

Dawe Group of Companies

Question 1: Do you have any comments on the proposed draft penalty guidelines below?:

"Ofcom proposes to amend the guidelines, to clarify its approach to setting penalties. Ofcom wants to create a stronger deterrent effect to help reduce the continuing levels of complaints to Ofcom and contraventions of regulatory requirements."

Deterrence penalties will ENCOURAGE additional complaints, as they will give more power to the litigious complainant. Frequently, complainants are motivated by commercial or political motives not totally related to the actual complaint.

If OFCOM wished to reduce complaints, it should ensure that there is a COST to the COMPLAINANT, where the complaint is dismissed.

With no cost to complaints, a vexatious party can impose significant costs on a regulated body, due to the costs of defending the complaint.

When our group included a number of local radio stations, compliance costs (defending to the then Radio Authority) were a significant drain on our resources Yet only one complaint was found against us!