[GB] UK radio station sanctioned by Ofcom over coronavirus conspiracy theories

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On 7 December 2020, Ofcom, the UK's communications regulator, found that *The Family Programme*, a live radio broadcast, featured potentially harmful statements about the COVID-19 pandemic without adequate protection for listeners.

The regulator currently prioritises cases linked to the coronavirus where programmes may have helped spread misinformation or included misleading material about the illness and public policy in relation to it. *The Family Programme* is broadcast every Sunday on New Style Radio 98.7 FM, which is a community radio station providing a service for Afro-Caribbean communities in Birmingham. The licensee for this service is the Afro-Caribbean Millennium Centre (ACMC).

During the programme, a number of "highly contentious, unevidenced conspiracy theories about the coronavirus" were set out. In its ruling, Ofcom highlighted controversial allegations that wearing face masks can "cause serious neurological and respiratory damage", as well as suggestions that Bill Gates intended to reduce the world population, and mark and control 7 billion humans through vaccination. At the time of the broadcast, human and clinical trials were ongoing around the world to develop and deploy an effective vaccine, which is recognised by the scientific and medical community (and endorsed by the World Health Organisation) as the key to controlling and potentially defeating the COVID-19 pandemic. Ofcom was particularly concerned that such unsubstantiated claims would cause harm to listeners by undermining confidence in any future roll-out of a vaccination programme.

The presenter, Simon Solomon, referred to the crisis as an orchestrated "plan-demic" linked to the roll-out of 5G, and repeated without challenge throughout the programme the suggestion that "government and WHO policies are deliberately aimed at killing people." Much of the discussion centred around a document written and a video presented by conspiracy theorist Claire Edwards, both of which have been discredited by fact-checking initiatives or trustworthy media organisations. Ofcom expressed serious concerns that such allegations could lead listeners to disregard public authorities' advice and the social distancing measures intended to protect public health (especially at a time when

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coronavirus cases were rising and the government had just announced a second national lockdown in England).

The regulator rejected the presenter's arguments that he had not endorsed Claire Edwards' claims. In its view, the presenter had increased the potential for harm by lending the contents of those claims further credibility and adding greater weight: "listeners would have been left in no doubt that the presenter supported the contents of Ms. Edwards' documents." ACMC accepted the regulator's findings and mentioned in its response that, as Mr. Solomon was a "very experienced" presenter, they "could not have possibly envisaged" that he would present a programme containing potentially harmful material. The licensee also stated that *The Family Programme* broadcast at issue could be seen as an "aberration" and believed that it constituted an "exception" to their normal high standards of professionalism.

In considering whether ACMC had provided listeners with "adequate protection" from this potentially harmful material (as Rule 2.1 of the Ofcom Broadcasting Code requires), Ofcom ruled that the disclaimer given by the presenter at the beginning of the programme had the potential to compound the potential harm to members of the public: "Rather than provide a warning about the unsubstantiated and controversial nature of the conspiracy theories put forward in the programme, in our view [the disclaimer] denigrated listeners who did not subscribe to them and cast doubt on the veracity of mainstream and credible sources of information about the coronavirus pandemic." Moreover, according to Ofcom, Mr. Solomon had presented highly contentious claims as unequivocal facts and uncritically guided listeners to use the programme as the basis for their research.

Ofcom considered the steps ACMC had taken to mitigate the potential for harm following the broadcast of the programme; these were the suspension of the programme and its presenter, as well as the broadcast of "a special programme" about the coronavirus, which was aired on 15 November 2020 at the same time as the original programme and which "comprehensively refuted all the conspiracy theories" included in the initial broadcast.

The regulator emphasised that broadcasting views which question official authorities on public health information is not in principle prohibited and acknowledged the presenter's right to discuss contentious viewpoints. However, in doing so, broadcasters must ensure compliance with the Code. Despite the actions taken by the licensee, the regulator was of the opinion that there were not sufficient measures in place to ensure that listeners were protected from the inclusion of "potentially extremely harmful material" in this programme, which was broadcast for two hours "without sufficient warnings, context or challenge during a public health crisis."

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As a result, Ofcom found that New Style Radio had committed a serious breach of the Broadcasting Code and directed the station to broadcast a summary of its ruling. The regulator has yet to give a final verdict regarding a suitable sanction, which could determine whether Solomon shall continue on the station as a presenter.

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https://www.ofcom.org.uk/__data/assets/pdf_file/0029/208865/The-Family-Programme,-New-Style-Radio-98.7-FM,-1-November-2020,-1800.pdf

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