialled, Joe snatched the phone] *Can I have my phone back?...*"

Joe: " *Why, what's it worth?*"

Sadie: " [As Sadie struggled to take her phone off Joe] *Give it me back. Give it me back. Give it me back. Give it me back*".

Danny: " *...I'd bet you get them out for me*".

Sadie: " *I don't think so!*"

Sadie was then shown struggling to leave the car as Joe called her a "*fucking bitch*". Sadie, standing outside the car, appeared scared and banged on the car window to be let back in the car and taken home. Joe, having locked the car door, laughed as he opened the car window:

Sadie: " *I wanna go home*".

Joe: " *Get your tits out first!*".

Sadie: " *Please let me back in the car. I want to go home*".

Joe: " *Shall I ring mum? Yeah here we go, mum, mum. Shall we phone mum?*"

Sadie: " *No! No! No!*"

Joe: " *Shall I phone mum and say you're sucking my cock? Sadie is sucking the cock mum! Look, are you going to do it? No? [Sadie's crying] Or do you want to stay here late at night, stay here with Lady Margaret?*"

Sadie: " [Scared] *Please let me go home*".

Joe: " *Are you going to do it? No? Fuck it! Right start the car Danny we're off*".

Sadie: " [crying] — *No! Please don't! Please don't!*"

Joe: " *Yeah? Well strip then. Strip then, strip then, strip then*".

The following sequence of shots, accompanied by menacing music, showed a distressed Sadie hesitatingly starting to undress in the darkness, as Joe commented: "*Fucking hell we're in...*". Joe then started to whistle "*The Stripper*", and laughingly asked Sadie to "*shake her bum a bit*" and commented: "*she's stripping...fucking hell*".

As a tearful Sadie undressed, Danny was shown looking uncomfortable. A shot of Joe was shown, from the waist up, appearing to masturbate. Danny then became aware of Joe and reached into the back seat to hit him:

Danny: *"What are you fucking doing, you fucking pig...give her the fucking phone now...I swear give her the fucking phone back now" [and then to Sadie]: "Get in the fucking car now..."*.

The film concluded with close up shots of Danny looking upset as he drove, Sadie distressed, and Joe sulking in the back of the car.

There were 14 instances of the word "fuck" or "fucking" and a further 10 instances of other examples of offensive language (e.g. "cock", "tits", "prick", "prickteaser" and "bitch").

We considered that this material raised issues under the following Code rules:

- Rule 1.3: "Children must also be protected by appropriate scheduling from material that is unsuitable for them...";
- Rule 1.14: "The most offensive language must not be broadcast before the watershed";
- Rule 1.16: "Offensive language must not be broadcast before the watershed unless it is justified by the context. In any event, frequent use of such language must be avoided before the watershed"; and
- Rule 2.3: "In applying generally accepted standards, broadcasters must ensure that material which may cause offence is justified by the context...Appropriate information should also be broadcast where it would assist in avoiding or minimising offence".

We asked the Licensee for its comments about how the material complied with these rules.

## **Response**

Notts TV acknowledged that the programme did contain language and themes which were unsuitable and inappropriate for broadcast before the watershed. It explained that the content had been scheduled and broadcast in error due to staff shortages.

### Rules 1.3, 1.14 and 1.16

The Licensee stated that the harm and offence caused by the broadcast had been mitigated to a certain extent by: the time of the broadcast and its proximity to the watershed; the clear warning broadcast at the beginning of the programme; and that the programme was unlikely to attract a younger audience.

### Rule 2.3

Notts TV considered that the introduction with the director, which prefaced the short film, and the end credits in which the director explained how the short film was inspired by her own experiences, served to provide appropriate information and "a degree of context".

Nonetheless, the Licensee acknowledged that the programme was scheduled inappropriately and apologised for any offence caused. Notts TV added that the matter had been raised and action had been taken with the individuals concerned. It also said that "further safeguards" had been introduced and "reminders issued" to staff on the seriousness of the matter.

## Decision

Reflecting our duties under the Communications Act 2003<sup>1</sup>, Section One of the Code requires that people under eighteen are protected from unsuitable material in programmes. Section Two of the Code requires that generally accepted standards are applied to the content of television services to provide adequate protection for members of the public from the inclusion and/or offensive material.

Ofcom takes account of the audience's and the broadcaster's right to freedom of expression set out in Article 10 of the European Convention on Human Rights.

### Rule 1.3

Rule 1.3 states that children must be protected by appropriate scheduling from material that is unsuitable for them. Appropriate scheduling is judged by a number of factors including: the nature of the content; the time of broadcast; and likely audience expectations.

Ofcom first considered whether this broadcast material was unsuitable for children.

In our view, the portrayal of a young girl in a vulnerable situation, being coerced into a sexually humiliating "striptease" act, in the presence of two older boys (one of whom was shown masturbating) as well as the repeated offensive, sexually aggressive, and threatening language used, particularly by the character Joe, was clearly unsuitable for children.

We then considered whether this material was appropriately scheduled. The programme was broadcast at 20:30 on Sunday and during the school summer holidays.

Ofcom strongly disagreed with the Licensee's view that the impact of the material would have been "mitigated to some extent" by the warnings, the time of broadcast close to the watershed, and its low appeal to child viewers. In view of the strength of the material, we considered that these factors were insufficient to ensure its appropriate scheduling.

Although warnings may be a useful guide to viewers in some circumstances, they are likely to have a limited impact on children who may be viewing unsupervised.

Parents and carers were unlikely to have expected this type of highly offensive and sexualised content to be broadcast at this time.

Ofcom took into account the Licensee's apology and that it had added "further safeguards" to its compliance process. However, this unsuitable material was not appropriately scheduled. Ofcom's Decision is that it breached Rule 1.3.

### Rule 1.14

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<sup>1</sup> <http://www.legislation.gov.uk/ukpga/2003/21/section/319>

This rule states that the most offensive language must not be broadcast before the watershed on television.

Ofcom's research on offensive language<sup>2</sup> indicates that the word "fuck" and variations of it are considered by audiences to be among the most offensive language and should not be broadcast before the watershed.

Ofcom's Decision is that the repeated broadcast of the words "fuck" and "fucking" in this programme was therefore a clear breach of Rule 1.14.

### Rule 1.16

Rule 1.16 states that offensive language must not be broadcast before the watershed unless it is justified by the context and that in any event, frequent use of such language must be avoided before the watershed.

We took into account Ofcom's research<sup>3</sup> on offensive language which found that sexual terms such as "cock", "prick", "prickteaser" were considered "strong words" and were generally unacceptable before the watershed. Words such as "bitch" and "shit" were potentially unacceptable pre-watershed depending on the context.

We considered that ten instances of this offensive language broadcast during this nine-minute film constituted frequent use.

We therefore went on to consider whether this frequent use of offensive language was justified by the context.

As Ofcom's Guidance<sup>4</sup> on Rule 1.16 makes clear, milder offensive language in the early evening may be acceptable, if for example it is mitigated by humour. In this case, however, the offensive language was used in a serious and threatening context.

Ofcom's Decision is that the frequent use of this offensive language was not justified by the context and was therefore in breach of Rule 1.16.

### Rule 2.3

Rule 2.3 requires that broadcasters must ensure that the broadcast of potentially offensive content is justified by the context.

Ofcom first considered whether the material had the potential to cause offence.

This programme depicted the sexual humiliation of a young girl, a masturbation scene as well as repeated instances of the most offensive language and strong sexual offensive language. We therefore considered that this material had the potential to cause offence.

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<sup>2</sup> [https://www.ofcom.org.uk/\\_data/assets/pdf\\_file/0023/91625/OfcomQRG-AOC.pdf](https://www.ofcom.org.uk/_data/assets/pdf_file/0023/91625/OfcomQRG-AOC.pdf)

<sup>3</sup> See footnote 2

<sup>4</sup> [https://www.ofcom.org.uk/\\_data/assets/pdf\\_file/0017/24704/section1.pdf](https://www.ofcom.org.uk/_data/assets/pdf_file/0017/24704/section1.pdf)

We then went on to consider whether the material was justified by the context.

The Licensee stated it had provided a "degree of context". The programme began with a clear warning, was broadcast close to the watershed and included a preface from the writer and director which provided some pre-broadcast information about the nature of the content.

However, Ofcom did not consider these factors sufficiently mitigated the potential offence caused by the broadcast of this content. In Ofcom's view the cumulative effect of the frequency the offensive language and the portrayal of a young girl being sexually humiliated was very likely to have exceeded adult viewers' expectations for a programme broadcast at this time on a local television channel. Ofcom took into account the Licensee's explanation that this material was broadcast in error, that it was scheduled inappropriately and its apology to viewers. However, Ofcom's Decision is that the programme exceeded generally accepted standards and is in breach of Rule 2.3.

**Breaches of Rules 1.3, 1.14, 1.16 and 2.3.**

## Investigations Not in Breach

Here are alphabetical lists of investigations that Ofcom has completed between 16 and 29 October 2017 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

<b>Programme</b>	<b>Broadcaster</b>	<b>Transmission date</b>	<b>Categories</b>
Press Preview	Sky News	20 June 2017	Religious discrimination/offence

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

[https://www.ofcom.org.uk/\\_data/assets/pdf\\_file/0020/55109/breaches-content-standards.pdf](https://www.ofcom.org.uk/_data/assets/pdf_file/0020/55109/breaches-content-standards.pdf)

## Complaints assessed, not investigated

Here are alphabetical lists of complaints that, after careful assessment, Ofcom has decided not to pursue between 16 and 29 October 2017 because they did not raise issues warranting investigation.

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

Programme	Broadcaster	Transmission Date	Categories	Number of complaints
Undercover Boss USA	4Seven	15/10/2017	Offensive language	1
Benefits Britain: Life on the Dole	5Star	13/10/2017	Crime and disorder	1
Advertisement	5USA and ITV	16/10/2017	Advertising content	1
So Much Love	ABN	05/10/2017	Sexual material	1
Breakfast Show	Absolute 80s	27/09/2017	Scheduling	1
Stand Up to Cancer (trailer)	Absolute 80s	23/09/2017	Offensive language	1
Programming	BT Sport 2	28/09/2017	Other	1
Scottish Football Extra	BT Sport 2	14/10/2017	Disability discrimination/offence	1
Celebrity Hunted	Channel 4	10/10/2017	Dangerous behaviour	4
Channel 4 News	Channel 4	25/09/2017	Due impartiality/bias	1
Channel 4 News	Channel 4	26/09/2017	Due impartiality/bias	1
Channel 4 News	Channel 4	10/10/2017	Due impartiality/bias	1
Channel 4 News	Channel 4	13/10/2017	Generally accepted standards	1
Channel 4 News	Channel 4	15/10/2017	Race discrimination/offence	1
Channel 4 News	Channel 4	16/10/2017	Sexual material	1
Electric Dreams	Channel 4	08/10/2017	Animal welfare	1
Escape	Channel 4	15/10/2017	Generally accepted standards	1
Gogglebox	Channel 4	13/10/2017	Drugs, smoking, solvents or alcohol	1
Gogglebox	Channel 4	13/10/2017	Gender discrimination/offence	2
Hollyoaks	Channel 4	19/10/2017	Materially misleading	1
My Week As A Muslim	Channel 4	23/10/2017	Race discrimination/offence	23
Naked Attraction	Channel 4	04/10/2017	Harm	1
Ramsey's Hotel Hell	Channel 4	27/10/2017	Nudity	1
The End of the F***ing World (trailer)	Channel 4	22/10/2017	Offensive language	1



Programme	Broadcaster	Transmission Date	Categories	Number of complaints
The End of the F***ing World (trailer)	Channel 4	23/10/2017	Offensive language	1
The End of the F***ing World (trailer)	Channel 4	24/10/2017	Offensive language	1
The Great British Bake Off	Channel 4	10/10/2017	Other	1
The Great British Bake Off	Channel 4	17/10/2017	Offensive language	2
The Great British Bake Off	Channel 4	17/10/2017	Other	4
The Great British Bake Off	Channel 4	24/10/2017	Materially misleading	3
The Last Leg	Channel 4	20/10/2017	Disability discrimination/offence	1
The Last Leg	Channel 4	20/10/2017	Generally accepted standards	1
The Supervet	Channel 4	20/10/2017	Generally accepted standards	1
Neighbours	Channel 5	18/10/2017	Other	1
Nightmare Tenants, Slum Landlords	Channel 5	30/09/2017	Offensive language	1
The A Team	Channel 5	22/10/2017	Violence	1
The Gadget Show	Channel 5	13/10/2017	Gender discrimination/offence	1
The Nightmare Neighbour Next Door	Channel 5	14/10/2017	Materially misleading	1
The Wright Stuff	Channel 5	12/10/2017	Nudity	1
Mr Bean The Animated Series	CITV	15/10/2017	Sexual material	1
Mr Bean The Animated Series	CITV	23/10/2017	Nudity	1
Mr Bean The Animated Series	CITV	24/10/2017	Nudity	1
Not Going Out	Dave	05/10/2017	Violence	1
Top Gear	Dave	17/10/2017	Offensive language	1
Top Gear	Dave	18/10/2017	Offensive language	1
The Bill	Drama	12/10/2017	Drugs, smoking, solvents or alcohol	1
Hollyoaks	E4	13/10/2017	Generally accepted standards	1
Made in Chelsea	E4	09/10/2017	Religious/Beliefs discrimination/offence	1
Naked Attraction	E4	15/10/2017	Nudity	1
Naked Attraction	E4	18/10/2017	Generally accepted standards	1

Programme	Broadcaster	Transmission Date	Categories	Number of complaints
The End of the F***ing World (trailer)	E4	22/10/2017	Offensive language	1
Funny as Fox (trailer)	Fox	10/10/2017	Sexual material	1
Fox & Friends	Fox News	24/07/2017	Due accuracy	6
Fox & Friends	Fox News	24/07/2017	Due impartiality/bias	1
Fox & Friends	Fox News	15/08/2017	Sexual orientation discrimination/offence	10
American Horror Story: Cult	Fox	26/09/2017	Generally accepted standards	1
Live At The Apollo	Gold	11/10/2017	Race discrimination/offence	1
Richard Straffon	Heart FM	23/10/2017	Offensive language	1
Programming	Heart FM (North West)	Various	Materially misleading	1
Heart Breakfast with Joel & Lorna	Heart North West 105.4	26/09/2017	Race discrimination/offence	1
Heart Breakfast	Heart Radio (Scotland)	06/06/2017	Competitions	1
Heart Breakfast with Tom, Nicola and Jack	Heart Sussex	12/09/2017	Commercial communications on radio	1
18-30 Stone Holiday	ITV	24/10/2017	Generally accepted standards	1
Bad Move	ITV	18/10/2017	Dangerous behaviour	1
Cold Feet	ITV	13/10/2017	Offensive language	1
Competition	ITV	Various	Competitions	1
Coronation Street	ITV	15/09/2017	Generally accepted standards	1
Coronation Street	ITV	22/09/2017	Offensive language	1
Coronation street	ITV	11/10/2017	Generally accepted standards	1
Coronation Street	ITV	13/10/2017	Generally accepted standards	1
Coronation Street	ITV	13/10/2017	Violence	2
Coronation Street	ITV	16/10/2017	Drugs, smoking, solvents or alcohol	1
Coronation Street	ITV	16/10/2017	Generally accepted standards	1
Coronation Street	ITV	16/10/2017	Materially misleading	1
Coronation Street	ITV	16/10/2017	Violence	1
Coronation Street	ITV	18/10/2017	Generally accepted standards	1
Coronation Street	ITV	20/10/2017	Sexual material	1
Coronation Street	ITV	20/10/2017	Violence	1

<b>Programme</b>	<b>Broadcaster</b>	<b>Transmission Date</b>	<b>Categories</b>	<b>Number of complaints</b>
Coronation Street (trailer)	ITV	07/10/2017	Violence	1
Doc Martin	ITV	18/10/2017	Harm	1
Emmerdale	ITV	21/09/2017	Generally accepted standards	1
Emmerdale	ITV	05/10/2017	Suicide and self harm	1
Emmerdale	ITV	11/10/2017	Drugs, smoking, solvents or alcohol	2
Emmerdale	ITV	11/10/2017	Generally accepted standards	8
Emmerdale	ITV	12/10/2017	Generally accepted standards	1
Emmerdale	ITV	16/10/2017	Harm	2
Emmerdale	ITV	16/10/2017	Sexual material	2
Emmerdale	ITV	17/10/2017	Sexual material	1
Emmerdale	ITV	19/10/2017	Violence	1
Emmerdale	ITV	Various	Other	1
Good Morning Britain	ITV	05/09/2017	Due impartiality/bias	1
Good Morning Britain	ITV	11/10/2017	Race discrimination/offence	1
Gordon Ramsay on Cocaine	ITV	19/10/2017	Offensive language	1
Gordon Ramsay on Cocaine (trailer)	ITV	14/10/2017	Drugs, smoking, solvents or alcohol	2
HSL's sponsorship of Dickinson's Real Deal	ITV	18/10/2017	Sponsorship credits	1
I'm a Celebrity..Get Me Out of Here! (trailer)	ITV	Various	Animal welfare	1
ITV News	ITV	16/10/2017	Offensive language	1
ITV News	ITV	20/10/2017	Due impartiality/bias	1
ITV News at Ten	ITV	18/10/2017	Due accuracy	1
Judge Rinder	ITV	09/10/2017	Dangerous behaviour	1
Liar	ITV	25/09/2017	Disability discrimination/offence	1
Liar	ITV	25/09/2017	Generally accepted standards	4
Liar	ITV	02/10/2017	Generally accepted standards	7
Liar	ITV	02/10/2017	Violence	2
Scrambled!	ITV	21/10/2017	Generally accepted standards	1
The Jonathan Ross Show	ITV	07/10/2017	Animal welfare	1

<b>Programme</b>	<b>Broadcaster</b>	<b>Transmission Date</b>	<b>Categories</b>	<b>Number of complaints</b>
The Jonathan Ross Show	ITV	14/10/2017	Due impartiality/bias	1
The Jonathan Ross Show	ITV	14/10/2017	Religious/Beliefs discrimination/offence	1
The X Factor	ITV	14/10/2017	Disability discrimination/offence	1
The X Factor	ITV	14/10/2017	Materially misleading	1
The X Factor	ITV	14/10/2017	Race discrimination/offence	1
The X Factor	ITV	15/10/2017	Generally accepted standards	4
The X Factor	ITV	15/10/2017	Other	3
This Morning	ITV	24/10/2017	Gender discrimination/offence	1
This Morning	ITV	24/10/2017	Generally accepted standards	1
Timewasters (trailer)	ITV	15/10/2017	Race discrimination/offence	1
Victoria	ITV	15/10/2017	Religious/Beliefs discrimination/offence	1
Bromans	ITV2	12/10/2017	Generally accepted standards	1
Celebrity Juice	ITV2	19/10/2017	Generally accepted standards	1
Family Guy	ITV2	06/10/2017	Generally accepted standards	1
The Jeremy Kyle Show	ITV2	12/10/2017	Generally accepted standards	1
You've Been Framed Gold	ITV2	19/10/2017	Animal welfare	1
Gordon Ramsay on Cocaine (trailer)	ITV4	16/10/2017	Drugs, smoking, solvents or alcohol	1
International Football	ITV4	10/10/2017	Race discrimination/offence	1
The Only Way Is Essex	ITVBe	18/10/2017	Violence	1
The Jeremy Kyle Show	ITVHD	26/09/2017	Competitions	1
Key 103 Breakfast Show	Key103 Manchester	06/10/2017	Competitions	1
James O'Brien	LBC 97.3 FM	01/09/2017	Due impartiality/bias	1
James O'Brien	LBC 97.3 FM	16/10/2017	Due impartiality/bias	1
James O'Brien	LBC 97.3 FM	17/10/2017	Materially misleading	1
James O'Brien	LBC 97.3 FM	18/10/2017	Materially misleading	1
Lucy Beresford On Sex And Relationships	LBC 97.3 FM	23/09/2017	Scheduling	1
News	LBC 97.3 FM	12/10/2017	Materially misleading	1

Programme	Broadcaster	Transmission Date	Categories	Number of complaints
Nick Abbot	LBC 97.3 FM	14/10/2017	Generally accepted standards	1
Nick Ferrari	LBC 97.3 FM	05/10/2017	Generally accepted standards	5
Sexy Friday (trailer)	Lifetime	13/10/2017	Sexual material	1
Confessions From the Underground	London Live	07/10/2017	Race discrimination/offence	1
Deepa Raja: Woman's Hour	Lyca Dil Se	18/10/2017	Crime and disorder	1
Ronan Keating	Magic FM	27/09/2017	Generally accepted standards	1
999: On the Frontline	More4	04/10/2017	Generally accepted standards	1
Outlander	More4	12/10/2017	Violence	2
The End of the F***ing World (trailer)	More4	24/10/2017	Offensive language	1
Out in 60	Nick Junior	23/10/2017	Offensive language	1
Out in 60	Nick Junior	23/10/2017	Sexual material	1
Spongebob Squarepants (trailer)	Nick Junior	07/10/2017	Scheduling	1
Miraculous	Pop	12/10/2017	Offensive language	1
Northern Ireland's Best Breakfast Show with Stephen & Cate	Q101.2	09/10/2017	Scheduling	1
Johnny Vaughan	Radio X	20/09/2017	Religious/Beliefs discrimination/offence	1
Johnny Vaughan	Radio X	21/09/2017	Generally accepted standards	1
Smackdown	Sky Arena	17/09/2017	Generally accepted standards	1
Split	Sky Cinema +1	19/10/2017	Violence	1
The Walking Dead (trailer)	Sky Living	04/10/2017	Violence	1
A Plastic Voyage	Sky News	21/10/2017	Offensive language	1
Press Preview	Sky News	10/10/2017	Generally accepted standards	1
Sky News	Sky News	29/09/2017	Due impartiality/bias	1
Sky News	Sky News	11/10/2017	Gender discrimination/offence	1
Sky News	Sky News	17/10/2017	Offensive language	1
Sky News	Sky News	19/10/2017	Crime and disorder	1
Sky News	Sky News	23/10/2017	Due impartiality/bias	1
Sky News	Sky News	23/10/2017	Generally accepted standards	1
The Pledge	Sky News	12/10/2017	Due impartiality/bias	4

Programme	Broadcaster	Transmission Date	Categories	Number of complaints
Top Picks	Sky TV EPG	12/10/2017	Scheduling	1
Duck Quacks Don't Echo	Sky1	28/09/2017	Generally accepted standards	1
Gordon Ramsay on Cocaine	STV	23/10/2017	Offensive language	1
The Exorcist (trailer)	Syfy	06/10/2017	Scheduling	1
The Exorcist (trailer)	Syfy	14/10/2017	Scheduling	1
Julia Hartley-Brewer	Talk Radio	10/10/2017	Race discrimination/offence	1
Beetlejuice	TCM	29/09/2017	Offensive language	1
Law and Order	True Crime	14/10/2017	Advertising placement	1
Lyxfällan	TV3	05/10/2017	Other	1
Paradise Hotel	TV3	05/10/2017	Sexual material	1
Svenska Hollywoodfruar	TV3	04/10/2017	Product placement	1
Programming	Various	Various	Generally accepted standards	2
Matt Richardson	Virgin Radio	19/10/2017	Gender discrimination/offence	1

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

[https://www.ofcom.org.uk/\\_data/assets/pdf\\_file/0020/55109/breaches-content-standards.pdf](https://www.ofcom.org.uk/_data/assets/pdf_file/0020/55109/breaches-content-standards.pdf)

### Complaints assessed under the Procedures for investigating breaches of content standards on BBC broadcasting services and BBC ODPS.

Programme	Broadcaster	Transmission Date	Categories	Number of complaints
BBC News	BBC 1	05/05/2017	Elections/Referendums	1
New World Order	BBC 2	30/06/2017	Religious/Beliefs discrimination/offence	1
Our Man in the Middle East	BBC Radio 4	16/06/2017	Due accuracy	1
The Life Scientific	BBC Radio 4	14/02/2017	Generally accepted standards	1
Thought for the Day	BBC Radio 4	27/06/2017	Due impartiality/bias	1
Today	BBC Radio 4	26/06/2017	Due impartiality/bias	1

For more information about how Ofcom assesses complaints about content standards on BBC broadcasting services and BBC ODPS, go to:

[https://www.ofcom.org.uk/\\_data/assets/pdf\\_file/0002/100100/Procedures-for-investigating-breaches-of-content-standards-on-BBC-broadcasting-services-and-BBC-on-demand-programme-services.pdf](https://www.ofcom.org.uk/_data/assets/pdf_file/0002/100100/Procedures-for-investigating-breaches-of-content-standards-on-BBC-broadcasting-services-and-BBC-on-demand-programme-services.pdf)

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

Licensee	Licensed service	Categories
Bangla TV (UK) Limited	Bangla TV	Other
Menter Môn Cyf	Môn FM	Key Commitments
Vectis Radio Limited	Vectis Radio	Other

For more information about how Ofcom assesses complaints about broadcast licences, go to:

[https://www.ofcom.org.uk/\\_data/assets/pdf\\_file/0019/31942/general-procedures.pdf](https://www.ofcom.org.uk/_data/assets/pdf_file/0019/31942/general-procedures.pdf)

### Complaints assessed under the Procedures for investigating breaches of rules for On Demand programme services

Service provider	Categories	Number of complaints
YouTube	Hatred and abuse	1

For more information about how Ofcom assesses complaints about on demand services, go

to: [https://www.ofcom.org.uk/\\_data/assets/pdf\\_file/0033/74499/procedures-investigating-breaches.pdf](https://www.ofcom.org.uk/_data/assets/pdf_file/0033/74499/procedures-investigating-breaches.pdf)

## 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 or an on demand service does not fall within the scope of regulation.

For more information about what Ofcom's rules cover, go to: <https://www.ofcom.org.uk/tv-radio-and-on-demand/how-to-report-a-complaint/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:

[https://www.ofcom.org.uk/\\_data/assets/pdf\\_file/0020/55109/breaches-content-standards.pdf](https://www.ofcom.org.uk/_data/assets/pdf_file/0020/55109/breaches-content-standards.pdf)

Programme	Service	Transmission Date	Categories	Number of complaints
Advertisement	Absolute Radio	21/10/2017	Advertising content	1
Advertisement	Channel 4	18/10/2017	Advertising content	1
Advertisement	Channel 4	22/10/2017	Advertising content	1
Feral Families (pre-tx)	Channel 4	26/10/2017	Outside of remit	2
My Week As A Muslim (pre-tx)	Channel 4	23/10/2017	Outside of remit	129
Advertisement	Channel 5	15/10/2017	Advertising content	1
Classic FM	Classic FM	13/10/2017	Violence	1
Advertisement	Film4	22/10/2017	Advertising content	1
Advertisement	Free Radio Eighties	21/10/2017	Advertising content	1
Advertisement	ITV	11/10/2017	Advertising content	1
Advertisement	ITV	15/10/2017	Advertising content	1
Advertisement	ITV	19/10/2017	Advertising content	1
Advertisement	ITV	23/10/2017	Advertising content	2
Advertisement	ITV	24/10/2017	Advertising content	1
Advertisement	ITV	26/10/2017	Advertising content	1
Victoria	ITV	08/10/2017	Outside of remit	6
Advertisement	ITV2	25/10/2017	Advertising content	1
Advertisement	More4	24/10/2017	Advertising content	1
Programming	Pick	Various	Outside of remit	1
Advertisement	Sky Sports News	08/10/2017	Advertising content	1
Advertisement	The Eagle	25/10/2017	Advertising content	1
Advertisement	U105	14/10/2017	Advertising content	1
Advertisement	Various	Various	Advertising content	1
Programming	Various	Various	Outside of remit	1
Programming	YouTube	15/10/2017	Other	1



## BBC First

A new BBC Royal Charter and Agreement was published in December 2016, which made Ofcom the new independent regulator of the BBC.

Under the BBC Agreement, Ofcom can normally only consider complaints about BBC programmes where the complainant has already complained to the BBC and the BBC has reached its final decision (the 'BBC First' approach).

The complaints in this table had been made to Ofcom before completing the BBC's complaints process.

### Complaints about BBC television, radio or on demand programmes

Programme	Service	Transmission or Accessed Date	Categories	Number of Complaints
BBC Breakfast	BBC 1	13/10/2017	Generally accepted standards	1
BBC News	BBC 1	03/10/2017	Generally accepted standards	1
BBC News	BBC 1	25/10/2017	Due impartiality/bias	1
BBC News / Andrew Marr / Daily Politics	BBC 1	15/10/2017	Due impartiality/bias	1
EastEnders	BBC 1	09/10/2017	Materially misleading	1
EastEnders	BBC 1	13/10/2017	Materially misleading	20
EastEnders	BBC 1	19/10/2017	Materially misleading	1
Election 2017: The Scottish Leaders' Debate	BBC 1	21/05/2017	Due impartiality/bias	1
Gunpowder	BBC 1	21/10/2017	Violence	26
Inside Out East	BBC 1	23/10/2017	Generally accepted standards	1
Our Girl	BBC 1	10/10/2017	Offensive language	1
Question Time	BBC 1	06/07/2017	Due accuracy	1
Relik	BBC 1	16/10/2017	Generally accepted standards	1
The Apprentice	BBC 1	25/10/2017	Gender discrimination/offence	1
The Graham Norton Show	BBC 1	06/10/2017	Race discrimination/offence	1
The One Show	BBC 1	13/09/2017	Due impartiality/bias	2
This Week	BBC 1	12/10/2017	Race discrimination/offence	37
Today, Daily Politics, BBC News	BBC 1, BBC Radio 4	19/10/2017	Due impartiality/bias	1
Daily Politics	BBC 2	19/10/2017	Due impartiality/bias	1
Further Back in Time for Dinner	BBC 2	24/10/2017	Religious/Beliefs discrimination/offence	1
Newsnight	BBC 2	06/10/2017	Race discrimination/offence	1

<b>Programme</b>	<b>Service</b>	<b>Transmission or Accessed Date</b>	<b>Categories</b>	<b>Number of Complaints</b>
Newsnight	BBC 2	20/10/2017	Due impartiality/bias	1
Reformation: Europe's Holy War	BBC 2	03/10/2017	Race discrimination/offence	1
Gunpowder	BBC iPlayer	21/10/2017	Violence	1
The Week	BBC iPlayer	various	Race discrimination/offence	3
BBC News	BBC News Channel	13/10/2017	Due impartiality/bias	1
BBC News	BBC News Channel	18/10/2017	Due impartiality/bias	1
BBC News	BBC News Channel	18/10/2017	Generally accepted standards	1
Reece Parkinson	BBC Radio 1xtra	21/10/2017	Race discrimination/offence	1
Woman's Hour	BBC Radio 4	13/10/2017	Race discrimination/offence	1
Sarah Brett and Nihal Arthanayake present an afternoon of new sport and conversation.	BBC Radio 5 Live	24/10/2017	Race discrimination/offence	1
Barking Hour	BBC Radio London	21/09/2017	Due accuracy	1
Finders Keepers	BBC Radio York	14/10/2017	Generally accepted standards	1
The JVS Show	BBC Three Counties Radio	04/10/2017	Race discrimination/offence	1

## 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 16 and 29 October 2017.

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

Programme	Service	Transmission date
Ramsay's Kitchen Nightmares USA	Channel 4	12 October 2017
Coco Pop Granola's sponsorship of Breakfast on CITV	CITV	24 July 2017
Nigel Farage	LBC 97.3 FM	03 October 2017
Scotland Yard	Talking Pictures TV	13 September 2017
Drivetime	Talksport	29 September 2017

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

[https://www.ofcom.org.uk/\\_data/assets/pdf\\_file/0020/55109/breaches-content-standards.pdf](https://www.ofcom.org.uk/_data/assets/pdf_file/0020/55109/breaches-content-standards.pdf)

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

Programme	Service	Transmission date
Watchdog	BBC 1	2 August 2017
Eamonn & Ruth's Seven Year Itch	Channel 5	21 September 2017

For more information about how Ofcom considers and adjudicates upon Fairness and Privacy complaints about television and radio programmes, go to:

[https://www.ofcom.org.uk/\\_data/assets/pdf\\_file/0031/57388/fairness-privacy-complaints.pdf](https://www.ofcom.org.uk/_data/assets/pdf_file/0031/57388/fairness-privacy-complaints.pdf)

For information about how Ofcom considers and adjudicates upon Fairness and Privacy complaints on BBC Broadcasting Services and BBC ODPS, go to:

[https://www.ofcom.org.uk/\\_data/assets/pdf\\_file/0003/100101/Procedures-for-the-consideration-and-adjudication-of-Fairness-and-Privacy-complaints.pdf](https://www.ofcom.org.uk/_data/assets/pdf_file/0003/100101/Procedures-for-the-consideration-and-adjudication-of-Fairness-and-Privacy-complaints.pdf)