

Reference: 01430209

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21 April 2022

Freedom of Information: Right to know request

Thank you for your request for information in relation to Ofcom's role in regulating media coverage. We received this request on 30 March. We have considered it under the Freedom of Information Act 2000.

You asked:

"At the start of the Covid-19 outbreak in 2020, Ofcom issued a warning to all UK media outlets demanding any that they could not question the official government line/narrative on anything Covid related under threat of being sanctioned.

1. *Can you provide the name of the person or body who requested Ofcom to issue this warning*
2. *The date on which this was requested*
3. *Is this warning still in place*
4. *Is a similar warning in place regarding the war in Ukraine"*

Our response

By way of background, Ofcom is required under the Communications Act 2003 to set and apply standards for the content of programmes to be included in television and radio services in the UK. Broadcasting standards are set out in the Ofcom [Broadcasting Code](#) ("the Code") and they include that members of the public are adequately protected from offensive and harmful material, and that news is reported with due accuracy and presented with due impartiality.

Television and radio broadcasters licensed by Ofcom are required to comply with the Code when reporting on the Coronavirus pandemic. Ofcom has provided guidance to broadcasters outlining our approach to enforcement of their regulatory obligations during the pandemic. The guidance has highlighted issues which may arise in broadcast content relating to the Coronavirus and reminded broadcasters of the importance of compliance with all aspects of the Code.

However, Ofcom has not issued a warning that broadcasters should not question the "official government line" on coronavirus, as suggested in your request. The guidance does not include instructions to broadcasters regarding what they can broadcast on the Coronavirus, generally or in relation to specific subject matter. It is an editorial decision for the individual broadcaster as to what

content it broadcasts and how to ensure it complies with the Code, consistent with broadcasters' right to freedom of expression.

Our published guidance and decisions on Coronavirus-related programming are available on our webpage [Broadcast standards during the coronavirus pandemic](#). This page explains that, as we make clear in all our decisions: "Consistent with the right to freedom of expression, broadcasters have the editorial freedom to analyse, discuss and challenge issues relating to the coronavirus. If broadcasters include potentially harmful material in their programming, they must ensure they provide adequate protection for the audience from such material."

Turning to your request, the decision to provide this guidance was made by Ofcom in its capacity as the independent regulator for broadcasting. No third party directs, or otherwise advises, Ofcom on how it exercises its statutory functions relating to broadcast standards.

We confirm that the guidance remains in place. However, as outlined above, the guidance was intended to provide additional clarification on matters of compliance with the Code. Broadcasters are required to comply with the Code rules around due impartiality and accuracy in news, and issues of harm and offence to audiences, at all times.

Broadcasters must equally comply with the Code in broadcast content regarding the war in Ukraine, but Ofcom has not published any specific guidance to broadcasters on this subject.

If you have any queries, then please contact information.requests@ofcom.org.uk. Please remember to quote the reference number above in any future communications.

Yours sincerely,

Eleanor Scott

If you are unhappy with the response you have received in relation to your request for information and/or consider that your request was refused without a reason valid under the law you may ask for an internal review. If you ask us for an internal review of our decision, it will be subject to an independent review within Ofcom.

The following outcomes are possible:

- the original decision is upheld; or
- the original decision is reversed or modified.

Timing

If you wish to exercise your right to an internal review **you should contact us within two months of the date of this letter**. There is no statutory deadline for responding to internal reviews and it will depend upon the complexity of the case. However, we aim to conclude all such reviews within 20 working days, and up to 40 working days in exceptional cases. We will keep you informed of the progress of any such review. If you wish to request an internal review, you should contact information.requests@ofcom.org.uk.

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. Further information about this, and the internal review process can be found on the Information Commissioner's Office [here](#). Alternatively, the Information Commissioner can be contacted at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire

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