

## The Family Programme

<b>Type of case</b>	Broadcast Standards
<b>Outcome</b>	In Breach and Sanction
<b>Service</b>	New Style Radio 98.7 FM
<b>Date &amp; time</b>	1 November 2020, 18:00
<b>Category</b>	Harm
<b>Summary</b>	This programme featured potentially harmful statements about the Coronavirus pandemic without adequate protection for listeners. In breach of Rule 2.1 of the Broadcasting Code.

### Introduction

New Style Radio 98.7 FM (“New Style Radio”) is a community radio station providing a service for Afro-Caribbean communities in the Winson Green area of Birmingham. The licence for the service is held by Afro Caribbean Millennium Centre (“ACMC” or “the Licensee”).

*The Family Programme* is a radio programme broadcast live between 18:00 and 20:00 on Sundays. The presenter described the programme as one “where we focus on all things to do with family” including “divine, holistic, spiritual and supportive family values”.

Ofcom received a complaint from a listener who was concerned about potentially harmful and misleading statements made by the presenter about the Coronavirus pandemic.

Ofcom<sup>1</sup> is prioritising cases related to the Coronavirus which could cause potential harm to audiences. This could include:

- health claims related to the virus which may be harmful;
- medical advice which may be harmful; and,
- accuracy or materially misleadingness in programmes in relation to the virus or public policy regarding it.

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<sup>1</sup> Ofcom has published guidance on [Broadcast standards during the coronavirus pandemic](#).

We therefore informed ACMC that it was necessary for us to depart from our normal published procedures to expedite this investigation.

During the two-hour programme, the presenter, Simon Solomon (“SS”), discussed at length a document written and video presented by Claire Edwards, who was described by the presenter as “Formerly [a] United Nations editor and trainer”, entitled “The COVID-19 Genocide of 2020”, which made several claims about the Coronavirus. The presenter also referred to another document written by Claire Edwards entitled “Our Children Are Now In Grave Danger”. During the programme, Simon Solomon’s co-presenter, Sister Nyela (“SN”) joined the broadcast by telephone.

The programme began with a news bulletin, which included a story about the recent lockdown policy in England<sup>2</sup> in relation to the Coronavirus pandemic.

The presenter started by outlining the general focus of the programme as follows:

SS: *“...this is The Family Programme and as the title of the programme suggests, this programme where we focus on all things to do with family, and so the aim of the programme is to recapture the divine, holistic, spiritual and supportive family values that most of us used to enjoy back in the day. But for too many reasons, too many of us have lost touch with those values. And as we seek to reconnect...with those values, we do so from a truth-centred perspective, an African centred perspective...”*

The presenter then discussed the forthcoming lockdown in England:

SS: *“...we certainly have to be strong in these current times...it's of course knowledge to most I believe, that the Government is going to impose another lockdown this coming week on the United Kingdom. Well it's England isn't it... but the news is that there's going to be another lockdown in this 'so-called' pandemic and I can say that without any apology now...”*

The presenter immediately moved on to discussing the Coronavirus pandemic more generally:

SS: *“...I mean earlier on, when wise and sensible people were raising questions around this whole thing about the so-called pandemic. You know you'd be accused of conspiracy theories and all kinds of accusations. Pretty much in order to stop you from speaking truth. As far as this particular issue, the so-called Coronavirus is concerned, but now*

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<sup>2</sup> This broadcast took place the day after the UK Government announced a second lockdown across England. See [Prime Minister Boris Johnson's speech](#) from the televised press conference on Saturday 31 October 2020, which announced a four-week lockdown to start on 5 November 2020.

*we have countless hundreds of professionals; doctors; surgeons; politicians even – not that we can generally trust them at the best of times – but a host of people now speaking out against this so-called pandemic. Countless physicians; doctors; medical people. Certainly, asserting the position, the position that this is not a pandemic, probably very much so a plan-demic”.*

The presenter then gave what he described as a “*spiritual and mental health warning*”:

SS: *“If you're someone who's allergic to the truth, if you have been traumatised by hearing the truth. If you have an aversion to justice, if you're allergic to righteousness. If you've benefited from the telling of lies, or seek to do so – Bill Gates and others – if you're someone in a habit of spreading hatred instead of love, perhaps I should also add if you're someone in the habit of committing murder and committing genocide...conspiring to commit genocide, this programme may not be for you, and for those who engage in such evil wicked inhuman behaviour, this programme would definitely not be for you”.*

Ofcom assessed the whole two-hour programme as broadcast, noting the following comments made by the presenter and his co-presenter Sister Nyela about the Coronavirus:

SS: *“...in view of yet another change to the curtailing of our rights as individuals. Our human rights as individuals. Our rights to freedom and and so on. I'll be sharing with you a brilliant piece of work that I've... uncovered, shall I say. I was sent a message that linked to this, this person I'm going to refer to, but on going to this link and just checking out some of the sources that this woman, European woman, shared in the statement that she made, relatively recent – a few days ago – in terms of you know, this plan-demic, the references that she cites in her statement are really brilliant and I will certainly suggest that if you're able to you, search out this woman. I'll give her details a bit later in the programme...”.*

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SS: *“I'm going to be sharing...some information regarding, you know, the whole Covid fiasco. From a European woman, Claire Edwards BA Honours MA. Formerly United Nations editor and trainer, co-author and editor of the 'International Appeal to Stop 5G on Earth and in Space'. Also, translator of the investigative report on the Covid-19 pandemic and its relationship to SARS, Covid-2 or CLV-2 and other factors. Her work at the UN included editing documents on international law relating to corruption, crime and space, among others. And so this is a well-educated woman. Well-connected woman. Worked for United Nations,*

*which I suppose is not the highest of recommendations, but she certainly is an intellectual, in European terms, should I say and I suppose generally – don't want to put the sister down – but she's written a document entitled 'The COVID-19 Genocide of 2020' and I'm going to be sharing some of the information from that as we go into the programme, because...she widely references the points, the statement she makes in this document. This is a document you can find on the internet. Just search 'the Covid-19 genocide of 2020' and it'll bring you to links...".*

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SS: *"The rebel in me says, you know, to hell with the Government and their plan-demic. I'm thinking of the right honourable, let me put it that way, Martin Luther King, who said words to the effect that it is our duty to break unjust laws and certainly, all the evidence that's coming out at this moment in time. And by the way, our listeners: don't go telling Boris Johnson that I said to hell with him and his plan-demic..."*

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SS: *"The thing that's coming out now very, very broadly across the world is that the professionals...are rebelling against the conduct of the likes of Boris Johnson and others...And what on the face of it appears to be nothing more than a plan by these people, and I'll be accused of creating conspiracy theories now...a plan by these people to decrease the world population. But you know the evidence is there. A couple of weeks ago I touched on the fact that Boris Johnson himself and his father had been speaking, you know, over a decade ago about reducing the world population and I made the rather naughty comment that you know, if he wants to assist in that he should commit suicide. Fall on his sword, do the right thing. I'm sure you won't endorse that suggestion, Sister Nyela ...you're so balanced".*

SN: *"...well I'm gonna say that any of those things, of course, they're your personal thoughts are not the views of New Style Radio..."*

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SS: *"[Claire Edwards] goes on to say this: Covid-19 was a long pre-planned [event], in documents and simulation exercises emanating from the eugenicist Bill Gates and the Rockefeller Foundation. A platform with 200 detailed levels is provided by the World Economic Forum, led by Klaus Schwab, a technocrat and promoter of transhumanism, in order to provide detailed instructions on how the Covid-19 pandemic is to be used to implement a global monetary reset and digital currency, technocracy and totalitarian government worldwide under the guise of*

*socialism and environmentalism...with China as the model, and enslave humanity through a sinister vaccine conspiracy”.*

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SS: *“...you can get the general idea of that...That Bill Gates along with others, including the Rockefeller Foundation and this technocrat, Klaus Schwab are the peoples behind...this so called Covid-19 pandemic. And it was planned. She goes on to say: ‘Early attempts were made to engineer pandemics, but none succeeded. This time, the World Health Organisation changed its pandemic criteria in advance so that it could declare a pandemic on spurious grounds...’. And she goes on to make her rather disturbing allegation against the current head of the World Health Organisation. I’ve mentioned in the past that there are those who refer to this organisation as the World Homicide Organisation, certainly myself, after it was responsible for injecting some 23 million African peoples with HIV back in the 1980s. And that is a documented fact. Again, no conspiracy theory. You can do your own research on that. That resulted in the deaths of millions of African people...”.*

SS: *“...anyway Tedros Adhanom Ghebreyesus<sup>3</sup>, [Claire Edwards] describes as the terrorist and accused genocidist who was appointed head of the World Health Organisation in order to orchestrate the pandemic, and to facilitate the totalitarian takeover. She goes on to talk about wireless technology. This is your 5G business. Wireless technology suppresses the immune system. 5G is implicated in Covid-19 through correlations between the locations of the 5G rollout and morbidity, mortality as well as of the prior administration of flu vaccinations in Wuhan seven and Milan. The symptoms of Covid are virtually identical to the symptoms of exposure to electromagnetic radiation, EMR<sup>4</sup>...Hospitals are extensively equipped with 5G, putting patients’ lives at risk. Now...this document is well referenced so where she makes statements like this around the 5G issue and she refers to the science that you can go to, there’s a list of references at the end of this document...”.*

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SS: *“...[Claire Edwards] says this: ‘5G serves many purposes. It is a de-population and military weapon and facilitates the introduction of technocracy and totalitarian control by enabling surveillance, facial recognition, 24/7 monitoring of individuals and mind and body control and in combination with vaccines and chemtrails containing*

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<sup>3</sup> Tedros Adhanom Ghebreyesus has been the Director General of the World Health Organisation since July 2017.

<sup>4</sup> Electromagnetic Radiation.

*nanoparticles that torture or murder of targeted individuals. EMR can be used to simulate the pathogens and overwhelm the immune system and cellphones maybe being used to simulate COVID-19 contagion among co-workers or family members. 5G has been widely installed, terrestrially and in space to target and control populations' and again she provides references to this. Now she highlights these points going on, she goes: 'The illegal Coronavirus measures were used by governments to accelerate the 5G rollout and install 60 gigahertz public access points in schools in order to target children'...".*

The presenter then took a break to go into a news bulletin from an external news provider. On his return, he resumed his discussion of the report by Claire Edwards:

SS: *"So before what was left of the news – the usual crap in it – I was sharing with you some information from a Claire Edwards regarding this so-called Coronavirus pandemic... Before I do that, just share with you this well-known quote: 'And you shall know the truth, and the truth shall make you free'. That's from John 8 verse 32. This information is really being shared on the basis that it will hopefully give you some insight into the plans of certain peoples across this beautiful planet to decrease the population and give you a better understanding as to how to respond to the actions being taken by governments, by those people in positions of power..."*

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SS: *"...[Claire Edwards] goes on to say this: 'Illegal legislation has been put in place in numerous countries and a list of the basis for that: to remove civil liberties; to destroy economies; to close down small and medium sized businesses; to separate, isolate and terrorise family members; to impoverish people including by destroying jobs; to remove children from their families; to intern the centres in concentration camps; to grant immunity to government operatives to commit murder, rape and torture; to use the police, army and mercenaries to control populations; to force vaccinate populations with a non-medical vaccine containing population control mechanism, mechanisms without their informed consent'"*

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SN: *"...it's information I guess I'm, we're hearing from multiple sources, so we've been hearing about the similar symptoms of exposure to electromagnetic radio waves. I forget with that..."*

SS: *"...radiation, same thing"*

SN: *"...radiation. That the impact of that and the so-called impact of Covid, etc. I think some of us for some time have been very wary of, you know, too much radiation from phones, too much from masts and when we heard of 5G coming, we knew this wasn't good. I guess what's happening there with that report and with a number of others, is drawing the correlation as you say about the link directly or indirectly between the timing of the roll out of 5G and Coronavirus. But I guess again, me being my practical self, is whether is there a correlation or not between 5G and Coronavirus. These heavy or highly intensive radio waves, telephone masts are just not good for us as human beings wherever they are. So being aware of where they are, trying your best..."*

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SN: *"It's shocking when you look at the statistics that just having a mobile phone in your hand while you're holding a young child, the impact it has when they're new-born...Again, sometimes people just think I'm crazy...please do not hold the phone with a newborn...When they're, let's say nought to five, they literally have no defence. You might as well be putting...excuse the language, but I think it's necessary to make the point...You might as well be putting their heads in a microwave. And if we understand that that's what we're doing when we're doing that, just with one mobile phone in our hands when we're holding a newborn child, then what's the impact when they're sort of living around sort of this massive 5G telephone masts..."*

SS: *"The Covid lockdown measures across the world included prioritising the accelerated installation of 5G on the spurious grounds that it would be needed by emergency services...the widespread installation of 5G antennas...use highly dangerous beamforming antennas that concentrate the electromagnetic radiation and endangers adults and especially children, whose bodies and brains contain more water than those of adults and who have developing brains"*

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SS: *"EMR can be used to simulate the pathogens and overwhelm the immune system and cell phones may be being used to simulate Covid-19 contagion among co-workers or family members..."*

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SS: *"[Claire Edwards] goes on to say that, under the heading 'Accelerated installation of 5G during lockdowns', something that again has been raised by [a] number of people: 'The Covid lockdown measures across*

*the world included prioritising the accelerated installation of 5G on the spurious grounds that it would be needed by emergency services. This led to the mysterious death, deaths of ambulance workers and birds, which cease to be mysterious when one is aware of the extreme dangers of Wi-Fi hotspot public access points, 5G and WiGig at 60 gigahertz, which prevents the uptake of oxygen by haemoglobin'...".*

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SS: *"...no risk assessment has been carried out in the UK on mask wearing, yet face masks pose serious risks including hypoxia – that is lack of oxygen – and hypercapnia, carbon dioxide accumulation as well as serious life-threatening complications. Wearing a mask prevents the escape of viruses".*

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SS: *"Parents may wish to consider whether they want to risk sending their children to schools that expose them to the extreme dangers of Wi-Fi hotspots at public access points 5G and WiGig and 60 gigahertz. A risk that is greatly heightened if children are required to wear masks. Given the close correlations between the symptoms of exposure and electromagnetic radiation than those of the alleged Covid...".*

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SS: *"...I've been sharing with you some wisdom from former UN worker Claire Edwards...and I'm inclined to believe much of what this woman is saying in this document. It was produced as a whistle blowing document. But so much of the information she shares with us has so much rings of truth, and it's evidenced by being well referenced. So again, you're invited to check out that document, just google it. That document itself has a link to another document she's written: 'Our Children Are Now In Grave Danger', written 3rd October, just last month, where she again makes a number of references to some of the issues that our children are up against basically, not just the Covid thing, but 5G as well. And again, back in the day you mentioned 5G is dangerous to your health and you'd be regarded as being a conspiracy theorist, but there are literally hundreds of people who've touched on this in previous programmes. Literally hundreds of professionals, doctors and so on who have written against the dangers of 5G".*

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SS: *“[Claire Edwards] also goes on to talk about the thousands – my initial thought was to say hundreds, but she says ‘tens of thousands of doctors have now come out to confirm that COVID-19 is a hoax’...”*

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SS: *“...The UK and German Governments stated in documents that they were deliberately ramping up the fear level, including traumatising children by making them believe that they would torture and kill their relatives if they failed to wash their hands and obey the Corona measures. Children were made to believe that they could show their love for their grandparents by not coming near them. Social distancing is a torture technique devised to traumatise and its purpose is to condition people to distance themselves from others, so that they can be seen and targeted by the 5G weapon. I'm sure some of you will have heard that before. You know this six feet or two yards business, said by the experts to enable the 5G tracing and radiation, whatever it is, to have more effect. She goes on to say: ‘Government and WHO policies are deliberately aimed at killing people’. I’m going to say that again because I’ve highlighted this. ‘Government and WHO policies are deliberately aimed at killing people’...”*

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SS: *“...‘Government and WHO promoted and enforced mask wearing by the public in full knowledge that they provide no protection from any virus’. Let me say that again – ‘Governments and WHO – World Health Organisation – promoted and enforced mask wearing by the public in full knowledge that they provide no protection from any virus but cause serious neurological and respiratory damage, putting people’s lives and health at risk’”*

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SS: *“...[Claire Edwards] says this about the Covid vaccine: ‘Bill Gates wants to reduce the world population. He introduced his vaccine containing the electronic cat nanochip marker, intended to mark and control 7 billion humans, at the ID 2020 conference in 2019’. So that was last year. ‘ID 2020 is intended to provide a unique digital identity for all humans by 2030 that closely interlocks this digital identity with access to commerce and secure access systems. This is the electronic enslavement of humanity’...”*

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SS: *“... [Claire Edwards] then shares with us precisely what the chip... will be able to do: ‘Influence the behaviour of the chip bearer, manipulate and control crowds, eliminate categories of people, reduce the world population, ensure vaccine compliance, permanently locate the bearer...Integrate 7 billion people into the cloud and operate with an all-digital system that is the equivalent of a credit on a company store’...We've heard of genetically modified food. This is these evil sons of B.I.T.C.H's seeking to genetically modify humans, because the point the sister goes on to say is: ‘Nanochips and liquid crystals in vaccines can influence human behaviour without concern for the political ethics and the upcoming vaccine is intended to genetically modify humanity for all future generations. In effect, deleting humanity altogether as humans become transhumans or robots’ and again she has reference for this assertion that she makes here”.*

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The following Government advert was broadcast twice during the two-hour programme during advertising breaks:

*“I wash my hands to protect my family. I wear a face covering to protect my mates and make space to protect my colleagues. Hands, face, space. I wash my hands to protect strangers. I wear a face covering to protect other passengers. I make space to protect you. Hands, face, space. As we spend more time indoors, we need to do whatever we can to help protect each other from Coronavirus. So please wash hands, cover face, make space”.*

We considered this programme raised potential issues under the following rule of the Broadcasting Code (“the Code”):

Rule 2.1: *“Generally accepted standards must be applied to the contents of television and radio services[...] so as to provide adequate protection for members of the public from the inclusion in such services of harmful and/or offensive material”.*

Ofcom requested comments from the Licensee on how it believed the programme complied with this rule.

## **Response**

### **Response from the Licensee**

ACMC said that it had listened to a recording of the content broadcast on 1 November 2020 and “concluded that that aspect of the Programme dealing with the Coronavirus pandemic breaches section 2.1 of Ofcom’s Broadcasting Code”. It said it had “suspended the Presenter and the programme” and had issued an on-air apology on behalf of the presenter for the material broadcast.

The Licensee added that it was “unaware that the Presenter of The Family Programme would broadcast the material” in the programme on 1 November 2020 and reiterated to Ofcom that the presenter had “acted at variance” with the radio station’s policies. It said Simon Solomon was one of the station’s most experienced presenters who had been presenting *The Family Programme* for 18 years and in that time “to the best of our knowledge there has not been a single complaint about that Programme”.

The Licensee explained to Ofcom that it broadcast a “special programme addressing issues relating to the Coronavirus on Sunday 15 November 2020 between 6pm-8pm”. It added that this was the same time *The Family Programme* would normally broadcast with the “aim being to ensure that listeners of that Family Programme would hear the special Programme on the Coronavirus Pandemic”. APMC explained this broadcast was “to rectify the harmful broadcasting contained in the programme of the 1 November 2020” and that it “comprehensively refuted all the conspiracy theories” which were previously broadcast.

The Licensee provided Ofcom with a recording and written outline of the programme broadcast on 15 November 2020 and Ofcom has reviewed its content. This programme included guests who, as APMC explained, were “experts on the Coronavirus based in Birmingham”. The programme featured a Councillor, Doctor, Cabinet Member for Health, and Health Campaigner, and included information rebutting the claims previously broadcast, including scrutiny of the theories about 5G and the allegations about a future Coronavirus vaccine as mentioned in the programme on 1 November 2020. The guests who contributed to the programme explained the latest public health information and advice in detail, and provided scientific and medical information about the importance of social distancing and wearing a face mask. The guests also provided information which was specific and relevant to those living in Birmingham and reiterated, among other things, the increased risk to members of the Black community from the Coronavirus in acknowledgement that the radio station’s target audience is the Afro-Caribbean communities in Birmingham.

The Licensee also provided Ofcom with the following:

- detailed information about the station’s ongoing workplace measures which had been put in place to keep the station’s volunteers and employees safe over the course of the pandemic;
- recent notifications to its presenters aiming to ensure its volunteers complied with the Code;
- information and guidance provided to its presenters on 15 and 16 November 2020 “to ensure that there is no repetition” of the type of content broadcast on 1 November 2020, including that: “Presenters have been instructed that failure to follow these instructions would result in immediate suspension of the Presenter, and also if appropriate, the Programme”; and,
- information about some of the other Coronavirus content which had been broadcast on New Style Radio which it said gave “listeners proper advice in relation to the Coronavirus pandemic”. This included information about the UK Government’s Coronavirus advertisements in relation to England, which were broadcast on New Style Radio, including during *The Family Programme* on 1 November 2020.

The Licensee also asked Ofcom to “take into account all it has done to prevent harmful material from being broadcast on its Station both in the past and in the future”.

Ofcom gave ACMC the opportunity to comment on its Preliminary View that the programme was in breach of Rule 2.1. In response the Licensee said it “wholeheartedly accept[ed] [Ofcom’s] analysis and conclusions”. ACMC said it was its “responsibility to ensure that harmful material is not broadcast” and had “put in place monitoring measures to ensure that we are not unaware of circumstances where harmful material might be broadcast”. This included requiring all presenters to make a written commitment that they will observe the Code.

The Licensee also explained it had re-joined the Community Media Association (CMA) “to improve [its] connections with the wider Community Radio sector and to gain further knowledge on compliance and other best practice issues”. ACMC said it had already received information and advice on legal and compliance issues from the CMA to include in an updated staff and volunteers handbook for the station and would be engaging with forthcoming training provided by the CMA. The Licensee also said it was “actively arranging for compulsory zoom training for all Presenters with regards to Ofcom’s Broadcasting Standards Code and its advice in relation to broadcasting about the Coronavirus pandemic”.

The Licensee reiterated that it had provided information to its presenters about adhering to the Code and provided Ofcom with further information on other programmes broadcast on New Style Radio which dealt with “Coronavirus issues in a balanced and professional manner”.

Finally, ACMC said that it took its responsibilities as a licensee “very seriously and the compliance obligations associated with this”. It said that “The Family Programme broadcast on the 1 November 2020 is undoubtedly an exception to our normal high level of professionalism and could indeed be described as an aberration”.

### Response from the presenter

Ofcom gave the presenter the opportunity to comment on its Preliminary View that the programme was in breach of Rule 2.1. In his response, Mr Solomon said that he accepted that the programme was in breach of Rule 2.1. Mr Solomon included an article about 5G technology and a copy of “The COVID-19 Genocide of 2020” by Claire Edwards.

Mr Solomon said that *The Family Programme* discusses a range of issues and how these relate to or affect the Black African family and community. As such, he said it was “not surprising” that the Coronavirus was an issue for discussion on the programme, given the disproportionate effect of the virus on the station’s target audience.

Mr Solomon said that the reference to “the programme focusing on truth” was to recognise “that the African/Black Family has generally, historically and currently been negatively and untruthfully represented in most media” and the programme aimed “to address that misrepresentation”. He added that reporting in mainstream media that the Coronavirus is particularly harmful to Black and minority ethnic communities is “of particular concern” and such reports have “caused far more harm to our community” than the 1 November 2020 broadcast of *The Family Programme* by heightening fear that worsens pre-existing health conditions. Mr Solomon also said that the disproportionate effect of Coronavirus on Black and minority ethnic people is due to “racism” and “social constructs” and not because of genetics.

Mr Solomon said that in exercising freedom of expression, African and Black people were “more than justified” in scrutinising the Government, as their best interests had not been taken into account throughout history, which he said was demonstrated by the current “disproportionate deaths caused to our community during this coronavirus pandemic”. He also said that Ofcom had “underestimated the intelligence of listeners from the African/Black communities” who were able to “draw their own conclusions” from the information that he claimed he was providing.

Mr Solomon stated that he believed that the “wors[t] that can be said” about the programme is that it should have contained the UK Government’s alternative viewpoint. However he added that the Government “narrative” has been cited by many as “scare mongering, a breach of... human rights... and a draconian approach to dealing with a disease that hundreds of professionals have suggested is no more than a ‘bad flu’”. He added that governments around the world have provided “confusing information” about the Coronavirus and that the information given by the UK and other Governments is “being questioned” by a range of medical and other experts, and MPs.

Mr Solomon said that the assertion in the programme that “hundreds... are speaking out against the so called pandemic” is a statement of fact and quoted to Ofcom a number of criticisms of governments’ handling and approach to Coronavirus.

Mr Solomon also supplied Ofcom with selected quotes and articles, dating back to 2011, which debated possible health implications of mobile phones and 5G.

Further, Mr Solomon strongly objected to the idea that he had endorsed or given weight to the claims of Claire Edwards in the broadcast, saying that he had only presented them to the audience and “advised [the audience] to make their own enquiries on the information presented”. He added that “at no point [was] it actually stated that the information shared [was] truth”.

In reference to citing scripture and Martin Luther King Jr, Mr Solomon said that these quotes were not given to support the claims made by Claire Edwards and repeated by him, as the presenter of the programme. He added that the only reason for quoting Martin Luther King Jr was to make the point that Martin Luther King Jr had stated “that it is indeed our duty not [to] support unjust laws”, which had “nothing whatsoever to do with the information in Claire Edward’s statement”. Mr Solomon suggested that Ofcom was displaying bias to suggest otherwise.

Mr Solomon disagreed with Ofcom’s view that he was a voice of authority in the broadcast. He claimed that he is “not a preacher” nor “likely to have the type of influence on listeners suggested” by Ofcom.

Mr Solomon “vigorously refuted” Ofcom’s analysis of his “spiritual and mental health warning” and said that it was intended to prevent harm. He added that his warning aimed to alert listeners “that the issues raised will not necessarily confirm to the usual narrative put out by the government and main stream media” and “may potentially affect the[m]”.

He argued that Ofcom had not evidenced that any actual harm was caused to any listeners and the fact that no evidence was produced “implies there has been no harm or undue influence” on listeners.

Further, he said that the one complaint received by Ofcom was from a listener who may not have been influenced or harmed but merely “motivated to complain”.

Mr Solomon said that the ACMC had “bent over backwards to rectify any harm” the programme may have caused by broadcasting a follow-up programme, which is outlined above. He also said that the only criticism that can be made of the original broadcast is that it lacked “balance” and should have “included opposing arguments”.

Finally, Mr Solomon requested Ofcom take a “favourable view” of him and the Licensee, who had issued apologies at the “earliest opportunity after notification of the complaint”, and that any sanction imposed on New Style Radio should be “proportionate” and “in keeping with sanctions imposed on other broadcasters” that have been found in Breach of Rule 2.1.

## Decision

Reflecting our duties under the Communications Act 2003, Section Two of the Code provides protection for members of the public from the inclusion of harmful and/or offensive material.

When considering whether a broadcaster has provided its audience with adequate protection from potentially harmful material, Ofcom must have regard to the broadcaster’s right to freedom of expression and the audience’s right to receive information and ideas as set out in Article 10 of the European Convention on Human Rights.

The Code enables broadcasters to include challenging or contentious viewpoints in programmes. However, as set out in Rule 2.1, broadcasters must ensure they provide adequate protection for the audience from the inclusion of potentially harmful material. It is for the broadcaster to decide how to secure such protection where necessary<sup>5</sup>.

When considering a programme’s compliance with Rule 2.1, Ofcom must assess the nature of the material and whether there is a reasonable likelihood of it causing members of the public actual or potential harm. Context is important and the extent of any protection required will depend on all the relevant circumstances, including: the service on which the material is broadcast; the likely expectation of the audience; and the degree of harm likely to be caused.

During the course of the Coronavirus pandemic, Ofcom licensees have broadcast vast amounts of content related to the crisis, including robust discussions about the response of the UK Government, and analysis of scientific and medical claims. In our view, the communication of accurate and up-to-date information has been essential to audiences. However, broadcasters should be alert to the potential for significant harm to audiences related to the Coronavirus, which could include: harmful health claims; harmful medical advice; and misleading statements about the virus or public policy on it.

This broadcast took place the day after the UK Government announced a second lockdown across England to slow down the spread of Coronavirus and prevent health services from being

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<sup>5</sup> Ofcom has published [Guidance](#) on this to assist broadcasters.

overwhelmed<sup>6</sup>. We recognise that the response to the Coronavirus crisis has led to an unprecedented restriction on public freedoms and considerable debate about the various strategies adopted by the Government to tackle the virus. In such circumstances, and reflecting the fundamental importance of freedom of expression, it is clearly legitimate for broadcasters to question public policy and the rationale behind it, and to robustly hold the Government to account. However, in doing so, broadcasters must ensure compliance with the Code and provide adequate protection to their audience from potentially harmful material.

Ofcom examined the statements made in this programme to assess whether they were potentially harmful to listeners. In considering the potential for harm, Ofcom takes into account a number of factors, such as: the severity of the situation; whether the material was targeted at a particularly vulnerable audience; and whether the claims were made by a speaker who is portrayed as having authority. We also take into account factors such as contextual information, whether there was a degree of challenge, and whether opposing views were included.

Ofcom's guidance on Section Two of the Code states that misleading health claims can be especially harmful to people who are vulnerable, for example those who are suffering from serious medical conditions. Given the prevalence of Coronavirus in the West Midlands at the time of broadcast<sup>7</sup>, we considered there was an increased likelihood of listeners either suffering from the virus or being at risk of catching it. We also took into account that New Style Radio is a community radio station which was likely to have a dedicated group of listeners. The station's target audience, as outlined in their Key Commitments<sup>8</sup>, is the Afro-Caribbean communities within its coverage area. Ofcom recognised that members of Black communities have been disproportionately impacted by the Coronavirus<sup>9</sup>. We also noted Mr Solomon's submission that this disproportionate impact is due to "racism" and "social constructs" and not because of genetics. We acknowledged that the reasons behind this disproportionate impact are unclear, complex and multifaceted. However, we considered that listeners were likely to have been particularly vulnerable to any misleading or unsubstantiated claims about the virus given the prevalence of the Coronavirus in the coverage area at the time of broadcast and available data from the Office of National Statistics<sup>10</sup>.

During the two-hour programme, the presenter read out several extracts from two documents written by Claire Edwards: "The COVID-19 Genocide of 2020" and "Our Children Are Now In Grave Danger". The primary claims about the Coronavirus pandemic made in these documents and the related video have subsequently been discredited<sup>11</sup>. We considered each of these claims in turn below.

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<sup>6</sup> See footnote 2.

<sup>7</sup> See Department of Health and Social Care [epidemiological charts for the West Midlands](#), produced 26 October 2020.

<sup>8</sup> See New Style Radio's [Key Commitments](#) available on Ofcom's website.

<sup>9</sup> According to data published by the [Office of National Statistics](#).

<sup>10</sup> See footnotes 5 and 7.

### *“Plan-demic” theory*

These claims largely centred around the Coronavirus pandemic being a “hoax” and “pre-planned” to “decrease the world population” and “facilitate the totalitarian takeover” by: governments; the World Health Organisation (“WHO”); the co-founder of Microsoft, Bill Gates; the Rockefeller Foundation<sup>12</sup>; and the founder and Executive Chairman of the World Economic Forum, Klaus Schwab. The presenter repeated these allegations throughout the programme and referred to the pandemic regularly as a “plan-demic”. He also appeared to verify the allegations by saying that other professionals and experts had endorsed and supported this theory: “Countless physicians; doctors; media people. Certainly, asserting the position, the position that this is not a pandemic probably very much so a plan-demic” and “tens of thousands of doctors have now come out to confirm that Covid-19 is a hoax”. Ofcom recognises that there has been widespread legitimate debate about the various strategies used by governments to combat the threat of the Coronavirus, including the examples Mr Solomon provided in his representations. However, Ofcom is not aware of any reputable evidence to suggest the Coronavirus was designed, planned or “a hoax”.

The presenter of this programme repeatedly cast doubt on the motives behind official health advice aimed at reducing the spread of the virus. This included repeating without challenge the highly contentious suggestion that: “Government and WHO policies are deliberately aimed at killing people”. The presenter went on to read excerpts from the document asserting the Coronavirus pandemic was pre-planned by people and organisations with power and influence in order to “implement a global monetary reset and digital currency, technocracy and totalitarian government worldwide” and as a ruse to implement “illegal legislation” in order to “remove civil liberties, to destroy economies” and “to separate, isolate and terrorise family members”.

We were concerned that these statements, which were provided without scientific or other credible evidence, had the potential to undermine confidence in public health advice on the nature of the Coronavirus and the motives of public authorities for imposing restrictions and social distancing measures. We were also concerned that it could lead listeners to disregard current and future advice from these public authorities intended to protect public health.

### *5G technology*

The presenter also presented theories about 5G technology, which included the claim that it “endangers adults and especially children” and was linked to the spread of the Coronavirus “through the correlations between the locations of 5G rollout”. He read excerpts which characterised 5G technology as a form of “weapon” designed to introduce a “technocracy and totalitarian control by enabling surveillance, facial recognition, 24/7 monitoring of individuals and mind and body control and in combination with vaccines and chemtrails containing nanoparticles that torture or murder of targeted individuals”. He cast doubt on the motives behind the Coronavirus restrictions introduced by

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<sup>11</sup> See [Reuters](#) fact checking article dated 3 November 2020.

<sup>12</sup> The Rockefeller Foundation is an American based foundation established in 1913 by the prominent Rockefeller family from New York. Its mission, taken from its website, is to promote the well-being of humanity throughout the world: <https://www.rockefellerfoundation.org/>.



governments, including lockdowns, which he suggested had been implemented to further the roll-out of 5G. For example, the presenter quoted from Ms Edwards' paper the following statements:

*"The Covid lockdown measures across the world included prioritising the accelerated installation of 5G on the spurious grounds that it would be needed by emergency services...the widespread installation of 5G antennas...use highly dangerous beamforming antennas that concentrate the electromagnetic radiation and endangers adults and especially children, whose bodies and brains contain more water than those of adults and who have developing brains".*

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*"EMR can be used to simulate the pathogens and overwhelm the immune system and cell phones maybe being used to simulate Covid-19 contagion among co-workers or family members".*

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*"Social distancing is a torture technique devised to traumatise and its purpose is to condition people to distance themselves from others, so that they can be seen and targeted by the 5G weapon...You know this six feet or two yards business, said by the experts to enable the 5G tracing and radiation, whatever it is, to have more effect".*

During the discussion about 5G technology, the co-presenter of the programme went on to make the following contentious claim:

*"It's shocking when you look at the statistics that just having a mobile phone in your hand while you're holding a young child, the impact it has when they're new-born...Again, sometimes people just think I'm crazy...please do not hold the phone with a newborn...When they're, let's say nought to five, they literally have no defence. You might as well be putting...excuse the language, but I think it's necessary to make the point...You might as well be putting their heads in a microwave. And if we understand that that's what we're doing when we're doing that, just with one mobile phone in our hands when we're holding a newborn child, then what's the impact when they're sort of living around sort of this massive 5G telephone masts...".*

Ofcom is aware that unsubstantiated claims about 5G and its safety have long been circulating but these claims have also been widely and consistently discredited<sup>13</sup>. Unfounded concerns about this technology have recently resulted in numerous reports of 5G masts being destroyed or damaged and

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<sup>13</sup> See Guardian [article](#) on the safety of 5G published on 12 March 2020. Also see [Full Fact](#) article on the origins of 5G conspiracy theories published on 9 April 2020.

telecommunications engineers being physically assaulted<sup>14</sup>. These attacks have caused serious damage to communications links, and therefore significant harm to the public.

We were also particularly concerned that the statements had the potential to undermine confidence in the reasons for and efficacy of social distancing measures put in place by the UK Government to protect public health, at a time when Coronavirus cases were rising and the Government had just announced a second national lockdown in England.

### *Face masks*

The presenter also quoted the following statements from Ms Edwards' paper about face masks<sup>15</sup>:

*"Government and WHO...promoted and enforced mask wearing by the public in full knowledge that they provide no protection from any virus...but cause serious neurological and respiratory damage, putting people's lives and health at risk".*

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*"No risk assessment has been carried out in the UK on mask wearing, yet face masks pose serious risks including hypoxia - that is lack of oxygen - and hypercapnia, carbon dioxide accumulation as well as serious life-threatening complications. Wearing a mask prevents the escape of viruses".*

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*"Parents may wish to consider whether they want to risk sending their children to schools that expose them to the extreme dangers of Wi-Fi hotspots at public access sub points 5G and WiGig and 60 gigahertz. A risk that is greatly heightened if children are required to wear masks".*

Ofcom acknowledges that the scientific and medical advice on the efficacy of face masks in controlling the spread of the Coronavirus has evolved during the pandemic<sup>16</sup>. We were concerned that listeners would be particularly vulnerable to the unsubstantiated and contentious allegation that face masks cause "serious neurological and respiratory damage" at a time when Coronavirus infections were rising. In our view, these statements had the potential to discourage listeners from following current Government guidance, which requires the wearing of face coverings in certain settings to help reduce the transmission of the disease<sup>17</sup>.

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<sup>14</sup> See [Daily Mail article](#) published on 10 September 2020.

<sup>15</sup> The wearing of face masks has been encouraged by scientists and Governments globally to help prevent the spread of the Coronavirus in certain settings. See [Full Fact article](#) published on 4 August 2020.

<sup>16</sup> See [advice from WHO](#) published on 5 June 2020.

<sup>17</sup> See [Government guidance](#) relating to face masks and face coverings.

### *Coronavirus vaccination*

The presenter also read out several statements casting doubt about the use of vaccinations and specifically the motives behind a future Coronavirus vaccine. Quoting from Ms Edwards, he said:

*“Bill Gates wants to reduce the world population and he introduced his vaccine containing the electronic cat nanochip marker, intended to mark and control 7 billion humans...[the chip will] Influence the behaviour of the chip bearer, manipulate and control crowds, eliminate categories of people, reduce the world population, ensure vaccine compliance, permanently locate the bearer...”.*

He went on to add:

*“This is these evil sons of B.I.T.C.H’s seeking to genetically modify humans, because the point [Claire Edwards] goes on to say is: ‘Nanochips and liquid crystals in vaccine can influence human behaviour without concern for the political ethics and the upcoming vaccine is intended to genetically modify humanity for all future generations. In effect, deleting humanity altogether as humans become trans humans or robots...’”.*

At the time of broadcast, clinical and human trials to find a successful vaccine against Coronavirus were happening at speed around the world<sup>18</sup>. The possibility and roll-out of a successful Coronavirus vaccine is widely recognised by the scientific and medical communities as potentially key to ending the pandemic<sup>19</sup>. Ofcom was therefore particularly concerned that these unchallenged and unsubstantiated statements would be harmful to listeners by undermining confidence in the reasons for development of a vaccine and any future roll-out of a vaccination programme.

In considering each of the above claims, Ofcom emphasises that it is vital that broadcasters are free to hold those making public health decisions to account, particularly during a public health crisis and when there have been lengthy restrictions to civil liberties. The presenter commented in his representations that, in exercising freedom of expression, African and Black people were “more than justified” in scrutinising the Government, as their best interests had not been taken into account throughout history. Ofcom emphasises that there is no prohibition on broadcasting views which are different to, or question official authorities on public health information. Legitimate challenge and debate is essential, particularly when public freedoms are curtailed and complex policy decisions must be made. We acknowledge that many programmes have questioned the effectiveness of the Government’s policies to deal with the pandemic. We recognise that scientific strategies to combat Coronavirus – including the development of a vaccine – are legitimate topics for debate. However, we considered that the claims put forward in this programme went far beyond such scrutiny. The

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<sup>18</sup> On 10 November hopes were raised about the possibility of a vaccine, see [Guardian article](#).

<sup>19</sup> For example, see [NHS information](#) and [WHO information](#) on coronavirus vaccine research. There has been increased debate about whether concerns about a future vaccine could be detrimental to its overall success (see [Guardian article](#)).

presenter's comments and reading of Ms Edwards' reports amounted to allegations that the steps being taken by national governments and international health bodies such as the WHO were designed to: further the "*plans of certain peoples*" to harm citizens (including notably that "*Government and WHO policies are deliberately aimed at killing people*") and restrict their liberties for nefarious reasons, rather than to curb the spread of the Coronavirus.

Ofcom was concerned that the claims were broadcast without sufficient context or challenge, despite the fact they had been widely and consistently debunked<sup>20</sup>. Ofcom was particularly concerned about the cumulative effect this two-hour programme would have had on listeners, at a time when the number of Coronavirus cases was rising and the Government had just announced a second national lockdown in England. We considered that, by eroding confidence in the motives of public authorities, this material had the potential to undermine compliance with measures put in place to curb the spread of the Coronavirus. In Ofcom's view, this had the potential to cause significant harm at a time when health care systems around the world were fighting to contain the impact of the Coronavirus and the scientific consensus was that the public's compliance with social distancing and other measures, including the wearing of face masks, was key to restricting the spread of the disease.

#### *Further contextual factors*

As well as quoting verbatim from Ms Edwards' documents, Ofcom considered that the presenter endorsed the claims throughout the broadcast. For example, the presenter said that "*this information is really being shared*" in order to give the audience an "*insight into the plans of certain peoples across this beautiful planet to decrease the population and give you a better understanding as to how to respond to the actions being taken by governments*". In discussion of theories about the rollout of 5G technology, Mr Solomon stated that Ms Edwards' claims were ones that "*I'm sure some of you will have heard that before*", suggesting her claims were commonplace. Similarly, the co-presenter also described the statements about 5G as "*information I guess...we're hearing from multiple sources*", suggesting they had a lot of support.

We also considered that the presenter gave weight and authority to Ms Edwards' claims by describing her as "*a well-educated...well-connected woman*" and "*an intellectual*". Ms Edwards was introduced to listeners by reference to her qualifications including "*BA Honours. MA. Formerly United Nations editor and trainer...*"<sup>21</sup> to give credence to her documents, which were described as "*wisdom*" and "*a brilliant piece of work*". He also stated several times that the documents were "*well referenced*" and "*evidenced*", attempting to give further credibility to their content, for example "*...the references that she cites in her statement are really brilliant and I will certainly suggest that if you're able to, you search out this woman*". Ofcom noted that Mr Solomon strongly objected to the idea that he had endorsed or given weight to the claims of Claire Edwards in the broadcast, saying that he had only

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<sup>20</sup> See [Fact check: The coronavirus pandemic is not a hoax or a conspiracy to control the general public](#); [Investigating the most convincing COVID-19 conspiracy theories](#); and [Debunked: the conspiracy claiming there has 'been no Covid pandemic'](#).

<sup>21</sup> [Reuters](#) reported that "A U.N. spokesperson told Reuters that Edwards did work for them as a Conference Services Officer between 29 May 1999 and 28 March 2017, but confirmed she is 'no longer professionally affiliated with the United Nations'".

presented them to the audience and “advised [them] to make their own enquiries on the information presented”. Ofcom disagreed. In our view, given the statements summarised above, listeners would have been left in no doubt that the presenter supported the contents of Ms Edwards’ documents, lending them greater credibility and increasing the potential for harm.

Ofcom considered that the presenter attempted to add further weight to the claims by repeatedly suggesting the truth of the claims throughout the programme. For example, the programme was introduced as one that would not be suitable for anyone who is “*allergic to the truth*” or has been “*traumatised by hearing the truth*”. The presenter also stated that he believed the claims being shared with listeners “*ha[d] so much rings of truth*” and further suggested their truth by quoting scripture, saying “*I was sharing with you some information from a Claire Edwards regarding this so-called Coronavirus pandemic...Before I do that, just share with you this well-known quote: ‘And you shall know the truth, and the truth shall make you free’. That’s from John 8 verse 32*”. He went on to invoke the legacy of the civil rights activist Dr Martin Luther King Jr, which in Ofcom’s view, would have been likely to have added credence to the claims and cast doubt over the Government’s motivations:

*“The rebel in me says, you know, to hell with the Government and their plan-demic. I’m thinking of the right honourable, let me put it that way. Martin Luther King, who said words to the effect that it is our duty to break unjust laws and certainly, all the evidence that’s coming out at this moment in time”.*

The presenter also claimed that those who called into question the official response the pandemic had been suppressed:

*“... earlier on, when wise and sensible people were raising questions around this whole thing about the so-called pandemic. You know you’d be accused of conspiracy theories and all kinds of accusations. Pretty much in order to stop you from speaking truth”.*

The presenter strongly disagreed with Ofcom’s analysis of the above statements and said the decision to quote scripture and Martin Luther King Jr had “nothing whatsoever to do with the information in Claire Edward’s statement” and suggested Ofcom was displaying bias to suggest otherwise. Further, the presenter said: “at no point is it actually stated that the information shared is truth”. Ofcom disagreed and considered listeners were likely to have inferred from the statements made, and the repeated references to the “*truth*”, that the presenter was endorsing the claims made by Claire Edwards.

Given *The Family Programme* on New Style Radio was described by the presenter as discussing “*divine, holistic, spiritual and supportive family values*” from a “*truth-centred perspective, an African centred perspective*”, it is Ofcom’s view that members of the audience would have been unlikely to have expected the continual presentation of Coronavirus conspiracy theories in the programme. Further, we considered that listeners may have been more likely to trust the harmful theories and claims that were put forward by the presenter, who in our view was an authoritative editorial voice for the programme. We noted the presenter disagreed that he was a voice of authority and said he was not

“likely to have [had] the type of influence on listeners suggested [by Ofcom]”. Ofcom’s guidance states that the figures who might possess authority will depend on the context, but could include a well-known or popular presenter<sup>22</sup>. Given Mr Solomon was a long-serving, lead presenter of a weekly radio programme on New Style Radio, and as such had a regular platform, we considered he would have been a trusted figure for the audience of New Style Radio and consequently in a position of influence.

Therefore, we considered that broadcast of the theories in this programme without sufficient contextualisation had the potential to be extremely harmful to listeners.

### *Adequate protection from harm*

Ofcom then went on to consider whether the Licensee provided adequate protection to listeners from this potentially harmful material. It is an editorial decision for an individual broadcaster how it achieves adequate protection for audiences and our [published guidance](#) states that there are various methods broadcasters can use. Ofcom’s guidance explains that warnings can be used by broadcasters when it is appropriate to provide protection for listeners from potential harm. Ofcom’s guidance also explains that the effectiveness of a warning will depend on factors such as its frequency and positioning within the programme. For a longer programme, a single message at the beginning or end may not be sufficient. Importantly, the effectiveness of a warning is likely to be significantly limited if the programme strongly contradicts the message<sup>23</sup>.

We took into account that the programme began with the following disclaimer given by the presenter:

*“If you're someone who's allergic to the truth, if you have been traumatised by hearing the truth. If you have an aversion to justice, if you're allergic to righteousness. If you've benefited from the telling of lies, or seek to do so – Bill Gates and others – if you're someone in a habit of spreading hatred instead of love, perhaps I should also add if you're someone in the habit of committing murder and committing genocide conspiracy, conspiring, shall I say, not conspiracy...conspiring to commit genocide, this programme may not be for you, and for those who engage in such evil wicked inhuman behaviour, this programme would definitely not be for you”.*

We considered this disclaimer had the potential to compound the potential harm to listeners from these highly controversial, unsubstantiated claims which contradicted public health advice. Rather than provide a warning about the unsubstantiated and controversial nature of the conspiracy theories put forward in the programme, in our view this statement 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. We recognised that Mr Solomon “vigorously refuted” Ofcom’s assessment of this disclaimer and claimed it was a warning aimed to alert listeners “that the issues raised will not necessarily confirm to the usual narrative put out by the government and main stream media” and “may potentially affect the[m]”. However, Ofcom did not consider the statement adequately

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<sup>22</sup> See page 3 in Ofcom’s published [guidance notes to Section Two of the Code](#).

<sup>23</sup> See page 4 in Ofcom’s published [guidance notes to Section Two of the Code](#).

protected listeners given it did not provide them with sufficient information that the programme was going to present highly controversial conspiracy theories relating to the Coronavirus pandemic, without interrogating their validity.

We acknowledge that when asked by the presenter to comment on some of his views in relation to the Prime Minister Boris Johnson and the Coronavirus pandemic, the co-presenter, said “...well I’m gonna say that any of those things, of course, they’re your personal thoughts are not the views of New Style Radio...”. However, in our view, this brief comment did not mitigate the significant potential harm to listeners from a two-hour programme containing unchallenged and uncontextualized conspiracy theories about the virus in the midst of a global health crisis.

We also acknowledge that, when the presenter discussed the theories about 5G outlined above, the co-presenter appeared to question these briefly when she said: “*But I guess again, me being my practical self, is whether there is a correlation or not between 5G and Coronavirus*”. However, we did not consider that this brief statement was sufficient to challenge the veracity of the theories about 5G put forward by the presenter extensively throughout the programme, which would have required significant challenge and context to adequately protect listeners. As detailed above, the co-presenter then went on to outline further potentially harmful theories regarding radio waves from mobile telephone masts, which in our view served to counteract the brief challenge she had provided earlier.

We also noted that the presenter at one point encouraged listeners to “*do [their] own research*” on the claims. In his representations, Mr Solomon argued that Ofcom had “underestimated the intelligence of listeners from the African/Black communities” who he said were able to “draw their own conclusions” on the information that he claimed he had provided. However, we considered that this was not a sufficient means of ensuring that listeners were protected from the potentially harmful content, particularly as the presenter presented the claims as unequivocal facts and uncritically guided listeners to use the report as the basis of their research.

Ofcom recognised that the Licensee and the presenter accepted that the programme was in breach of Rule 2.1 of the Code.

We took into account the Licensee’s representation that “during the advertisement break of the programme...Government advice in relation to the coronavirus” was broadcast, as set out above in the Introduction. Ofcom’s Guidance sets out a range of factors that Ofcom takes into account when considering programmes under Rule 2.1 of the Code. This includes the “absence of a range of information or views”, which could “exacerbate the risk of harm”. Ofcom considered that the Government advice broadcast twice during advertisement breaks was insufficient to adequately protect audiences from harm given the extent of potentially harmful material that was broadcast in this programme. It is a matter for broadcasters to decide how they provide adequate protection for listeners from potential harm. Including a range of information which challenges potentially harmful content is one method broadcasters may employ to protect audiences. However, Ofcom stresses that protecting listeners from harmful material is not a question of “balance” as suggested by the Licensee and presenter in their representations. In this particular case, Ofcom considered that any challenge to the theories set out in this programme would have needed to be substantial and robust. In our view,

the absence of credible evidence for the theories and their highly controversial nature should be indicated clearly to audiences, along with any other appropriate methods.

We noted that ACMC said it was “unaware” of the content of the programme before it was broadcast. However, it is the responsibility of the broadcaster to ensure compliance with the Code. Ofcom acknowledged that the Licensee has subsequently put “monitoring measures” in place to ensure compliance, but we were concerned about New Style Radio’s compliance processes, given the Licensee was not aware of the programme’s content before receiving correspondence from Ofcom about the complaint that had been made.

We also considered the steps the Licensee took to mitigate the potential for harm following the broadcast of the programme. These included the suspension of the programme and its presenter and 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 included an apology on behalf of Mr Solomon.

We took into account the previous programmes that the Licensee detailed in its representations, which it said gave “listeners proper advice in relation to the Coronavirus pandemic” and dealt with “Coronavirus issues in a balanced and professional manner”. We acknowledged that ACMC said it had given its staff and presenters advice on Coronavirus guidelines, as well as ensuring its presenters undergo “compulsory” training to ensure broadcast content complies with the Code. Ofcom also acknowledged that the Licensee said it had been proactively engaging with the CMA to gain “further knowledge on compliance and best practice issues”. We have taken into account that both the Licensee and the presenter accepted that the programme was in breach of the Code. Mr Solomon also said that Ofcom had not provided evidence that any actual harm was caused to listeners. He argued that the complaint came from only one individual who may have been “motivated to complain”. In considering compliance with Rule 2.1, Ofcom assesses the material broadcast and the factors which may have affected the potential for it to cause harm. The number or source of complaints raised is not a determining factor. In this case, for all the reasons outlined in this Decision, we considered the material was potentially harmful and we did not consider the broadcaster provided adequate protection to listeners.

Despite the actions taken by the Licensee to mitigate the initial harm to audiences and improve its compliance procedures, it is Ofcom’s Decision that there was not adequate protection for listeners 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.

## **Conclusion**

Ofcom was concerned that this programme had the potential to cause significant harm to listeners in Birmingham during the Coronavirus pandemic. The Licensee dedicated a two-hour programme to discussing a number of highly contentious, unevidenced conspiracy theories about the Coronavirus, without sufficient challenge or context. The promotion of these theories by the programme had the potential to undermine confidence in public health advice about the Coronavirus, and compliance with measures intended to safeguard public health during the pandemic.



Ofcom emphasises that there is no prohibition on broadcasting views which are different to, or question official authorities on public health information. Legitimate challenge and debate is essential, particularly when public freedoms are curtailed and complex policy decisions must be made. We acknowledge that the presenter had a right to discuss these theories. However, given the potential harm to listeners, it was ACMC's responsibility to ensure that those listeners were adequately protected by, for example, challenging the theories and placing them in context.

Ofcom's Decision is therefore that the Licensee did not adequately protect listeners from potential harm, in breach of Rule 2.1. We considered this breach to be serious.

### **Breach of Rule 2.1**

#### **Sanction**

Given the serious breach in this case, Ofcom directs the Licensee to broadcast a summary of Ofcom's Decision in a form and manner to be decided by Ofcom.

Ofcom is also considering whether to impose any further sanction in addition to the Direction.

In response to Ofcom's Preliminary View on sanction, the Licensee said that it believed it had done "as much as any licensee could be reasonably expected to do to prevent the breach in the first place and subsequently to ensure that there is no repetition of such a breach". ACMC said that the presenter was "very experienced" and "knowledgeable" and therefore it "could not have possibly... envisaged" that he would present a programme containing potentially harmful material.

The Licensee added that, given New Style Radio is a community radio station, "it is not reasonable to expect that all Programmes at all times would be monitored" but that it had demonstrated it had taken "sufficient measures" to ensure a breach of this nature would not be repeated. Therefore, it said that it would be "unjust and disproportionate" for Ofcom to impose any additional sanction.

As the holder of the licence for New Style Radio, it is ACMC's responsibility to ensure that all of its output complies with the Code in accordance with its licence conditions. This is the case for all licensees, including Community Radio licence holders.

The Ofcom Sanctions Panel will consider the matter further, following due process, which provides for the Licensee to make written and oral representations to the Panel before reaching its decision. The Panel will take into account all ACMC's representations on sanction in its initial assessment of whether any additional sanction is required.