Title:

Mrs

Forename:

Louise

Surname:

McMurchie

Name and title under which you would like this response to appear:

Head of Compliance

Representing:

Organisation

Organisation (if applicable):

UKTV

Email:

Louise.McMurchie@uktv.co.uk

What do you want Ofcom to keep confidential?:

Keep nothing confidential

If you want part of your response kept confidential, which parts?:

Ofcom may publish a response summary:

Yes

I confirm that I have read the declaration:

Yes

Ofcom should only publish this response after the consultation has ended:

You may publish my response on receipt

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

UKTV supports the proposed procedure in general terms. In section 1.B paragraph 14 we would welcome clarification on the criteria by which the ASA would request Ofcom to consider a statutory sanction.
As Ofcom is the ultimate arbiter of advertising regulation, it should review the case referred by the ASA with objectivity and not be led by the ASA interpretation of the Code of Practice.

Question 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)?:

Yes, a two tier process is appropriate.

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

Yes, but we suggest it should be restricted to cases of "significant" risk of material harm as set out in the first bullet point of section 1.C paragraph 24.

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

In section 2.B paragraph 34, we note you propose a limit of 24 hours as being a reasonable opportunity for representation in the case of revocation. This seems rather harsh and we suggest this timescale be reconsidered.

Additional comments: