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Dear Sirs,

I am writing on behalf of Global Radio in response to your consultation, 'Sanctions in broadcast cases'. Our response is not confidential.

Our responses to the questions posed in your consultation are as follows:

*1) Do you agree with the new proposed procedure? If not, why not? Please suggest any alternative wording where appropriate.*

We agree with the new proposed procedure, with the exception of what we assume to be a drafting error in Section 2C regarding Licence applications. Whilst we agree with the principle that Ofcom should be able to postpone licence applications when a sanction is being considered against that particular broadcaster, we assume that this paragraph was intend to express the right to do so, and not that Ofcom will, by default, postpone every licence application against any broadcaster currently being reviewed by the Content Sanctions Committee. Postponing every licence application by default would have serious implications; for example, had this measure been in place earlier this year, the award of the new national digital multiplex would have had to be postponed until the outcome of the complaints against Channel 4 regarding Celebrity Big Brother had been decided. We anticipate that, should licence application postponement be the default measure taken by Ofcom, this could result in an important licence application of ours being postponed as a result of a minor potential breach by one of our stations. We are sure that this is not the way in which Ofcom intends to use this capacity to postpone licence applications.

*2) In particular do you believe it is appropriate, in normal cases where a sanction is being considered, for broadcasters to have two opportunities to make representations to Ofcom (once on the seriousness of the case and once on the nature and level of any recommended sanction)?*

We agree with this approach, and welcome the measures to streamline the complaints process.



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3) *Do you agree that it is appropriate for Ofcom to introduce the new proposed fast-track sanctions procedure in the circumstances suggested?*

We agree that it is appropriate.

4) *Do you have any other proposals for making the procedure more effective and/or appropriate?*

No.

Yours sincerely,

Carina Tillson  
Regulatory and Public Affairs Executive  
Global Radio