[GB] TV network sanctioned by Ofcom for the third time over harmful coronavirus-related content

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On 19 April 2021, Ofcom, the UK's communications regulator, found that two episodes of the Loveworld TV Network's programme *Full Disclosure* featured potentially harmful statements about the Coronavirus pandemic and vaccine rollout, without providing adequate protection for viewers.

Full Disclosure is a current affairs programme which features two presenters discussing a range of news stories. It is broadcast by the religious channel Loveworld Television Network, the licence for which is held by Loveworld Limited.

Ofcom found that during two *Full Disclosure* episodes (broadcast on 11 and 12 February 2021) "a substantial amount of materially misleading and potentially harmful" statements were made about how Coronavirus vaccinations work, their safety and their ability to protect people. These were made without any scientific or other credible basis and went without sufficient context or challenge. Ofcom stated in its ruling: "We were particularly concerned about the repeated assertions that having a vaccine is equivalent to being infected with the Coronavirus, and that catching Coronavirus was as safe, and could even potentially be safer, than receiving a vaccine." This was evident in comments by the presenters such as "you might as well catch COVID-19" and "maybe [...] catching the virus itself is better than having a vaccine?"

The programme also contained several comments about the serious side effects or the medical complications of coronavirus vaccines and other statements which were considered to have the potential to distort viewers' perception of the risks and benefits of receiving a vaccination. Other statements, which could lead people to underestimate the potential risk posed to them by COVID-19 and the effectiveness of measures they could take to protect themselves against contracting the virus, were also included in the episodes at issue.

The topics described above were deemed particularly sensitive given the broader contextual factors present. At the time of the broadcast, the number of confirmed COVID-19 cases had reached 108 million globally. A third government-imposed national lockdown was in force and the rollout of UK approved Coronavirus vaccines had been underway for over two months. The measures implemented to deal with the public health crisis had resulted in restrictions on public freedoms in

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the UK, leading to considerable debates, not only about the adopted strategies in response to the pandemic, but also about vaccine efficacy and their approval processes.

Reflecting on the importance of freedom of expression in a democratic society, Ofcom acknowledged that it was in the public interest for a broadcaster to scrutinise established thinking and official authorities' responses to the coronavirus pandemic, including the potential side effects of vaccinations. But, in doing so, compliance with the Broadcasting Code was required. The Code does not prevent broadcasters from including contentious viewpoints in programmes, including robustly questioning public health authorities, but this must be done in compliance with Rule 2.2, which states that "factual programmes or items or portrayals of factual matters must not materially mislead the audience".

Moreover, broadcasters must ensure they provide "adequate protection" for the audience from the inclusion of potentially harmful material, in line with Rule 2.1 of the Code. Loveworld's presentation of "highly misleading" claims without a sufficient degree of challenge risked potential serious harm to viewers, particularly at a time when people (especially elderly and other vulnerable groups) were likely to be seeking reliable information about vaccines against coronavirus and making important decisions about whether to accept an offer of vaccination. "We considered that the claims made in both of these programmes went far beyond reasonable scrutiny and debate", the regulator stated and added: "Our concern was heightened by the fact the presenters appeared to use a number of discredited sources and already disproved theories to provide materially misleading and harmful information to a potentially vulnerable audience".

Ofcom concluded that Loveworld Ltd had committed serious breaches of Rules 2.1 and 2.2 of its Code and directed the network to broadcast a summary of its ruling. The regulator has yet to make a final decision on a suitable sanction, but noted that this was the third breach decision recorded against Loveworld Ltd in relation to harmful content about the ongoing Coronavirus pandemic. This was despite assurances it had previously offered as to how it would improve its compliance procedures following a previous statutory sanction for similar breaches. On 30 March 2021, Ofcom imposed a GBP 125,000 fine on the channel for a second breach which also related to "inaccurate and potentially harmful claims" about the coronavirus pandemic. Considering its serious and persistent breaches of the Code, the licensee Loveworld Ltd could now be exposed to even more severe sanctions.

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Ofcom Broadcast and On Demand Bulletin, 9 April 2021

https://www.ofcom.org.uk/__data/assets/pdf_file/0032/217589/sanction-decision-loveworld-full-disclosure.pdf

Ofcom, Sanction 140 (21), 30 March 2021

https://www.ofcom.org.uk/__data/assets/pdf_file/0026/216890/Sanction-Decision-Loveworld-Limited-Global-Day-of-Prayer.pdf

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