

15 March 2016

Mr E Goodman
PO Box 570
Redhill
RH1 2WZ

Alistair Hall
Complaints Analyst
Broadcasting Standards

Direct line: 020 7783 4445
Email: alistair.hall@ofcom.org.uk

Dear Mr Goodman

Thank you for your letter to Ofcom dated 21 February 2016.

You questioned why the UK is the only country in the Western World where sexually explicit material is prohibited on all television, even on pin-protected adult channels. From this, I have assumed you are referring to BBFC R18-rated films, which under the current Ofcom Broadcasting Code are currently prohibited from broadcast.

Adult services have been allowed on cable, satellite and digital terrestrial services for the past twenty years. They include programming more explicit than would be allowed on free-to-air or basic package channels. Much of the programming is cut down hardcore. Our research indicates, however, that public opinion does not favour a move to wholly explicit programming of the sort now available in 'R18'-rated videos. These videos are available only in licensed sex shops.

So a balance is struck between the legitimate wishes of adults to see sex programming and concerns over child protection. Broadcasting is not obviously suited to providing material otherwise available only in a hundred or so specialist shops where access by children can be easily policed. Even where encryption and other security measures can be applied, the wide distribution of the most explicit material must be a significant issue.

The most recent decision to retain restrictions on this material was taken when Ofcom's Broadcasting Code was being drawn up. The decision was in line with Ofcom's statutory duty to protect the under 18s from potential harm, and was reached after full public consultation, and in the light of research into the use of existing PIN security systems by both children and adults.

The details of Ofcom's consultation on this area of the Code, together with responses to various pertinent points, are published on our website (particularly from page 25) at:

<http://stakeholders.ofcom.org.uk/consultations/bcode09/>

Details of research into the potential harm to children; and into the use of PIN security systems by children are also on our website at:

<http://stakeholders.ofcom.org.uk/binaries/consultations/bcode09/annexes/sextv.pdf>

We acknowledge that this is a controversial area, and that you and others may disagree with Ofcom's conclusions. However, I should point out that Ofcom did not conclude that "R18" was unsuitable for transmission *per se* – only that it could not be adequately protected from access by children under current systems. Ofcom has stated publicly that it is willing to look at this issue again if technical or other developments mean that secure protection can be provided in future.

Yours sincerely



Alistair Hall