

Ofcom Broadcast and On Demand Bulletin

20 April 2020

London Real: Covid-19

Type of case	Broadcast Standards
Outcome	In Breach and Sanction
Service	London Live
Date & time	8 April 2020, 22:00
Category	Harm
Summary	This programme featured potentially harmful statements about the Coronavirus pandemic and adequate protection was not provided to viewers. In breach of Rule 2.1 of the Broadcasting Code.

Introduction

London Live is a local television channel serving the London area. The licence for London Live is held by ESTV Limited (“ESTV” or “the Licensee”). *London Real*¹ is a talk show featuring interviews hosted by Brian Rose, broadcast on Thursdays at 22:00.

Ofcom received 48 complaints from viewers who were concerned about potentially harmful statements made by the guest, David Icke, on this programme about the Coronavirus pandemic. On 7 April 2020, YouTube removed a London Real interview between Brian Rose and David Icke in which David Icke made unsubstantiated claims about a link between the roll out of 5G technology and the spread of the Coronavirus. This was a separate interview to the one that is the subject of this Decision. The interview broadcast on London Live did not contain any discussion about 5G technology.

Ofcom is prioritising cases related to the Coronavirus which could cause 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.

¹ The programme is produced by London Real, a media company founded by Brian Rose.

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

The interview was recorded on 18 March 2020 when the [global number of confirmed cases of the Coronavirus had reached 200,000](#), 104 people had died in the UK, and the Government was [advising](#) those with symptoms of the Coronavirus to stay at home for seven days and the wider public to avoid all non-essential gatherings and work from home where possible.

When the interview was broadcast on 8 April 2020, global infections were estimated to be at around 1.4 million people, with 83,615 deaths worldwide and 7,097 deaths in the UK. While the virus was most significantly affecting older people and those with underlying health conditions, the World Health Organisation had issued a [warning](#) of its effects on younger people, including serious cases of hospitalisation and death. The UK Government had introduced its lockdown policy curtailing individual freedoms in order to prevent the transmission of the virus. People were advised to stay at home except in very specific circumstances and to remain socially distant from people who were not members of their immediate household. Younger people and those with no underlying health conditions had died in the UK as a result of the Coronavirus.

During the 80-minute interview (excluding advertisements) the presenter Brian Rose (“BR”) interviewed the former footballer and sports broadcaster David Icke (“DI”) who was introduced as a *“writer and public speaker known since the 1990s as a professional conspiracy theorist, calling yourself a full-time investigator into who and what is really controlling the world. You’re the author of over 21 books and 10 DVDs and have lectured in over 25 countries, speaking live for up to 10 hours to huge audiences, filling stadiums like Wembley Arena”*.

The programme was preceded by a continuity announcement which stated:

“Now on London Live, another chance to get behind the media spin and straight to the heart of the story in London Real”.

A full screen slate was broadcast at the start of the programme and at the beginning and end of each programme part which stated:

“The views contained in this programme are those of the individuals articulating them and not necessarily those of London Live. For advice on Covid-19 please visit www.gov.uk/coronavirus”.

At the start of the interview, Brian Rose gave the following clarification of his own views:

BR: *“I personally don’t believe the Coronavirus was created by a third party. I do think it occurred naturally. I do believe in the science and I do believe in vaccines...I do plan on getting my flu vaccine and any future Coronavirus vaccines although you might talk me out of it, we’ll see. I’m now obeying the orders of the government, I’m complying with their requests for information and behaviour...That being said, I do believe at this point that the virus can no longer be controlled in the Western*

world, so over the long term I do think 70-80% of the population is going to get it and hopefully become immune to it, but also I understand due to the safety of the elderly...and those with lower immune systems and respiratory problems, I understand and I agree with this policy of social distancing in order to flatten the curve and not to overwhelm our medical system”.

David Icke started the interview by setting out his view that the world is controlled by a cult which wishes to create a tyrannical “technocracy” enabled by artificial intelligence. *“For 30 years I’ve been warning people...that this world is controlled by a cult...It wants to create a beyond Orwellian global state in which a tiny few people dictate to everyone else. I’ve referred to this as the Hunger Games society²...”*.

Ofcom considered the whole programme (which lasted an hour and 45 minutes) as broadcast, noting the following comments made by David Icke about the Coronavirus, as well as comments by Brian Rose:

DI: *“In the same 30 years I’ve been saying there are two major techniques that are being used to bring about this situation. One I’ve called since the 1990s ‘problem-reaction-solution’, where you covertly create a problem, you use the unquestioning, pathetic, mainstream media to tell the public the version of the problem you want them to believe, and you’re looking at stage two, the reaction, for fear, outrage...and either demand from the public that something must be done, or at least an acceptance from the public that things need to change because of the problem...Those who created the problem got that reaction openly...offer the solutions to the problems they have themselves covertly created”.*

DI: *“If you don't know where this world is being taken by this cult then everything seems random. Coronavirus, random. Climate change, random. Economic crash, random. But when you know where we’re being taken, you know the outcome, this Hunger Games structure society, now the apparently random events become clear stepping stones to that outcome...Let people decide for themselves if they think that the fact that the Coronavirus hysteria ticks every single box of that outcome, that goal, whether that’s a coincidence. I absolutely do not believe that it is...”*

² *The Hunger Games* is a trilogy of dystopian novels set in the fictional North American country of Panem which consists of a wealthy Capitol supported by 12 districts. In an annual entertainment event entitled ‘The Hunger Games’ the Capitol selects children from the districts to fight to the death as a reminder of a failed past rebellion initiated by the districts.

BR: *“The Coronavirus is real and it is dangerous. You do believe that?”*

DI: *“Not as a black and white, no...Obviously there is a strain of this Coronavirus, because there are many coronaviruses, which appears to be different. Do you know mainstream doctors...they are saying...80% of people that are diagnosed with Coronavirus...have ‘very mild symptoms’. The ones that are in danger, and by the way in danger from any virus including classic flu, are those that have compromised immune systems,...elderly people and...people with pre-existing health problems...Have we not learned yet to take what the authorities tell us with a pinch of salt, until it is proved otherwise?”*

DI: *“One of the things I said was coming in my earlier books was a pandemic because of all the boxes it ticks...what I’ve been saying for the best part of 30 years is that they are planning an enormous economic crash...this Coronavirus hysteria gives the excuse to do what they’re doing and the outcome and the consequences of what they’re doing is to dismantle the world economic system”.*

DI: *“We’re living in an electromagnetic, technologically generated soup of radiation toxicity, and this system has allowed that to happen, has allowed corporations to do that. Now, having done all that, that’s devastated the lives and the immune systems of old people...We are being asked to believe now that this system cares about old people. ‘We must protect the old people. We must destroy the world economy to protect the old people’...they don’t give a shit about the elderly, the elderly are an excuse to impose the very society [the Hunger Games society] that I am talking about”.*

DI: *“They want a cashless society...which has phenomenal implications for freedom...What was it this guy, Tedros³, the head of the World Health Organisation, a man I wouldn’t trust to tell me the time in a room full of clocks...he said ‘don’t touch cash, use cards because the virus can pass on through cash’...the whole surveillance is going to move on exactly as it has in China. If people thought China had reached the point of beyond*

³ Dr Tedros Adhanom Ghebreyesus was appointed the Director-General of the World Health Organisation in 2017.

Orwellian, just look what they've brought in as a result of this Coronavirus".

DI: *"The strain that is prevalent in Italy is something of a stronger nature than what's generally circulating, and also in Iran. That's something else...we have a country [Iran] targeted by America, targeted by Israel...and as this virus came out of China, of all the countries in all the world, Iran got it smack, worse than anyone before it started to appear in in Italy...So not only did Iran have this, what again seems a stronger strain of it, but it was killing the people within the regime at a very early stage, and you know, that's a coincidence? How many coincidences do you want?"*

DI: *"Another thing is that...10,000 military personnel and support staff were attending the World Military Games in Wuhan, China. So...again, I'm not saying this happened, but...if we're not going to be scammed and just believe the official narrative, we have to explore possibilities. Another possibility is that that World Military Games was a wonderful front to release some kind of virus in that same area. So, all these things are something that have to be explored and put into the mix...What happens if you only believe the official version of everything is, the official solution for the problem you believe in, is going to take us further and further down the road to a society that would make George Orwell bloody wince. And all the things that I've said this cult wants, this cult is getting".*

DI: *"The way the whole economic system is being shut down is suicide. And what happens when it reaches a point where in its present state it cannot continue, it cannot survive? A whole new economic system comes in, which is the one this cult wants...Another thing I've been going on for years and years and years about...the idea of human-caused climate change is a joke, it's a hoax. And people say why would they hoax climate change? You look at all the solutions to climate change...they are exactly the same solutions and consequences as with the Coronavirus...This cult want to transform the world economic order into this technocratic, AI-controlled tyranny, and both the Coronavirus and climate change hoax are providing the problem".*

DI: *“What I keep coming back to is the effect on the health of the overwhelming vast majority which have immune systems that just basically slap it aside. And it's this small group of elderly people who, for reasons I've described, have weakened immune systems, and those who have other health conditions and therefore weakened immune systems, they're the ones in danger. So, if we focused everything on them, and if necessary, isolate them and focus your resources on them so no one goes hungry and no one is in need. But the rest of the population, 80% 'very mild' symptoms or no symptoms, others with moderate symptoms. Well, are we going to destroy the world economic system by saying that those people also have to isolate and not go to work? For me, that's crazy...”*

DI: *“I'll give you an analogy...years ago...we used to have this thing called weather, and weather used to change and there used to be storms and...strong weather situations...now every time that happens...it's always climate change. We're all going to die. And what we have now is the Coronavirus version of that. Everything is Coronavirus. We don't even know if so many people have been logged as having had it actually have it...they're not dying from it, but not even most of them being affected more than [with] very mild symptoms. So why are we locking them away, and bringing down the world economic system...Why are we doing that and not just focusing on totally on those that could have a serious problem because of their immune system deficiencies?”*

BR: *“I don't know. And they're telling us-”.*

DI: *“I'll tell you why, because if they carried on and allowed that to happen the world economic system would not be demolished, and the idea is to demolish it so you can replace it...”*

BR: *“They're telling us that we have to lock everybody down to save the elderly and the less immune. That's what they're telling us”.*

DI: *“But as always with this cult, there's method in the madness...look at the outcome, the outcome will tell you what's behind it...who benefits from what's happening and what's being justified on the basis of this, quote, 'virus'? Anyone that wants to transform human society into an Orwellian state”.*

DI: *“The survival mechanism will agree to anything, no matter how draconian and how fascistic...what a pandemic does is it kicks in this*

survival mechanism and means not only will you accept authority imposing tyranny, you will demand that authority imposes tyranny...Tell you what one of the punchlines of this virus is, is the bloody vaccine... We had already had Denmark announce that any vaccine for Coronavirus will be mandatory. Now if you can give me a better definition of fascism than the state telling you what will go into your body, then I'd like to bloody hear it...When this vaccination for this virus comes up, there is going to be enormous pressure to make it compulsory. And people with a brain who say 'hold on a minute-'"

BR: *"What if it's the only cure?"*

DI: *"Well, is it a cure? Who decides that?"*

BR: *"I don't know. A scientist might".*

DI: *"Oh, god, science..."*

BR: *"Well science isn't always wrong. For smallpox the vaccine works".*

DI: *"Science is massively wrong with the benefit of hindsight".*

BR: *"Some vaccines work. Smallpox vaccine".*

DI: *"...Who decides that it's [vaccines] the only solution? My children, my boys, have not been vaccinated once in their life. They didn't have childhood diseases. Their immune systems are on fire because they weren't compromised by a tidal wave of toxic shite while their immune systems were still developing...So what mandatory vaccinations are saying is we are going to insist by law that your children are vaccinated, and we know by doing that that some of them who wouldn't otherwise have been vaccinated are going to take the consequences".*

BR: *"Because it's for the greater good".*

DI: *"Oh, the greater good. They couldn't care less about the greater good. Can we just understand that? And then we might get some kind of grasp on how this world is run. They don't care about us, they use the excuse of caring about us to justify what they want to do. It's as simple as that".*

DI: *"What does every tyranny want to do? Centralise everything, including perception. The more we celebrate our uniqueness, the more we are withdrawing from the ability of the centre to dictate to everybody...why do people acquiesce and self-censor? Fear. Get rid of fear and the world changes..."*

- BR: *“David, it’s always a pleasure having you on-”.*
- DI: *“Real pleasure. I’m going to shake your hand. [David Icke and Brian Rose shake hands] Don’t you give me anything nasty”.*
- BR: *“I won’t, and let me just say clearly I don’t agree with you on everything, but that’s okay because I feel like I can speak my mind in front of you...I’m so glad I had you on. About three years ago when I was going to have you on, I thought of all the reasons I shouldn’t have you on...Who is his crazy guy? And people said ‘don’t have David Icke on your show’...in that first episode you blew me away, most of the things you said made total sense to me... I’ll be honest David, a lot of people told me not to have you on today...and I thought every time I have David on he always shows me that he’s got some amazing knowledge and amazing perspective about what’s going on here, and I’m so glad I had you on to talk about this stuff”.*

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

- Rule 2.1: “Generally accepted standards must be applied to the content 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”.

We requested comments from ESTV on how this material complied with this rule.

Response

ESTV said that it takes compliance with the Code “extremely seriously”, and that it had taken steps to comply the original full-length interview through appropriate editing by a “highly experienced” compliance team, and the use of an information slate. The Licensee stated it had carefully balanced freedom of expression with the protection of public health, and took account of [Ofcom’s Note to Broadcasters](#) regarding the Coronavirus⁴. It added it had removed any content that could have been considered to be medical advice or contrary to government guidance, and it had removed a comment from David Icke which suggested that younger people were less at risk to the Coronavirus than the elderly to reflect the increased understanding of the scientific and medical community of the virus since the recording of the interview.

The Licensee stated that, in the current circumstances, broadcasters have an important role in informing audiences, but also in “holding power to account”, and that it would be concerned if Ofcom censored anyone that questioned the official government version of events. ESTV said that freedom of expression was particularly important in the current circumstances when civil liberties are being “constrained” and “threatened”, and that it was essential to question “conventional wisdom” and government action in a “responsible” manner. It added that David Icke’s views about the impact of

⁴ On 23 March 2020, Ofcom published a [Note to Broadcasters about the Coronavirus](#).

lockdown measures, accuracy of testing, use of tracking technology and compulsory vaccinations were legitimate areas of debate as explored by other commentators, including comments from the UK Health Secretary, Chief Medical Officer and Chief Scientific Officer about the dangers of false negatives in testing.

ESTV acknowledged that the programme included “challenging”, “controversial” and “unorthodox” material, and that many considered David Icke’s ideas to be “extraordinary”. It said that this material would not have caused harm to the audience as it did not:

- dispute guidelines given by the NHS, World Health Organisation or UK Government, including on handwashing, social distancing or staying at home;
- deny the existence of the Coronavirus or offer “phony science” on the virus’ impact on the body;
- present David Icke as a medical or scientific expert and made clear that much of David Icke’s contributions were conspiracy theories; or
- include direction or advice from David Icke that sought to “change behaviours”.

The Licensee considered the programme to be an exploration of David Icke’s theories about the origins of the virus and the responses of governments, views which it stated David Icke has the right to hold and express. It said that the information slate broadcast around each programme part served to put David Icke’s views into context and sought to establish that the channel did not “support” or “defend” his ideas which were “simply views and opinions”. The Licensee said that discussing conspiracy theories which may be considered “absurd”, such as that a cult was controlling the world or, by comparison, that the Apollo moon landing was a hoax, or the Pope’s view that the Coronavirus was “caused by climate change” and demonstrated nature’s “disapproval of humanity’s actions”⁵, cannot cause harm or potential harm to viewers alone. It added that viewers of London Live, who are not “especially vulnerable” and are capable of “independent and critical” thought would be “familiar” with David Icke’s views.

ESTV said that Brian Rose’s opening statement contextualised some of David Icke’s “more extreme” views, and referred to Brian Rose as a “reputable”, “experienced” and “professional” interviewer. The Licensee stated that the interviewer challenged David Icke at “several points” in a “discursive” but “non-combative style” comparable to “Louis Theroux”, and corrected David Icke on potentially harmful views, such as on the comparative infection rates and risks of Coronavirus and flu and the effectiveness of vaccines. It added that it was clear Brian Rose was “sceptical” about his views, and that the close of the interview in which Brian Rose expressed his admiration for David Icke despite disagreeing with him on “several” matters, and David Icke emphasised the importance of being “unique” and open-minded, highlighted that no harm was caused to viewers.

It was the Licensee’s view that it would be “illogical” and “unfair” for Ofcom to penalise it for broadcasting material that was “readily available” on YouTube and has not been removed by the platform. ESTV said that it had intended to broadcast a repeat of this programme at midnight on 12

⁵ In an [interview on 8 April 2020](#), the Pope described the pandemic as an opportunity to “move from using and misusing nature to contemplating it” and advised humanity to slow production and consumption.

April, but it pulled this broadcast due to the “seriousness” with which it is treating these complaints until Ofcom’s investigation has concluded.

ESTV concluded by describing the interview as a legitimate discussion on whether the UK Government had “got the balance right” on matters of economics and public health, in which David Icke argued that the Government’s approach was “worse than the problem”. It reiterated that the discussion was not harmful to viewers and that it had “fully complied” with Rule 2.1.

Ofcom gave the Licensee the opportunity to comment on its Preliminary View that the programme was in breach of Rule 2.1. In response ESTV said that the programme had been through a “rigorous” compliance process and the programme would not have caused actual or potential harm to viewers. It said that it remained of the view that in accordance with Article 10 of the Human Rights Act⁶ it had the right to broadcast the material. It said that Ofcom must exercise its powers proportionately and take care when “significantly curtailing” freedom of expression.

ESTV stated it was “potentially patronising” for Ofcom to refer to viewers in London as particularly vulnerable during the Coronavirus crisis and disagreed that they would be likely to be “taken in” by David Icke’s theories. The Licensee said that, when complying the programme, it had believed its audience to be “intelligent enough” to distinguish these theories from current government guidelines. It said that Mr Icke’s statements that the “vast majority” of individuals were not severely affected by the virus reflected reporting more widely on the pandemic.

The Licensee said it had taken care to ensure it did not broadcast material which challenged medical and public health guidance. It stated it did not present David Icke as an authority in matters “medical, scientific or otherwise”. It added it appreciated the “fine line” between ensuring public health and freedom of expression, but questioned whether as the communications regulator Ofcom should “boost the public’s confidence” in public authorities and government information and “fetter legitimate and essential journalistic” debate about government policy or information during the crisis.

ESTV considered that establishing a view on whether there was sufficient context and challenge to David Icke’s theories was, to some extent, “subjective” and “of an editorial nature”. The Licensee stated that it will ensure Ofcom’s Decision is “fully understood” across its business and review its compliance procedures and editorial processes to take account of Ofcom’s findings.

In addition, the Licensee was concerned that, under Ofcom’s expedited process to investigate the programme, a decision on whether to consider the imposition of a sanction in this case would not be independently reviewed by a panel of the Ofcom Content Board, which it considered to be “fundamentally unfair”.⁷

⁶ Article 10 of the European Convention on Human Rights is included in Schedule 1 to the Human Rights Act 1998.

⁷ Ofcom responded to ESTV’s procedural points in a letter of 17 April 2020, explaining that we did not consider this caused unfairness and giving ESTV an opportunity to make representations on our proposed direction and sanction process.

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 ("ECHR").

We acknowledge that during the Coronavirus pandemic, Ofcom licensees will want to broadcast content about the crisis and that the communication of accurate and up-to-date information to audiences will be essential. 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.

We recognised that this broadcast took place during a period in which the Government's lockdown policy to encourage social distancing in response to the Coronavirus crisis has led to an unprecedented restriction on public freedoms in peacetime. In such circumstances, and reflecting the fundamental importance of freedom of expression in our democratic society, it is clearly legitimate for broadcasters to question public policy and the rationale behind it and to robustly hold the Government to account, but in doing so they must ensure compliance with the Code.

The Code enables broadcasters to include challenging or contentious viewpoints in programmes, as in this case. However, they must ensure they provide adequate protection for the audience from the inclusion of potentially harmful material. This is set out in Rule 2.1. It is for the broadcaster to decide how to secure such protection where necessary. Ofcom has published [guidance](#) on this to assist broadcasters.

When considering a programme's compliance with Rule 2.1, Ofcom must assess the nature of its content 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 circumstances, including the service on which the material is broadcast, the degree of harm likely to be caused, the likely expectation of the audience and the effect of this material on viewers who may come across it unawares.

First, Ofcom examined statements made by David Icke in this programme to assess whether they were potentially harmful to viewers. 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 or the inclusion of opposing views.

In our view it was clear that the subject of this discussion was particularly sensitive given the current global Coronavirus crisis and people in the UK were subject to severe restrictions on their lives with social and economic consequences for them. In addition, London has been the epicentre of the outbreak in the UK. In its representations on our Preliminary View, ESTV said it was "potentially

patronising” for Ofcom to claim that viewers of London Live would have been particularly likely to be “taken in” by David Icke’s conspiracy theories. Ofcom’s guidance on Section Two of the Code states that health claims can be especially harmful to people who are vulnerable, for example those who are suffering from serious medical conditions. Given the particular prevalence of Coronavirus in London at the time of broadcast, we considered there was an increased likelihood of viewers either suffering from the virus or being at risk of catching it. We therefore considered that viewers of a local television service for London were likely to have been particularly vulnerable to any misleading or unsubstantiated claims that could be potentially harmful to them.

During the course of this interview, David Icke set out his theory that “a cult” was using the Coronavirus to establish a “*beyond Orwellian global state in which a tiny few people dictate to everyone else*”. He considered this could be achieved through a technique he called “*problem-reaction-solution, where you covertly create a problem, you use the unquestioning pathetic mainstream media to tell the public the version of the problem you want them to believe, and you’re looking at stage two, the reaction, for fear*”. He said that the public would demand or at least accept changes in order to resolve the problem that had been established, enabling the cult to offer solutions and make progress towards its eventual ambition of global control and implementing “*the Hunger Games society*”. David Icke considered the Coronavirus pandemic and the measures being implemented by various governments to combat this, and the ensuing impact of these on the global economy, were an example of his “*problem-reaction-solution*” theory. David Icke also clearly set out his view that national governments and organisations such as the World Health Organisation (WHO) were all working to serve this covert agenda.

David Icke also made a number of more specific claims about the Coronavirus:

- He suggested that the World Military Games in Wuhan may have served as a front for releasing the virus, “*Another possibility is that that World Military Games was a wonderful front to release some kind of virus in that same area*”.
- He suggested the significant impact of the virus in Iran was due to its geopolitical differences with Israel and the West: “*we have a country [Iran] targeted by America, targeted by Israel...and as this virus came out of China, of all the countries in all the world, Iran got it smack, worse than anyone before it started to appear in Italy. So not only did Iran have this, what again seems a stronger strain of it, but it was killing the people within the regime at a very early stage, and you know, that’s a coincidence? How many coincidences do you want?*”

He also cast doubt on the use of vaccines, which is widely seen in the scientific and medical communities as a potential key to ending the global Coronavirus pandemic, describing them as a “*tidal wave of toxic shite*” and any decision to make them mandatory as a form of “*fascism*”. There was some brief, limited challenge to this by Brian Rose who said “*some vaccines work*” and cited the example of the smallpox vaccine as an example.

However, of particular concern to Ofcom were the views put forward by David Icke, without evidence and without challenge, which cast doubt on the motives behind the official health advice aimed at reducing the spread of the virus. In particular, David Icke repeatedly suggested that these measures

were being implemented to further the ambitions of a clandestine cult, rather than to protect public health:

“They [the cult] are planning an enormous economic crash...this Coronavirus hysteria gives the excuse to do what they’re doing”.

“This cult want to transform the world economic order into this technocratic, AI-controlled tyranny, and both the Coronavirus and climate change hoax are providing the problem”.

“The survival mechanism will agree to anything, no matter how draconian and how fascistic...what a pandemic does is it kicks in this survival mechanism and means not only will you accept authority imposing tyranny, you will demand that authority imposes tyranny...”

“They [the cult] want a cashless society...which has phenomenal implications for freedom...What was it this guy, Tedros, the head of the World Health Organisation, a man I wouldn’t trust to tell me the time in a room full of clocks...he said ‘don’t touch cash, use cards because the virus can pass on through cash’...”

“We’re living in an electromagnetic, technologically generated soup of radiation toxicity, and this system has allowed that to happen, has allowed corporations to do that. Now, having done all that, that’s devastated the lives and the immune systems of old people...We are being asked to believe that the system cares about old people ‘We must protect the old people. We must destroy the world economy to protect the old people’...they don’t give a shit about the elderly, the elderly are an excuse to impose the very society [the Hunger Games society] that I am talking about ...”

In its representations, the Licensee said that as “absurd” as David Icke’s theory may be, it did not consider his theory would “cause harm in itself”. It also compared David Icke’s views on the measures being taken by governments to curb the spread of Coronavirus with other political commentators highlighting the long-term negative impact of the current lockdown measures. Ofcom emphasises that it is vital that broadcasters are free to hold those making public health and economic decisions to account, particularly during a public health emergency such as the Coronavirus pandemic. We acknowledge, for example, that many programmes have questioned the effectiveness and raised concerns about the consequences of the Government’s strategy to deal with the pandemic. However, in Ofcom’s view, David Icke’s comments went far beyond a discussion of this nature. David Icke alleged that the steps being taken by the UK Government, other national governments and international health bodies such as the WHO were designed to serve the malevolent ends of a clandestine cult wishing to “transform the world economic order into this technocratic AI controlled tyranny” rather than to curb the spread of the Coronavirus.

We were therefore concerned that David Icke's statements, which were provided without scientific or other evidence, had the potential to undermine confidence in the motives of public authorities for introducing restrictions and therefore discourage viewers from following current official rules around social distancing. This was because David Icke proposed that the public were being misled and the measures were being introduced to further the ambitions of a cult seeking to introduce a new economic and social order rather than to combat 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 are fighting to contain the deadly impact of the Coronavirus and the scientific consensus is that social distancing, and the public's compliance with it, is a key step to restricting the spread of the disease.

Ofcom went on to consider whether the Licensee provided adequate protection to viewers from this potentially harmful material. As set out above, it is an editorial decision for the individual broadcaster as to how adequate protection might be achieved and our [published guidance](#) states that there are various methods broadcasters can consider.

In its representations, the Licensee said it had edited the interview from a version that was made available on YouTube to ensure it complied with the Code, and particularly to reflect the increased understanding of the scientific and medical community of the virus since the initial recording. It said it had removed any content that could have been considered to be contrary to government guidance, including David Icke suggesting that younger people were less at risk of suffering serious effects from the Coronavirus than the elderly. The Licensee argued that given the interview's availability on YouTube, it would be illogical and unfair for Ofcom to take action against the broadcast of an edited version of it. It provided a link to what it said was the video on YouTube. In Ofcom's view, the availability of a version of the video on YouTube was irrelevant to its compliance with the Code and, in any event, the link provided by the Licensee appeared to be to a version of the interview which was different (it was 45 minutes in duration, compared to the 80 minute interview as broadcast).

We took into account that a slate was broadcast at the start of the programme and at the beginning and end of each programme part which stated:

"The views contained in this programme are those of the individuals articulating them and not necessarily those of London Live. For advice on Covid-19 please visit www.gov.uk/coronavirus".

The Licensee said it considered that this information helped viewers put David Icke's views "into context". It also considered that the slate indicated that the content may contain views which go against "conventional wisdom" and sought to establish London Live did not "support or defend" David Icke's position.

In Ofcom's view, this slate only provided limited protection to viewers from potential harm. Ofcom's published research on health and wealth claims found that warnings can have questionable impact if directly contradicted by comments made by an authoritative speaker⁸. In this case, we considered the reference in the slate to the official government advice was contradicted by the repeated assertions

⁸ [Health and wealth claims in programming](#): audience attitudes to potential harm, setting out audience views on the potential harm arising from programmes involving health or wealth claims.

made by David Icke that the official advice of the UK Government (as well as other governments and health bodies) was being given in order to undermine the world economy and establish a new social order controlled by a cult.

The Licensee said that it did not present David Icke as an authority in matters “medical, scientific or otherwise”. The programme introduced David Icke as a “*writer and public speaker known since the 1990s as a professional conspiracy theorist, calling yourself a full-time investigator into who and what is really controlling the world. You're the author of over 21 books and 10 DVDs and have lectured in over 25 countries, speaking live for up to 10 hours to huge audiences, filling stadiums like Wembley Arena*”. Ofcom considered that this introduction presented David Icke as speaking with authority and knowledge on the theories he set out, having spoken and written about them “*for 30 years*”. We recognised that David Icke was likely to have been well known by some viewers. We therefore considered that viewers may well have expected David Icke’s views to be controversial, in conflict with mainstream thinking and for his theories to not necessarily be supported by scientific or other empirical proof, but we also took into account that they were likely to be particularly vulnerable in the current circumstances. We also took into account that the presenter of the programme, Brian Rose, set out his views on the Coronavirus as the start of the interview which substantively differed from those of David Icke. He said he:

- didn’t believe the virus was “*created by a third party*” and “*occurred naturally*”;
- believed in the “*science*” and “*vaccines*”;
- was following government orders;
- believed that the virus could “*no longer be controlled in the Western World*”, and that 70-80% of the population would get it; and,
- understood and agreed with social distancing to avoiding overwhelming hospitals, due to risks to the elderly, those with weaker immune systems and respiratory problems.

The Licensee considered that this opening statement set the interview and some of David Icke’s more “extreme positions” in context.

We acknowledged that Brian Rose’s views expressed briefly at the start of this programme were broadly in agreement with mainstream scientific thinking and supported the current measures imposed to suppress the spread of the Coronavirus. However, we considered that for the vast majority of this lengthy interview (which was just over 80 minutes in duration excluding advertisements) David Icke was allowed to set out his conspiracy theories about the current pandemic. In light of the extended nature of the interview and its sensitive subject matter, we considered that the challenge and context required to ensure that this programme adequately protected viewers from harm would have been significant. However, David Icke was allowed to set out his highly controversial and unsubstantiated views on the Coronavirus and the public policy response to it in significant detail with very little challenge or context. We also considered that the impact of the limited challenge that was present in the programme was minimised by Brian Rose’s final comments to David Icke. In particular, after shaking hands Brian Rose said that David Icke had “*amazing knowledge and amazing perspectives about what’s going on here*”.

Given the length of the interview and the minimal challenge within the programme, which was broadcast during a global public health emergency, it is our Decision that the Licensee did not provide adequate protection for viewers from the inclusion of potentially harmful material in this programme.

Conclusion

Ofcom was concerned that this programme had the potential to cause significant harm to viewers in London during the Coronavirus crisis.

The Licensee gave David Icke a platform for some 80 minutes, largely unchallenged, to put forward views which the Licensee itself said “may be absurd”. His views cast doubt on the motivation behind mainstream health advice being given by governments and health organisations to protect the public from the Coronavirus. While we acknowledged that David Icke has a right to hold these views and to express them, given the current circumstances, they had the potential to cause significant harm to viewers who may have been particularly vulnerable at the time of broadcast.

Ofcom stresses that there is no prohibition on broadcasting views which diverge from or challenge official authorities on public health information, but it was the responsibility of ESTV to ensure viewers were adequately protected from potential harm by, for example, challenging those views and placing them in context. Ofcom’s Decision is therefore that the Licensee did not adequately protect viewers from potential harm, in breach of Rule 2.1, and we considered this breach to be serious.

Decision: Breach of Rule 2.1

Sanction

Given the serious breach in this case and in order to remedy the potential harm caused as quickly as possible, 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. Whilst the Licensee accepts the Direction, it considers that any sanction above and beyond a Direction would be disproportionate.

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.