



Operating Advisory Service

Advisory Note: Abusive Transmissions

September 2019

This Note covers guidance for managing on-air threats, abuse, harassment and other anti-social behaviours. It is especially relevant where the perpetrator repeatedly offends.

This Advisory Note is based on English Law. The information provided in this Advisory Note is given in good faith and the RSGB will not, except as required by law, be liable for any loss or damage arising from reliance on any information set out or referred to within it.

This Advisory Note is therefore descriptive of its subject matter only and must not be relied upon as providing specific legal advice.

Threats of violence

Threats of violence against an individual or their property are a matter for the Police. That those threats come over the radio rather than face-to-face does not diminish the offence and may make it easier to provide informal supporting evidence.

Violence is a serious crime and threats should be reported. Unknown to you, others might be being threatened by the same person too.

Harassment

Harassment is making you feel intimidated, threatened or humiliated.

For the radio amateur, reporting harassment to the Police under the *Protection from Harassment Act 1997* is likely to be appropriate.

However civil law also covers harassment in specific cases. Useful information on this can be found at www.citizensadvice.org.uk This site includes guidance for the whole UK.

Actions available to you

A common problem, especially so on repeaters, is an individual who frequently disrupts the normal use of the repeater. This can take the form of offensive language, ignoring the usual conventions for sharing the repeater, harassing or threatening legitimate users.

If the individual is threatening or personally attacking someone consider using the Police on the basis of stalking or harassment.



The overarching advice is to deny the perpetrator an audience. They relish offending others. Never respond in any way, be prepared to move to a different frequency and be prepared to switch off. Staying on air and arguing back simply makes it more likely that they will continue.

The repeater keeper has a particular duty under the Notice of Variation to ensure appropriate use of the equipment and should be prepared to switch off the repeater for some time if necessary.

Where a group of like-minded amateurs meet on air regularly, consider developing a response plan collectively, perhaps by email or in person. There is nothing like immediate dead air for telling the perpetrator that you aren't going to hear their rants.

Deliberate and prolonged blocking of a frequency

Should the problem continue and no solution seems possible then Ofcom should be contacted using this contact form: <https://ofcomforms.secure.force.com/formentry/SitesFormAmateurRadio>

It should be noted that Ofcom has limited resources and will only deal with clear breaches of the spectrum. Therefore effort should be made to contain the problem and explore all reasonable avenues before using the above form.

What not to do

Never place yourself at risk by directly confronting the perpetrator. This puts you at personal risk of attack and at legal risk of being charged with an offence yourself.

RSGB Member support contact the OAS Coordinator, please go to the following page and click on the "Contact OAS" menu entry: <https://rsgb.org/main/operating/operating-advisory-service/> This page gives you information about the RSGB Regional Team, who offer local support to RSGB members: <https://rsgb.org/main/about-us/regional-managers/> They may also be able to put you in touch with a local OAS Advisor. [Please note, this is a Member-only service]