

20 December 2012

By emailEleanor Berg
Information Requests

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information.requests@ofcom.org.uk

Dear []

Freedom of Information: Right to know request

Thank you for your request for information regarding pirate broadcasts and interference with emergency networks which we received on 27 November 2012 and have considered under the Freedom of Information Act 2000 ('the Act').

It is important to stress that Illegal Broadcast ('IB') transmitter installations do not operate under the terms and conditions of a licence. .

The radio transmitters used by IB broadcasters are not compliant with the Radio Equipment and Telecommunications Terminal Equipment Regulations (derived from the similarly named EU Directive). In addition radio transmitters have to meet the requirements for electrical and other safety aspects.

1) *How many reports of radio interference have Ofcom received by the emergency services, or Airwave, in the last 5 years which was credited to "Pirate" radio broadcasts.*

Please see the table below for details.

Service Affected = Emergency services/Airwave only

	2008	2009	2010	2011	2012
Non Airwave	9	4	0	1	1
Airwave/Tetra	0	0	0	5	1
TOTAL	9	4	0	6	2

2) Could you please provide me with or cite any studies or other references that Ofcom uses to form its opinion that "Pirate" radio stations operating on the FM band interfere with the emergency services radio network.

Illegal broadcasters intend to broadcast within the FM waveband but often the equipment used malfunctions or is not properly installed and produces spurious emissions into other wavebands.

Ofcom receives reports of this interference direct from the emergency services (and other critical services such as National Air Traffic control) and each case is investigated by engineers to establish the cause. Where the cause is found to be Illegal broadcasting, enforcement action is taken to remove the source of interference to resolve the issue – as was the case in the complaints highlighted above.

Further information on illegal broadcasting can be found on our website:

<http://stakeholders.ofcom.org.uk/market-data-research/other/radio-research/illegal-broadcasting/>

3) How many "Pirate" radio operators were prosecuted in the year 2010-2011 where interfering with the emergency services radio network was used as part of the prosecutions evidence / cause of action.

None.

If you require any further information or would like to talk through any issues regarding the information you have requested then please do not hesitate to give me a ring. I will be more than happy to pass your details on to one of our experts in this area.

Please ensure that when using the provided information in any way, you comply with all relevant legislation. For example, the information provided may be protected by copyright under the Copyright, Designs and Patents Act 1988 (as amended). If in doubt, please seek independent legal advice. For Ofcom's policy on copyright and related issues, please refer to <http://www.ofcom.org.uk/disclaimer>.

Yours sincerely



Eleanor Berg

If you are unhappy with the response or level of service you have received in relation to your request from Ofcom, you may ask for an internal review. If you ask us for an internal review of our decision, it will be treated as a formal complaint and will be subject to an independent review within Ofcom. We will acknowledge the complaint and inform you of the date by which you might expect to be told the outcome.

The following outcomes are possible:

- the original decision is upheld; or
- the original decision is reversed or modified.

Timing

If you wish to exercise your right to an internal review **you should contact us within two months of the date of this letter**. There is no statutory deadline for undertaking internal reviews and it will depend upon the complexity of the case. However, we aim to conclude all such reviews within 20 working days, and up to 40 working days in exception cases. We will keep you informed of the progress of any such review. If you wish to request an internal review, you should contact:

Graham Howell
The Secretary to the Corporation
Ofcom
Riverside House
2a Southwark Bridge Road
London SE1 9HA

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF