

Reference: 1909662

Information Requests
information.requests@ofcom.org.uk

14 November 2024

Freedom of Information request: Right to know request

Thank you for your request for information about broadcast complaints. We received this request on 21 October 2024 and we have considered your request under the Freedom of Information Act 2000 ("the FOI Act").

Your request and our response

"I am requesting under the terms of the FOIA the following documentation:

1. A copy of the 'Complaint assessed, not pursued section' of Ofcom Broadcast Bulletin 471 dated 3 April, 2023.

N.B. I and others have been unable to locate this on Ofcom's website. I have a copy of Broadcast Bulletin 471 which relates to a West Sussex Radio station, but cannot locate the section requested above, part or all of which should, according to a letter I received from Ofcom on 18 October last year from an Internal Reviewer, relate to the BBC claiming that Boris Johnson, when P.M., made a 'false claim' when he said that Sir Keir Starmer, as DPP, had 'failed to prosecute' Jimmy Savile.

I apologise that you have had difficulty in finding the entry in the Broadcast Bulletin online. Please find enclosed with this letter copies of pages from the Bulletin that refer to complaints you have made.

2. Documentation indicating whether the (unnamed) Internal Reviewer who wrote to me on 18 October, 2023 (FOI Ref 01653764; Internal Review Ref: 01674048) had actually seen the audiovisual footage that had been obtained from the BBC of the relevant Joanna Gosling 11.12 a.m. broadcast (not the earlier, irrelevant, Anita Me Veigh segment to which both the BBC (28 Feb. 2022) and the Internal Reviewer referred, and which had not been the subject of the complaint) in which footage of a protest in which scores of Canadian maple leaf flags were being held up by protesters was juxtaposed with a voiceover referring to protests that were 'anti-vaccine' or 'antj-vax', and which Jeremy Hayes had acknowledged was 'potentially misleading'.

Please note that our website - [Make a Freedom of Information request - Ofcom](#) provides that – “you have the right to request an internal review. For example, if we haven't responded within time limits, did not provide proper advice and assistance, failed to explain whether we hold the information or did not properly explain reasons for refusing the request or applying an exemption under the FOI Act.”. The FOI internal review process does not require us to revisit any decisions made by our Broadcast Standards team.

In response to question 2, we do not hold any documents in scope of this question of the request.

3. Documentation indicating whether the Internal Reviewer (c.f. 2. above) had actually seen the letter from Jeremy Hayes the head of the BBC's Executive Complaints Unit that was sent to me and which I had forwarded to Ofcom (which c proves that my original complaint to the BBC had, in fact, completed the BBC's Complaints process, contrary to Ofcom's assertion, upheld by the Ofcom's Internal Reviewer, that my complaint had 'not completed the BBC's complaints process'.

We do not hold any documents in scope of this question of the request.

We hope this information is helpful. If you have any further queries, then please send them to information.requests@ofcom.org.uk – quoting the reference number above in any future.

Yours sincerely,

Information Requests

Request an internal review

If you are unhappy with the response you have received to your request for information, or think that your request was refused without a reason valid under the law, you may ask for an internal review. If you do, it will be subject to an independent review within Ofcom. We will either uphold the original decision, or reverse or modify it.

If you would like to ask us to carry out an internal review, you should get in touch within two months of the date of this letter. There is no statutory deadline for us to complete our internal review, and the time it takes will depend on the complexity of the request. But we will try to complete the review within 20 working days (or no more than 40 working days in exceptional cases) and keep you informed of our progress. Please email the Information Requests team (information.requests@ofcom.org.uk) to request an internal review.

Taking it further

If you are unhappy with the outcome of our internal review, then you have the right to [complain to the Information Commissioner's Office](#).