

Rt Hon. Sir Lindsay Hoyle MP

Speaker
Speaker's House
House of Commons
London
SW1A 0AA

Dame Melanie Dawes

Chief Executive
Email: ChiefExecutive@ofcom.org.uk

01 August 2025

By email

Dear Sir Lindsay,

Thank you for your letter of 21st July 2025 on behalf of the Speaker's Conference Committee, inviting Ofcom to provide information and clarity on some specific journalistic practices in relation to MPs, candidates, and elections. You asked for guidance on:

- the requirements around when and how journalists can speak to family members of an MP or candidate who is the subject of a story (or any other public figure);
- the value Ofcom sees in doorstepping, when it is possible to report that an interview has been refused;
- whether there is a situation where approaching an MP or candidate could openly result in an investigation being frustrated;
- how the Ofcom Broadcasting Code applies to independent and citizen journalists.

In response, we have prepared the note below, which outlines our responsibilities in this area, and explains how we may assess whether the methods used in obtaining material for broadcast are warranted. Specifically, the note sets out:

- the overall role of Ofcom, including the requirement for us to draw up a Broadcasting Code;
- the relevant parts of the Broadcasting Code, relating to unwarranted infringement of privacy in the obtaining and broadcast of material; and,
- Ofcom's remit under Section Eight (Privacy) of the Broadcasting Code, which provides the specific principles and practices broadcasters are expected to follow when engaging with individuals or organisations featured in or affected by broadcast content.

I hope that this proves helpful to the Committee in answering your questions.

I know that members of my team are also due to appear in front of the Committee after summer recess to discuss the role of social media in this space. You may have seen that we recently published research highlighting the online hate and abuse experienced by women in politics. Our [report](#) captures the lived experiences of women MPs, and we are grateful to those parliamentarians who shared their experiences with us.

If we can continue to provide any further information or clarity as you take forward your work, please do get in contact.

Yours sincerely,

Melanie Dawes

Melanie Dawes

The role of Ofcom

Ofcom is the UK's statutory independent communications regulator, established in 2003, which oversees the broadcasting, telecommunications, spectrum, online safety and postal sectors across the United Kingdom. We are accountable to the public through Parliament and the courts, all our decisions are based on evidence.

In the broadcasting sector Ofcom has responsibilities for:

- **Licensing television and radio services** and holding them to the standards set out in our Broadcasting Code.
- **Overseeing the Public Service Broadcasting (PSB) framework.** This includes an overarching PSB remit to serve all audiences in the UK. Additionally, we oversee licences for each of the commercial PSBs (Channels 3, 4 and 5) and hold the BBC to account for fulfilling the mission and public purposes in its Charter.
- **Maintaining a sufficient plurality of ownership** amongst television and radio services, and within those services a wide range of content that is high quality and appeals to a variety of tastes and interests.

We do not play any role in press regulation, although we have some duties relating to media ownership, media public interest tests and media plurality.

The Broadcasting Code

Ofcom is required under the Communications Act 2003 and the Broadcasting Act 1996 to draw up a code to set standards for the content of programmes included in television and radio services.

These standards objectives, set by Parliament, include:

- the protection of under 18s;
- ensuring news is presented with due impartiality and reported with due accuracy;
- applying generally acceptable standards to protect audiences against harmful and offensive material;
- preventing unsuitable sponsorship and product placement in television programmes; and,
- the avoidance of unjust or unfair treatment in programmes and the avoidance of unwarranted infringement of privacy in, or in connection with the obtaining of material included in programmes.

The code that Ofcom is required to produce is known as the [Ofcom Broadcasting Code](#) and applies to radio and television content in services licensed by Ofcom, UK broadcasting and on demand programme services funded by the licence fee and provided by the BBC, and S4C.

If, following assessment of complaints or on its own initiative, Ofcom considers that a potential breach of the Broadcasting Code has occurred, we will pursue the matter through an investigation, in accordance with our published procedures. Where we find that the Broadcasting Code has been breached, Ofcom will normally publish a finding and explain why a broadcaster has breached it (these findings are available in [Ofcom's Broadcast and On Demand Bulletins](#)).

When Ofcom decides that a breach of the Broadcasting Code is serious, deliberate, repeated and/or reckless, Ofcom may consider the imposition of a statutory sanction against the broadcaster. Ofcom's procedures for investigating cases (following the receipt of a complaint, or otherwise) and for considering the imposition of statutory sanctions on broadcasters are available on our website [here](#).

Section Eight (Privacy)

[Section Eight](#) is the most relevant section of the Broadcasting Code to the Committee's questions about how information is obtained from MPs, candidates, or any public figures who are the subject of a story, and/or their families.

It aims to ensure that broadcasters avoid any unwarranted infringements of privacy in programmes and in how they obtain material included in programmes.

Section Eight requires that any infringement of privacy must be warranted and makes clear that 'warranted' has a particular meaning. Where broadcasters wish to justify an infringement of privacy, they should be able to demonstrate why in the particular circumstances, it is warranted. If the reason is that it is in the public interest, then the broadcaster should be able to demonstrate that the public interest outweighs the right to privacy. Examples of public interest could include revealing or detecting crime, protecting public health or safety, exposing misleading claims made by individuals or organisations or disclosing incompetence that affects the public.

Section Eight and the preceding section on fairness have a different statutory basis to the rest of the Code, and as such are different from other sections of the Code. As required under the Broadcasting Act 1996, these sections include "principles to be observed" and "practices to be followed" by broadcasters when dealing with individuals or organisations participating in, or otherwise directly affected by programmes, or in the making of programmes. Following these practices will not necessarily avoid a breach of the Broadcasting Code, however, failure to follow these practices will constitute a breach where it results in an unwarranted infringement of privacy. Importantly, the Code cannot and does not seek to set out all the "practices to be followed" in order to avoid an unwarranted infringement of privacy.

In relation to the specific information requested, the following "practices to be followed" may be relevant when a programme covers the obtaining and broadcast of material relating to stories involving MPs and candidates (including family members), though this will be dependent on the circumstances of each case:

8.3: When people are caught up in events which are covered by the news they still have a right to privacy in both the making and the broadcast of a programme, unless it is warranted to infringe it. This applies both to the time when these events are taking place and to any later programmes that revisit those events.

8.5: Any infringement of privacy in the making of a programme should be with the person's and/or organisation's consent or be otherwise warranted.

8.6: If the broadcast of a programme would infringe the privacy of a person or organisation, consent should be obtained before the relevant material is broadcast, unless the infringement of privacy is warranted.

8.7: If an individual or organisation's privacy is being infringed, and they ask that the filming, recording or live broadcast be stopped, the broadcaster should do so, unless it is warranted to continue.

8.9: The means of obtaining material must be proportionate in all the circumstances and in particular to the subject matter of the programme.

Regarding the use of doorstepping¹, Section Eight says:

8.11: Doorstepping for factual programmes should not take place unless a request for an interview has been refused or it has not been possible to request an interview, or there is good reason to believe that an investigation will be frustrated if the subject is approached openly, and it is warranted to doorstep. However, normally broadcasters may, without prior warning interview, film or record people in the news when in public places.

8.15: Surreptitious filming or recording, doorstepping or recorded 'wind-up' calls to obtain material for entertainment purposes may be warranted if it is intrinsic to the entertainment and does not amount to a significant infringement of privacy such as to cause significant annoyance, distress or embarrassment. The resulting material should not be broadcast without the consent of those involved. However if the individual and/or organisation is not identifiable in the programme then consent for broadcast will not be required.

Our [guidance](#) sets out that:

Doorstepping may be used (depending on the circumstances) where there has been repeated refusal to grant an interview (or a history of such refusals) or the risk exists that a protagonist might disappear. In such circumstances, broadcaster may themselves require programme-makers to refer to the responsible editor first.

Doorstepping in public places is most frequently and in most circumstances acceptably used in news programmes, where journalists often film and record those in the news without having pre-arranged the interview.

Privacy is least likely to be infringed in a public place. Property that is privately owned, as are, for example, railway stations and shops, can be a public place if readily accessible to the public. However, there may be circumstances where people can reasonably expect a degree of privacy even in a public place. The degree will always be dependent on the circumstances.

Ofcom's remit

Ofcom considers post-broadcast complaints from individuals and/or organisations who appear in programmes, or have been referred to in programmes, in a way that they consider infringes their privacy. As the broadcast regulator, we have no remit to consider infringement of privacy in other forms of media, for example newspaper and online news articles.²

¹ Doorstepping is the filming or recording of an interview or attempted interview with someone, or announcing that a call is being filmed or recorded for broadcast purposes, without any prior warning. It does not, however, include vox-pops (sampling the views of random members of the public).

² Ofcom does have a responsibility to consider and give an opinion on whether the BBC has observed the relevant editorial guidelines in its online material (i.e. content on the BBC website and apps, including written text, images, video and sound content). Unlike our role regulating the standards of BBC broadcasting and on-demand programme services, Ofcom has no enforcement powers for BBC online material. Further information is published on our website [here](#).

This means that some of the behaviour you have described, such as the ways in which journalists decide to approach certain individuals and/or their family members to obtain material, is not something that we would consider unless a programme was broadcast.

Ofcom takes the view that decisions over how to obtain material for broadcast (such as through the use of doorstepping) are an editorial matter for the broadcaster. Whether or not the use of this practice will result in a breach of the Broadcasting Code depends on the particular facts of each case. When we investigate a complaint of unwarranted infringement of privacy, we will give the broadcaster an opportunity to explain to Ofcom its justification for the infringement, such as the use of doorstepping, being warranted in the particular circumstances. The complainant will also be given an opportunity to respond to any such justification by the broadcaster. In assessing such cases, Ofcom will balance the individual's right to privacy against the competing right of the broadcaster to freedom of expression and the audience's right to receive ideas and information without undue interference. Neither right, as such, has precedence over the other and, where there is a conflict between the two, it is necessary to focus on the comparative importance of the specific rights. Any justification for interfering with or restricting each right must be taken into account and any interference or restriction must be proportionate.

There are a number of precedent cases involving complaints about doorstepping and unwarranted infringement of privacy which Ofcom did not uphold, and further detail of these can be provided if the information would be useful.

Ofcom has no remit to intervene in independent or citizen journalism. However, if material obtained through such means was subsequently included in a broadcast programme, we would expect broadcasters to take necessary steps to ensure that the use of the material complies with their responsibilities under Section Eight of the Code.



The Speaker

Speaker's House House of Commons London SW1A 0AA

Monday, 21st July 2025

Dear Ms Dawes,

I am writing to you on behalf of the Speaker's Conference, a committee set up by the House of Commons to consider threats against MPs, candidates and elections.

One of the questions the Conference is working to answer is what is driving public attitudes towards abuse in politics, and as part of this we are considering the role played by the press. We recently took evidence from the chair of the Parliamentary Press Gallery, Anushka Asthana, and the chair of the Parliamentary Lobby, David Hughes. During this session, the Conference discussed with witnesses how journalists engage with subjects' homes and families, and the role of independent journalists. The session raised several questions relating to Ofcom's role, set out below.

What are Ofcom's requirements around when and how journalists can speak to the family members of an MP or candidate who is the subject of a story (or any other public figure)? We have heard a story about a journalist telling an MP's young son that they were a friend of the MP in order to get the MP's personal number:¹³ would this be prohibited under the Ofcom Broadcasting Code, and if not, could there be a public interest defence?

Groups of journalists waiting outside a MP or candidate's home are often threatening and reduce their sense of safety. The Ofcom Broadcasting Code states "Doorstepping for factual programmes should not take place unless a request for an interview has been refused or it has not been possible to request an interview, or there is good reason to believe that an investigation will be frustrated if the subject is approached openly, and it is warranted to doorstep." What value do you see in doorstepping, when it is possible to report that an interview has been refused? In what situation could approaching an MP or candidate openly result in an investigation being frustrated?¹⁴

Another issue that has been raised is the role of independent and citizen journalists, especially concerns that rules against harassment and intimidation may not be properly enforced against them. How does the Ofcom Broadcasting Code apply to independent and citizen journalists?

¹³ Q188

¹⁴ [Ofcom Broadcasting Code 8.11](#)

We would appreciate you providing this information by 1 August so that we can properly consider it as part of the Conference's future programme of work. I plan to publish this letter and any reply.

Best regards,

A handwritten signature in black ink, appearing to read 'Lindsay Hoyle', with a stylized flourish at the end.

Rt Hon. Sir Lindsay Hoyle MP
Speaker

Melanie Dawes
Chief Executive, Ofcom