

Sanction: Decision by Ofcom

Sanction: to be imposed on Word Network Operating Company Inc

For the following material broadcast on The Word Network:

Stem Cell Activators, 24 July 2023

**Ofcom's Decision of Sanction
against:**

Word Network Operating Company Inc ("The Word Network" or the "Licensee") in respect of its service **The Word Network** (TLCS104161BA).

For:

Breaches of the Ofcom Broadcasting Code ("the Code")¹ in respect of:

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";

Rule 9.1: "Broadcasters must maintain independent editorial control over programming";

Rule 9.2: "Broadcasters must ensure that editorial content is distinct from advertising"; and

Rule 9.13: "The product placement of the following is prohibited:

(g) any product, service or trade mark that is not allowed to be advertised on television".

Ofcom's Decision:

To impose a financial penalty (payable to HM Paymaster General) of **£50,000**.

¹ Available at: <https://www.ofcom.org.uk/tv-radio-and-on-demand/broadcast-standards/broadcast-code>

Executive Summary

1. The Word Network is a religious channel aimed at the Christian community. The Ofcom licence for this service is held by Word Network Operating Company Inc. The Licensee does not currently hold any other broadcasting licence.
2. Condition 6 of the Licence requires the Licensee to ensure compliance with Ofcom's Broadcasting Code.
3. On 24 July 2023, The Word Network broadcast *Stem Cell Activators* ("the Programme"), which referred to, and promoted, products for the treatment of medical conditions. Ofcom received a complaint that the products were unregulated in the UK and that the Programme was potentially harmful.

The Breach Decision

4. Ofcom's Breach Decision ("the Breach Decision"), published on 29 July 2024 in Issue 503² of the Broadcast and On Demand Bulletin, found that the material in the Programme breached Rules 2.1, 9.1, 9.2 and 9.13(g) of the Code.
5. The Breach Decision set out the reasoning as to why the material had breached each rule.
6. The Breach Decision also set out Ofcom's concerns that the Programme appeared to represent serious breaches of the Code and put the Licensee on notice that it was minded to consider the breaches for the imposition of a statutory sanction.

The Sanction Decision

7. In accordance with Ofcom's procedures for the consideration of statutory sanctions in breaches of broadcast licences ("the Sanctions Procedures"),³ Ofcom has considered whether the Code breaches were serious, deliberate, repeated and/or reckless so as to warrant the imposition of a sanction on the Licensee in this case.
8. Ofcom's Preliminary View on sanction ("the Sanction Preliminary View") set out that Ofcom was minded to impose a statutory sanction on the Licensee. Ofcom sent a copy of the Sanction Preliminary View to the Licensee on 4 August 2025 and gave it the opportunity to provide written and oral representations. The Licensee provided written representations on 3 September 2025 in response, which are summarised in paragraphs 48 to 57.
9. Having considered these representations, Ofcom has reached the decision that a sanction is merited in this case since the breaches were serious, for the reasons set out in paragraphs 64 to 71 below.
10. Ofcom's Sanction Decision is that the appropriate sanction should be to impose a financial penalty of **£50,000**.
11. This document sets out Ofcom's Sanction Decision, taking into account all the relevant material in this case and Ofcom's Penalty Guidelines ("the Penalty Guidelines").⁴

² Available at: <https://www.ofcom.org.uk/siteassets/resources/documents/about-ofcom/bulletins/broadcast-bulletins/2024/issue-503/stem-cell-activators-the-word-network-24-july-2023-1900.pdf?v=373332>

³ Available at:

https://www.ofcom.org.uk/data/assets/pdf_file/0030/71967/Procedures_for_consideration.pdf

⁴ Available at: https://www.ofcom.org.uk/data/assets/pdf_file/0022/106267/Penalty-Guidelines-September-2017.pdf

Legal Framework

Communications Act 2003

12. Ofcom's principal duty, set out in section 3(1) of the Communications Act 2003 ("the Act"), is to further the interests of citizens in relation to communications matters and the interests of consumers in relevant markets. In carrying out its functions, Ofcom is required to secure a number of other matters. These include the application, in the case of all television and radio services, of standards that provide adequate protection to members of the public from the inclusion of offensive and harmful material in such services (section 3(2)(e)).
13. Ofcom has a specific duty under section 319(1) of the Act to set such standards for the content of programmes in television and radio services as appears to it best calculated to secure the standards objectives set out in section 319(2).
14. Section 319(2)(f) requires that generally accepted standards are 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 offensive and harmful material. Section 319(2)(f) requires the Code to include specified product placement requirements.⁵ These requirements are reflected in Sections Two and Nine of the Code.
15. In performing these duties, Ofcom is required to have regard to the principles under which regulatory activities should be transparent, accountable, proportionate, consistent and targeted only at cases in which action is needed, and any other principles representing best regulatory practice (section 3(3)); and, where relevant, to have regard to a number of other considerations including the need to secure that the application in the case of television and radio services of standards relating to harm and offence is in the manner that best guarantees an appropriate level of freedom of expression (section 3(4)(g)).

Human Rights Act 1998

16. Under section 6 of the Human Rights Act 1998, Ofcom (as a public authority) has a duty to ensure that it does not act in a way which is incompatible with the European Convention on Human Rights (the "Convention"). In particular, in the context of this case, Ofcom has taken account of the related rights under Article 10 of the Convention.
17. Article 10 of the Convention provides for the right to freedom of expression. Applied to broadcasting, this right encompasses the broadcaster's freedom to impart and the audience's freedom to receive information and ideas without interference by a public authority and regardless of frontiers (Article 10(1)). The exercise of these freedoms may be subject only to conditions and restrictions which are "prescribed by law and are necessary in a democratic society for, among other things, the protection of health or morals or the protection of the reputation or rights of others" (Article 10(2)).
18. Ofcom must exercise its duties in light of this right and not interfere with the exercise of these freedoms in broadcast services unless it is satisfied that the restrictions it seeks to apply are lawful and necessary in a democratic society to achieve a legitimate aim.

Ofcom Broadcasting Code

19. Standards set by Ofcom in accordance with section 319 of the Act are set out in the Code.⁶

⁵ As set out in Schedule 11A to the Act (section 321(3A) of the Act).

⁶ Available at: https://www.ofcom.org.uk/data/assets/pdf_file/0005/100103/broadcast-code-april-2017.pdf

20. Accompanying Guidance Notes⁷ to each section of the Code are published and from time to time updated on the Ofcom website. The Guidance Notes are non-binding but assist broadcasters to interpret and apply the Code.
21. The relevant Code rules in this case are set out in full at the beginning of this Sanction Decision.

Remedial action and penalties

22. Under section 325 of the Act, a licence for a programme service issued by Ofcom under the Broadcasting Act 1990 or 1996 must include conditions for securing that the standards set under section 319 are observed by the licensee. In the case of a television licensable content service ("TLCS") licence, Condition 6 of the licence requires the licensee to ensure that provisions of any Code made under section 319 are complied with. The Licensee holds a TLCS licence (TLCS104161BA).
23. Where Ofcom has identified that a condition of a TLCS licence has been contravened, its powers to take action are set out in sections 236 to 239 of the Act insofar as relevant to the case.
24. Section 236 of the Act provides Ofcom with the power to direct the holder of a TLCS licence to broadcast a correction or a statement of Ofcom's findings (or both), and/or not to repeat a programme which was in contravention of a licence condition.
25. Section 237 of the Act provides Ofcom with the power to impose a financial penalty on the holder of a TLCS licence. The maximum penalty which may be imposed in respect of each contravention of a licence condition is whichever is the greater of £250,000 and 5 per cent of the qualifying revenue from the licensed service for the licensee's last complete accounting period falling within the period for which its licence has been in force.
26. Section 238 of the Act provides Ofcom with the power to revoke a TLCS licence where a licensee is in contravention of a condition of a TLCS licence or direction thereunder, and Ofcom is satisfied that it is necessary in the public interest to revoke the licence.

Background – The Breach Decision

27. *Stem Cell Activators* was presented by Joseph Christiano and his wife Lori Christiano. The Programme included references to products to treat pain and various medical conditions such as dementia, stroke, Lyme disease, osteoporosis, lupus, dialysis support, heart disease and cancer. A voiceover introduced the Programme by saying that "*Dr Joe is a Naturopathic Doctor with over 45 years' experience in natural health*".
28. The presenters and on-screen graphics (present throughout the Programme) invited viewers to purchase the products by calling telephone numbers that were linked Joseph Christiano's company, Body Redesigning.
29. The Programme focussed on the benefits of one product, "CNT Stem Cell Activator". It included testimonies in which people explained how purchasing and using the "CNT Stem Cell Activator" had brought about their recovery from problems related to ligaments, joints and tendons. For example:
 - "*I have one that had the bad knees an avid horse rider, loves to ride horses, but couldn't get on a horse because their knees were so bad and [quotes customer] 'I don't know what's in these activators but they seriously work'! Yeah and now she's*

⁷ Available at: <https://www.ofcom.org.uk/tv-radio-and-on-demand/broadcast-standards/programme-guidance>

back to riding her horse. I have another one who is bone on bone with her knees and after two bottles no more pain.”

- *“I mean and let’s face it in fact if you’re experiencing pain you’re going through the same thing, I did when I was living with chronic pain. But these stem cell activators, like [refers to woman in testimonial] can turn your situation around, it does for me. When I hurt myself or reinjure myself, I take a certain activator that targets that particular area and before I know it, I’m back on top of my game again, it’s just absolutely wonderful.”*

30. Additionally, the Programme contained visual references to other “Stem Cell Activators” along with claims that they could assist in treating a range of medical issues, many of which are considered to be serious conditions. For example:

- *“27 DIFFERENT – STEM CELL ACTIVATORS Optiweight – Weight Management / Weight Loss, IMN – Immune System / autoimmune / Lyme Disease / Lupus, KDN – Kidney Support / Blood Pressure / Dialysis Support / Edema”*
- *“27 DIFFERENT – STEM CELL ACTIVATORS THY-Thyroid / Hypo / Hyper, SPLSpleen, THYM-Thymuss / Immune System, LVR-Liver, GB-Gallbladder, ONCCancer, CNSE-Brain / Eyes / Dementia / Anxiety / Stroke”*

31. Ofcom’s Guidance Notes⁸ on Section Two of the Code highlight the following as primary factors that would influence the level of harm that could arise from health or wealth claims in programmes: the severity of the situation (e.g. a life-threatening illness), the level of targeted exploitation (e.g. the vulnerability of the audience), and the authority of the speaker.

32. Ofcom considered all three factors to be relevant in this case. For example, Joseph Christiano was described as a *“Naturopathic Doctor with over 45 years’ experience in natural health”* and would have therefore likely been perceived as an authoritative voice.

33. Further, given the seriousness of the illnesses that some of the “Stem Cell Activators” purported to treat, which included cancer, Ofcom considered viewers with these conditions were potentially vulnerable to the claims made in the Programme.

34. The Breach Decision noted that within the UK, medicinal products are governed by the Medicines and Healthcare products Regulatory Agency (“MHRA”). Products that claim to treat health conditions must be licensed before they can be sold in the UK. The products referenced in the Programme did not appear on the MHRA’s published list of licensed products. In the case of cancer, Parliament considered it appropriate to prohibit advertising which offers to treat cancer, which is reflected in section 4 of the Cancer Act 1939.

35. The Programme did include an acknowledgement that the effectiveness of the products may vary and that viewers should seek advice from a “qualified medical provider” or “physician”. However, Ofcom considered that this information appeared too briefly and infrequently to mitigate the risk of harm.

⁸ Available at: <https://www.ofcom.org.uk/siteassets/resources/documents/tv-radio-and-on-demand/broadcast-guidance/programme-guidance/broadcast-code-guidance/section-2-guidance-notes.pdf?v=322622>

36. Taking into account the above factors, Ofcom's Decision was that the Licensee had not provided its viewers with adequate protection from potentially harmful content in the Programme, in breach of Rule 2.1 of the Code.
37. As reflected above, the Programme contained invitations to purchase Joseph Christiano's products alongside pricing information and instructions on how to do so. These were communicated both orally and visually to viewers.
38. When providing background information, the Licensee told Ofcom that it had sold editorial airtime to Joseph Christiano but "had no other connection to his ministry or his show content", adding that it would inform Mr Christiano of the complaint.
39. Rule 9.1 of the Code requires broadcasters to maintain independent editorial control over programme content. Ofcom considered the Licensee's response regarding its agreement with Mr Christiano suggested that it had limited engagement with the content. Ofcom concluded that the Licensee had not demonstrated how it exercised independent editorial control. Accordingly, Ofcom found the Programme in breach of 9.1 of the Code.
40. Rule 9.2 requires broadcasters to ensure that editorial content is kept distinct from advertising. The broadcast of the Programme was subject to a commercial arrangement between Joseph Christiano and the Licensee, and featured:
- several explicit oral and visual invitations to purchase the products referenced throughout the Programme;
 - third-party contact details and pricing information;
 - repeated and unchallenged overtly positive messages about the company's products; and
 - explicit claims of efficacy.
41. In light of these elements, Ofcom considered that the Programme effectively acted as an advertisement for the products associated with Joseph Christiano. Ofcom therefore concluded that the material breached Rule 9.2 of the Code.
42. Rule 9.13(g) prohibits the product placement of any product that is not allowed to be advertised on television. Based on the information provided to Ofcom by the Licensee, Ofcom concluded that the references to products, services and trade marks associated with Joseph Christiano met the definition of product placement.
43. The BCAP Code⁹ sets out products and services that are subject to advertising restrictions, including a requirement that medicines must be licensed before they are advertised on television. Further, the Human Medicines Regulations 2012¹⁰ require that medicinal products which do not have a valid licence may not be advertised for medicinal purposes.
44. The Programme included numerous audio and visual references to products that were claimed to treat medical conditions. The products referenced did not appear on the Medical and Healthcare products Regulatory Agency's published list of licensed products and therefore could not be advertised on television in the UK. Ofcom's Decision was therefore that the Programme was in breach of Rule 9.13(g).

⁹ Available at: <https://www.asa.org.uk/codes-and-rulings/advertising-codes/broadcast-code.html>

¹⁰ Available at: <https://www.legislation.gov.uk/uksi/2012/1916/contents>

45. In the Breach Decision, Ofcom referenced a Note to Broadcasters that was published in January 2023,¹¹ which stated that Ofcom considered cases involving harm to be particularly serious. Further, that the content identified in this case appeared to represent serious breaches. It therefore put the Licensee on notice that it was minded to consider the case for the imposition of a statutory sanction.

Ofcom's Sanction Preliminary View

46. Ofcom's Sanction Preliminary View set out that Ofcom was minded to impose a statutory sanction on the Licensee, in the form of a financial penalty.
47. In accordance with the Sanctions Procedures, Ofcom provided the Licensee with its Sanction Preliminary View and the opportunity to make representations. The Licensee provided written representations in response, which are summarised below.

Licensee's representations on the Sanction Preliminary View

48. While the Licensee acknowledged Ofcom's Sanction Preliminary View, it fully refuted Ofcom's Breach Decision that material in the Programme breached Rules 2.1, 9.1, 9.2 or 9.13(g). The Licensee added it took its regulatory responsibilities seriously and had "undertaken a full internal review of the circumstances surrounding the broadcast".

Potential for Harm (Rule 2.1)

49. The Word Network explained that the presenter of the Programme, Joseph Christiano has "over 45 years experience" in the naturopathic health sector. It added that it was not stated or suggested during the programme that "Stem Cell Activators" could cure specific medical conditions, or had any healing or miraculous properties. It said that the Programme "specifically informed customers who suffered from chronic pain and had tried other procedures and remedies, to incorporate and use [its products] to complement existing treatment" and that "it was made explicitly clear that results for each person would differ". The Licensee said there was no indication given by Ofcom that the "Stem Cell Activators" were a banned or prohibited substance by any applicable authority.
50. The Word Network said that the testimonies in the Programme were legitimate first-person accounts of their experience of "Stem Cell Activators" and that these were protected freedoms guaranteed under the Constitution of the United States of America. It said therefore it was legitimate to include and recount these testimonies within the context of the show being aired from the United States.
51. The Licensee said its review also took account of audience expectations for the time and channel that would normally encompass "prayers, recitations of articles of faith, religious teachings and cursive [sic] narrative". It added that it was not aware of any complaint from any viewer with regards to the content of the Programme and/or the featured products.

Editorial independence (Rule 9.1)

52. The Licensee maintained that it had "dutifully carried out our duties and responsibilities". However, it said it would review some elements of its processes and editorial reviews to "ensure alignment with Ofcom".

Distinction from advertising (Rule 9.2)

53. The Licensee said there was no requirement to pay or request payment for the product and the substance of the programme focussed on the "Stem Cell Activators" and the testimonies

¹¹ Available at: <https://www.ofcom.org.uk/siteassets/resources/documents/about-ofcom/bulletins/broadcast-bulletins/2023/issue-466/note-to-broadcaster---monitoring-of-broadcasters-compliance?v=329103>

of those who had used them. It therefore argued that the content could not constitute advertising.

The product placement of products that are prohibited from being advertised on television (Rule 9.13(g))

54. The Licensee said as the Programme focussed on “Stem Cell Activators”, it did not equate the references to them as product placement.

Mitigating Factors

55. The Word Network referenced the following which it considered relevant:

- the "original principle of free speech" applicable to where the Programme was recorded and originally broadcast;
- the strengthening of its compliance systems, further editorial checks and staff training;
- its full cooperation with Ofcom's investigation and its commitment to transparency;
- that there was no intention to broadcast material that breached the Code; and
- that it no longer holds, possesses or utilises an Ofcom licence.¹²

56. The Licensee said that upon receipt of correspondence from Ofcom, it had reviewed its practices.

57. The Licensee concluded by stating that, while it recognised Ofcom's concerns, the alleged breaches should be considered at the lower end of the scale due to the absence of intent and the editorial context and principle of free speech under the US Constitution which guided the original programming decision and the inclusion of the testimonials.

Ofcom's decision to impose a statutory sanction

58. As set out in paragraph 1.13 of the Sanctions Procedures, the imposition of a sanction against a broadcaster is a serious matter. Ofcom may, following due process, impose a sanction if it considers that a broadcaster has seriously, deliberately, repeatedly and/or recklessly breached a relevant requirement.

59. Ofcom acknowledged that the Programme was recorded and originally broadcast in the United States and fully recognised the right to freedom of speech in the first amendment of the US Constitution. However, as an Ofcom licensee, The Word Network is required to ensure that content it broadcasts on its UK service complies with the Code, which has been drafted in the light of the Human Rights Act 1998 and Article 10 of the Convention. This applies to all programmes on an Ofcom-licensed service, irrespective of where a programme was produced or originally broadcast.

60. In its representations, the Licensee said that there was no requirement to pay or request payment from viewers for the products and the focus of the Programme was on the “Stem Cell Activators” and the testimonies of those who had used them. For this reason, The Word Network did not consider this to be either advertising or product placement.

61. As noted in the Breach Decision, the Programme featured constant verbal and oral invitations to purchase the “Stem Cell Activators”. These were broadcast alongside overtly positive comments about the products, pricing information and contact details. Ofcom

¹² As noted in paragraph 83, while The Word Network ceased broadcasting in the UK on 25 February 2025, the Licensee continues to hold an Ofcom licence.

therefore rejected the Licensee's assertion that no payment was sought from viewers and maintained that the content met the definition of advertising.¹³ Further, as noted in paragraph 92, the Licensee received payment from Joseph Christiano for the broadcast of the Programme which frequently advertised his products. Ofcom therefore also concluded that the references to the products met the definition of product placement.

62. Ofcom acknowledged the Licensee's view that the "Stem Cell Activators" were not prohibited substances. However, as set out in paragraph 34, within the UK, products that claim to treat health conditions must be licensed before they can be sold in the UK. The Programme featured testimonials from individuals who said that using the products had improved their health conditions, and from presenters talking about the benefits of the product, lack of contraindications and clear reference to medical conditions of which it was strongly implied the products could assist. As noted in paragraph 43, the BCAP Code requires medicines to be licensed before they can be advertised on television. Therefore, while not prohibited substances, as unlicensed medicines in the UK, the advertising and therefore product placement of the "Stem Cell Activators" was prohibited.
63. In its representations, the Licensee asserted that it no longer holds, possesses or utilises an Ofcom licence. However, while The Word Network ceased broadcasting in the UK on 25 February 2025, at the time of writing, it continues to hold an Ofcom licence. This factor did not impact upon or change the outcome of this Sanction Decision.

Serious nature of the breaches

64. In reaching a decision that the breaches were serious, Ofcom took into account the Licensee's representations that the channel's content generally comprised "prayers, recitations of articles of faith, religious teachings and cursive [sic] narrative" and that the Programme would have been in keeping with audience expectations. However, Ofcom noted that the Programme did not contain any religious elements and therefore it considered that the material may have exceeded expectations of regular audiences who may have not expected to encounter content of this nature on this channel. On 5 September 2023, Ofcom informed the Licensee that it had received a complaint about the Programme. The complaint was also referenced in further correspondence with the Licensee and in the published Breach Decision. Therefore, the Licensee's assertion that it was not aware of any viewer complaint about the Programme, did not appear to be correct.
65. As noted in the Breach Decision, the Programme frequently displayed on-screen details of the range of conditions and illnesses that each "Stem Cell Activator" could treat. Ofcom acknowledged that the "Stem Cell Activators" were not presented as having miraculous properties, and that it was not explicitly stated that they were capable of curing specific conditions altogether. However, Ofcom considered that this on-screen information combined with the various claims made about their efficacy strongly implied that their use would assist with the treatment of these conditions and illnesses.
66. Ofcom rejected the Licensee's suggestion that the "Stem Cell Activators" were presented as a supplement to existing or past treatment. As the examples listed in paragraph 29 demonstrate, the testimonies contained claims from individuals that their condition had improved as a direct result of using the "Stem Cell Activators" alone. Although Ofcom

¹³ Ofcom's Code on the Scheduling of Television Advertising ('COSTA') defines television advertising as "any form of announcement broadcast whether in return for payment or for similar consideration or broadcast for self-promotional purposes by a public or private undertaking or natural person in connection with a trade, business, craft or profession in order to promote the supply of goods or services, including immovable property rights and obligations, in return for payment".

acknowledged that the programme informed viewers that results would differ for each person, the fact that these claims were made alongside unambiguous statements made by a purported figure of medical authority meant that some audience members may have taken these at face value.

67. Ofcom considered the breaches were serious because the Programme contained unequivocal claims that the products offered to viewers could be used to treat a range of medical conditions, including serious illnesses such as cancer. By doing so, the programme risked persuading vulnerable viewers with similar conditions to purchase these products instead of seeking or relying on independent medical advice or receiving conventional treatment, therefore exposing them to the risk of significant harm.
68. Ofcom considered the potential harm arising from these unchallenged and unsubstantiated claims to be particularly serious given that they related to viewers' health. Secondly, the claims and testimonies were provided in the context of a programme presented by Joseph Christiano, who introduced himself as a "doctor", with a graphic that referred to him as "Joseph Christiano ND". The voiceover for the programme also introduced Joseph Christiano as "...a Naturopathic Doctor with over 45 years' experience in natural health". We therefore considered the presenter was likely to be perceived by the audience as having authority in the field of medicine, increasing the likelihood of credence being given to the claims made. Given that viewers were likely to consider Joseph Christiano as a person with medical authority, we considered there was an increased risk that viewers, in particular vulnerable viewers, would be susceptible to these claims about the effectiveness of the "Stem-Cell Activators".
69. Thirdly, the likelihood of harm to viewers was increased significantly by the frequency at which the "Stem-Cell Activators" were promoted during the Programme. The different types of "Stem Cell Activators" (alongside the various medical conditions each could be used for) were displayed sequentially on-screen throughout the Programme. The telephone number and website for Body Redesigning were also displayed at several points.
70. As referenced in paragraph 45, Issue 466 of Ofcom's Broadcast and on Demand Bulletin included a Note to Broadcasters that reminded broadcasters that Ofcom was likely to consider breaches involving harm to be particularly serious.
71. In accordance with the requirements set in paragraphs 16 to 18, Ofcom has had regard to Article 10 of the Convention when reaching a decision on whether the breaches were serious as to impose a statutory sanction. Ofcom must consider both the broadcaster's right to freedom of expression and its audience's rights to receive information and ideas when delivering its responsibility to protect audiences from harmful content. In this case, the unequivocal claims that products unregulated in the UK could be used to treat a range of medical conditions and the potential for vulnerable viewers with such conditions to act on those claims, presented a high risk of harm. Ofcom therefore considered the breaches to be so serious as to warrant the imposition of a statutory sanction.

Repeated nature of the breaches

72. Ofcom took into account that this was the first instance of the Licensee being found in breach for the broadcast of *Stem Cell Activators* and that the broadcast of the Programme occurred before the publication of the breach in the case detailed in paragraph 103. Ofcom therefore concluded that the breaches relating to the broadcast of the Programme were not repeated.

Deliberate and/or reckless nature of the breaches

73. Ofcom acknowledged the Licensee's submission that it had not intentionally broadcast material that was in breach of the Code. Although the Licensee acknowledged that it had limited engagement with the programme content, there is no evidence available to Ofcom to indicate that the Licensee broadcast it with the intention to breach the Code.
74. While Ofcom considers that the breaches represent a serious failure of compliance, its Decision is that the breaches in this case did not go so far as to constitute a deliberate or reckless act by the Licensee.

Imposition of sanction

75. In view of the factors set out above, Ofcom's Decision is that the breaches of the Code in respect of *Stem Cell Activators* were serious and therefore the imposition of a statutory sanction is warranted. The following paragraphs set out the enforcement action considered and the sanction Ofcom has decided to impose.

Imposition of sanctions other than a financial penalty

76. As set out in paragraphs 24 to 26 above, Ofcom has powers to impose a statutory sanction on TLCS licensees under sections 236 to 239 of the 2003 Act.

Revocation of a licence

77. Section 238 of the Act provides Ofcom with the power to revoke a TLCS licence where a licensee is failing to comply with a condition of the licence or a direction thereunder and the failure, if not remedied, is such as to justify revocation of the licence. Ofcom must also be satisfied however that it is necessary and in the public interest to revoke the licence.
78. In considering whether it was appropriate to revoke The Word Network's licence, Ofcom took into account Article 10 of the Convention – the broadcaster's and audience's rights to freedom of expression.
79. We recognise revocation is a major interference with freedom of expression as it prevents the broadcaster from broadcasting and restricts the number of voices being heard and the range of programming available to audiences who have a right to receive it.
80. Revocation of a licence is the ultimate enforcement action available to Ofcom. A decision to revoke a licence must only be taken by Ofcom if it is satisfied that it is a proportionate response to the Licensee's failure to comply with its licence conditions and it is necessary in the public interest. A relevant factor for Ofcom to consider in this regard is whether any sanction short of revocation could ensure that the Licensee would, in future, comply with the Code.
81. Taking account of all relevant factors, while Ofcom considered the breaches to be serious, Ofcom's view is that it would not be appropriate to revoke the licence in circumstances where the other sanctions discussed are sufficient to act as a deterrent against future breaches.
82. Taking account of all relevant factors, it is Ofcom's Decision that, while the breaches were serious, revocation of the licence would be disproportionate.

Direction to licensee to take remedial action

83. Section 236 of the Act provides Ofcom with the power to direct the holder of a TLCS licence to broadcast a correction or a statement of Ofcom's findings (or both), and/or not to repeat a programme which was in contravention of a licence condition.

84. On 25 February 2025, The Word Network ceased transmission in the UK. On 27 March 2025, it informed Ofcom that it did not intend to resume broadcasting on the Sky platform or on any other regulated EPG. On this basis, Ofcom considers that directing the Licensee to broadcast a correction or a statement of Ofcom's findings, or to not to repeat the programmes, are not effective remedies.

Imposition of a financial penalty

85. In this case, Ofcom Decision is that a financial penalty is necessary to reflect the serious nature of the Code breaches recorded against the Licensee, and to act as an effective incentive to comply with the Code for other licensees.
86. The maximum level of a financial penalty that can be imposed on a licensee in respect of each contravention of a TLCS licence condition is £250,000 or five per cent of the licensee's qualifying revenue¹⁴ relating to its last complete accounting period for which its licence has been in force, whichever is greater.
87. Ofcom's Penalty Guidelines state (in paragraph 11) that: "Ofcom will consider all the circumstances of the case in the round in order to determine the appropriate and proportionate amount of any penalty. The central objective of imposing a penalty is deterrence. The amount of any penalty must be sufficient to ensure that it will act as an effective incentive to compliance, having regard to the seriousness of the infringement. Ofcom will have regard to the size and turnover of the regulated body when considering the deterrent effect of any penalty".
88. As part of the sanction process, Ofcom requested that the Licensee provide its qualifying revenue data for 2024. However, the Licensee did not respond to this request. In the absence of this information, Ofcom has used the most up to date qualifying revenue figure it has received from the Licensee as a basis for determining the maximum level of financial penalty. This figure < [REDACTED] was its qualifying revenue for the year 2023 and was provided by the Licensee on 30 July 2024 following receipt of Ofcom's Sanction Preliminary View for the broadcast of *Peter Popoff Ministries* on The Word Network on 9 and 10 May 2023.

Factors taken into account in determining the amount of a penalty

89. In considering the appropriate amount of a financial penalty for the Code breaches in this case, Ofcom has taken account of the specific relevant factors set out at paragraph 1.12 of the Penalty Guidelines as set out below:

The seriousness and duration of the contravention

90. Ofcom regards the breaches to be serious for the reasons set out in paragraphs 64 to 71 of this Sanction Decision.

The degree of harm, whether actual or potential, caused by the contravention, including any increased cost incurred by consumers or other market participants

91. The claims made about the efficacy of the "Stem Cell Activators" in treating serious medical conditions were likely to appeal to viewers with these conditions. Ofcom considered that these viewers would potentially be vulnerable to such claims and that they may have been persuaded to purchase the products instead of seeking professional medical advice. Ofcom

¹⁴ See Section 2 of Ofcom's Statement of Principles related to Qualifying Revenue and Multiplex Revenue. Available at: https://www.ofcom.org.uk/data/assets/pdf_file/0021/36174/qualifying_revenue.pdf

considered that the near-constant invitations to purchase unlicensed medicinal products (that are prohibited from being promoted in such a way) exacerbated this risk.

Any gain (financial or otherwise) made by the regulated body in breach (or any connected body) as a result of the contravention

92. During the investigation that led to the Breach Decision in this case, the Licensee provided a contractual agreement between Joseph Christiano and The Word Network that demonstrated the latter had received £ [REDACTED] for the broadcast of the Programme.
93. The fact that the Licensee received payment for the broadcast of the Programme was, in Ofcom's view, a relevant consideration. However, we concluded that this did not amount to the Licensee having benefitted financially as a result of the breaches.

Whether in all the circumstances appropriate steps had been taken by the regulated body to prevent the contravention

94. The Licensee told Ofcom that it had sold editorial airtime to Joseph Christiano but "had no other connection to his ministry or his show content". It provided no information to demonstrate that it had taken steps to prevent the contravention.
95. Ofcom considered that the Licensee's failure to explain either the steps it had taken to ensure the Programme complied with the provisions of the Broadcasting Code, or more generally the compliance procedures it had in place prior to broadcasting programmes on its service, demonstrated that it had failed to take adequate steps to prevent the contravention.

The extent to which the contravention occurred deliberately or recklessly, including the extent to which senior management knew, or ought to have known, that a contravention was occurring or would occur

96. Ofcom had not published any decisions that resulted in breaches of the Code against the Licensee at the time that *Stem Cell Activators* was broadcast. For the reasons set out in paragraphs 72 and 73, while Ofcom considers that the breaches represent a serious failure of compliance, its Decision is that the breaches in this case did not go so far as to constitute a deliberate or reckless act by the Licensee.

Whether the contravention in question continued, or timely and effective steps were taken to end it, once the regulated body became aware of it

97. As far as Ofcom is aware, the Programme has not been repeated. As such, we did not consider the contraventions relating to the Programme continued.

Any steps taken for remedying the consequences of the contravention

98. During the investigation, the Licensee did not provide any representations as to how the content complied with the Code nor did the Licensee comment on Ofcom's Preliminary View that the Programme had breached the Code.
99. Ofcom acknowledged that in its representations on the Sanction Preliminary View, the Licensee had said it had improved compliance procedures, however it provided no evidence of this or confirmation of how compliance procedures have been reviewed or strengthened.

Whether the regulated body in breach has a history of contraventions (repeated contraventions may lead to significantly increased penalties)

100. At the time of broadcast, the Licensee had no history of contraventions.

The extent to which the regulated body in breach has cooperated with our investigation.

101. In response to an Ofcom request for information, the Licensee provided details of the commercial arrangement between Body Redesigning and The Word Network in relation to the broadcast of the Programme. While it did not provide any representations as to how the content complied with the Code nor comment on Ofcom's Preliminary View that the Programme had breached the Code, it was not obliged to do so. Therefore, Ofcom's Decision is that the Licensee's cooperation with this particular investigation was adequate.

Precedent

102. In accordance with the Penalty Guidelines, in coming to this Sanction Decision, Ofcom has had regard to relevant precedents set by previous cases, including the following:

103. **11 March 2025, Word Network Operating Company Inc (The Word Network):**¹⁵ Ofcom imposed a sanction that comprised a financial penalty of £150,000, a direction not to repeat the programmes and a direction to broadcast a statement of findings for breaches of Rules 2.1 4.6 and 9.4 of the Code. The breaches related to programmes that included a series of invitations to viewers to contact Peter Popoff Ministries and order "FREE MIRACLE SPRING WATER". When inviting viewers to order, Peter Popoff made several claims about its efficacy. These were broadcast alongside testimonies from attendees of Mr Popoff's services about the effect of the water. The attendees claimed or strongly implied that contact with Peter Popoff or using the water had cured them of serious illnesses, such as cancer, brought about an improvement to their finances, or assisted their recovery from drug addiction. Ofcom concluded that these claims went beyond proclamations of faith and religious teachings and practice. We considered the programmes improperly exploited the susceptibilities of viewers and had the potential to cause harm without the Licensee providing adequate protection (e.g. by not including information on the importance of seeking advice from qualified professionals).
104. **5 December 2022, Loveworld Limited (Loveworld):**¹⁶ Ofcom imposed a sanction that comprised a £15,000 financial penalty and a direction to broadcast a statement of findings for breaches of Rules 2.1 and 4.6 of the Code. The breaches related to a programme presented by two pastors that included several appeals to the audience to donate money by dialling a number or entering a code into an app, suggesting amounts ranging from \$1,000 to \$1 million on the basis of religious faith. This was accompanied by claims that the donations would improve the donor's health, wealth and success. The calls to make donations were broadcast alongside testimonies from viewers who claimed that they had received financial or health improvements as a result of making a donation or calling the number displayed on-screen. This included: A person who "sowed a \$100 seed believing for a dream home and now I have it". Ofcom noted that both the pastors repeated and/or clarified the claims made by viewers (e.g. "If God could do it for Cheryl in Pennsylvania, God can do it for you. Call right now. Don't delay this"). Ofcom concluded that viewers would have been led to believe that the act of donating would be a solution to serious financial or health difficulties. Ofcom considered that this message was potentially harmful and may have resulted in viewers donating more than they could reasonably afford in the hope of being rewarded. Ofcom concluded that there was a material risk that susceptible members of the audience may have been improperly exploited by the programme

¹⁵ Available at: <https://www.ofcom.org.uk/tv-radio-and-on-demand/broadcast-standards/decision-word-network-operating-company-inc>

¹⁶ Available at: https://www.ofcom.org.uk/data/assets/pdf_file/0029/248681/Sanction-Decision,-Loveworld-Limited,-4-September-2021.pdf

105. **15 October 2019, Greener Technology Limited (BEN TV):**¹⁷ Ofcom imposed a sanction that comprised a financial penalty of £25,000, a direction not to repeat the programme and a direction to broadcast a statement of findings for breaches of Rules 2.1, 4.6 and 9.4 of the Code. The breaches related to a programme that included a series of invitations to viewers to order Peter Popoff Ministries “FREE MIRACLE SPRING WATER”. These invitations were broadcast alongside testimonies from attendees of Mr Popoff’s services about the effect of the water. The attendees claimed or strongly implied that the water had cured them of serious illnesses, such as cancer and kidney failure. Ofcom noted that Peter Popoff repeated and/or clarified the claims made by the attendees (e.g. “Did you hear that? She had a tumour...after she used the “Miracle Spring Water”, it was gone”). Ofcom concluded that viewers might be led to believe that serious illnesses could be cured solely through using the “Miracle Spring Water” and that it was unnecessary to rely on, or to continue receiving conventional medical treatment. Ofcom considered that there was potential for harm, particularly to those viewers who may be suffering from health issues and may have been vulnerable. Ofcom concluded that there was a material risk that susceptible members of the audience may have been improperly exploited by the programme.
106. **29 July 2015, Asia TV Limited (Lamhe TV):**¹⁸ Ofcom imposed a penalty of £25,000 on the Licensee for a breach of Rule 2.1 of the Code. We identified a number of claims made by ayurvedic practitioner Dr Naram in the programme, that certain alternative remedies (promoted and sold by Dr Naram) could cure, successfully treat or prevent two serious medical conditions, cancer and hernias. Ofcom found that this had amounted to unqualified medical advice and was concerned that the impact of the advice was increased by Dr Naram’s claim to having had over “75,000 cancer patients”, some of whom had been told by hospitals that “they won’t live for three months...[but] after 15 years [are] leading normal lives”. As a result of the claims made by Dr Naram, we considered that some viewers with serious medical conditions may have foregone, delayed or not sought conventional medical treatment on the basis of what they had seen. Ofcom concluded that that there was a material risk that susceptible members of the audience may have been exploited by the programme.
107. Ofcom considered the case outlined in paragraph 106 to be the most relevant to breaches relating to the broadcast of *Stem Cell Activators* as it contained unfounded claims that the presenters’ products could be used to treat several serious medical conditions. In both programmes, the presenters were introduced as doctors and therefore, it was likely that viewers would have perceived these as authoritative figures, which in Ofcom’s view, increased the risk of harm.
108. While Ofcom considered the nature of the content in the cases listed in paragraphs 103 to 106 to be relevant to the current cases, we note that, as set out in the Penalty Guidelines, Ofcom may depart from these cases depending on the facts and context of the current cases.

¹⁷ Available at: https://www.ofcom.org.uk/_data/assets/pdf_file/0023/171734/sanction-decision-greener-technology.pdf

¹⁸ Available at: https://www.ofcom.org.uk/_data/assets/pdf_file/0021/67251/asia_tv_limited.pdf

The size and turnover of the regulated body when considering the deterrent effect of any penalty

109. As set out in our penalty guidelines, the central objective of imposing a penalty is deterrence. The amount of any penalty must be sufficient to ensure that it will act as an effective incentive to compliance, having regard to the seriousness of the infringement.
110. Ofcom considers that deterrence remains the central objective as it deters both the Licensee and the wider industry from broadcasting similar material that would result in breaches of the Code.
111. Ofcom's Penalty Guidelines provide that Ofcom will have regard to the size and turnover of the regulated body when considering the deterrent effect of any penalty. We recognise that the penalty must be proportionate, taking into account the Licensee's rights under Article 10 of the Convention. If any financial penalty was to be so high that its effect would be to close the service down, then it might be a disproportionate interference. However, this means that for licensees with greater financial means, any financial penalty may be correspondingly higher to have an appropriately deterrent effect.
112. In this case, the Licensee failed to provide Ofcom with its qualifying revenue for 2024 when requested to do so. Ofcom has therefore taken into account the Licensee's qualifying revenue for 2023 in determining the penalty amount.

Decision

113. Having regard to all the circumstances referred to above, including the need to achieve an appropriate level of deterrence, the Licensee and audience's Article 10 rights, the particularly serious nature of the Code breaches involving potential harm to the audience in this case and the limited information to date from the Licensee, Ofcom's Sanction Decision is that an appropriate and proportionate sanction would be **£50,000**.