



The Barry Marsh Show

Type of case	Broadcast Standards
Outcome	In Breach
Service	Radio Caroline
Date & time	19 May 2026, 14:05
Category	Due accuracy
Summary	A statement inaccurately announcing the death of His Majesty King Charles III was mistakenly broadcast. A brief apology was made on air 30 minutes later. In breach of Rules 5.1 and 5.2 of the Broadcasting Code.

Introduction

Radio Caroline is a community station playing a mix of adult-oriented rock music from the 1960s onwards. The licence for this service is held by Radio Caroline AM Broadcasting Ltd (“Radio Caroline” or “the Licensee”).

The Barry Marsh Show is broadcast on Tuesdays between 14:00 and 17:00. Ofcom received two complaints about the broadcast of an announcement reporting that King Charles III had died. At 14:05, a music track was interrupted by the following statements:

“This is Radio Caroline; we have suspended our normal programmes until further notice as a mark of respect following the passing of His Majesty King Charles III.”

“This is Radio Caroline, His Majesty King Charles III has passed away, as a mark of respect we will now be playing suitable continuous music until further notice.”

“This is Radio Caroline, the news media has confirmed that His Majesty King Charles III has passed away, consequently as a mark of respect, Radio Caroline is suspending its normal programmes.”

The national anthem was then played before the second statement above was repeated. This was followed by approximately 16 minutes of silence¹ before the regular programme resumed. At approximately 14:35 the presenter apologised for the error, saying: *“I’ve just been informed that we’ve played in error some information a little earlier, I didn’t hear this myself, but it is incorrect, it’s a technical issue, and of course we apologise.”*

We considered that the content raised potential issues under the following rules of the Ofcom Broadcasting Code:

- Rule 5.1: “News, in whatever form, must be reported with due accuracy and presented with due impartiality”.
- Rule 5.2: “Significant mistakes in news should normally be acknowledged and corrected on air quickly. Corrections should be appropriately scheduled...”.

Ofcom requested comments from the Licensee on how the content complied with these rules.

Response

The Licensee said that the presenter was streaming the programme remotely to the playout computer in the main studio, as is common practice for the station. At the same time, a member of staff carrying out maintenance on the studio computer accessed three sound files which had been pre-recorded to use in the event of the death of King Charles III. The Licensee explained that these files are accompanied with “a set of strict instructions to presenters and managers” to follow before being aired, but, out of curiosity, the member of staff played the files, which stopped the stream from the presenter’s remote location, and broadcast the files on air. Once the individual realised what had occurred, the Licensee said they stopped the files and then “panicked and left the premises”.

As the presenter’s remote stream had been stopped the broadcast then went silent on DAB+ with AM listeners hearing a backup broadcast of continuous music. Radio Caroline said the remote presenter “would not realise that they had gone ‘off air’ unless they were monitoring their output via an internet monitor.”

The Licensee said the station director was monitoring the station’s AM output and was on a call when the inaccurate announcement was broadcast. When he resumed listening, he noticed that the output was continuous music rather than the scheduled programme, and called the station engineer “who had already become aware” and was investigating, and subsequently enabled the correct programme to resume.

The Licensee advised that the engineer contacted the presenter “to find out whether he was aware of what had happened and to advise him he was off air”. It said that this took some time as the presenter, thinking they were on air, was not actively monitoring their phone. The Licensee said that

¹ Due to the manner in which Radio Caroline is broadcast, DAB+ listeners heard silence during this time and AM radio listeners heard continuous music.

following this, staff discussed how and when to apologise for the error, before the presenter was able to “make the announcement at a suitable time”.

The Licensee said that they “took the matter very seriously, and much activity was taking place during those 30 minutes leading up to the apology”, and that they had realistically acted “as soon as possible”.

Radio Caroline advised that the individual who played these files had been “reprimanded” and had “apologised”, and that in order to prevent a recurrence of this issue it had removed the relevant files from the desktop on the studio PC “and stored on an external drive for access only when necessary.” It also said that its presenters and support staff had been reminded of the relevant procedures.

Radio Caroline noted that Ofcom had only received two complaints about this issue, and that it therefore it was likely to have “caused minimal offence or distress”. It added that it is “usually very careful” in ensuring the station is compliant, but that it is “a 100% volunteer led organisation” and does not have the resources of bigger broadcasters.

Decision

Reflecting our duties under the Communications Act 2003 (“the Act”)², Section Five of the Code requires that the due accuracy and due impartiality requirements are met.

In applying the rules in the Code, Ofcom takes account of the audience’s and the broadcasters right to freedom of expression, as set out in Article 10 of the European Convention on Human Rights.

Rule 5.1

Rule 5.1 requires that news, in whatever form, must be reported with due accuracy and presented with due impartiality. The rule is primarily intended to ensure that audiences can trust broadcasters to report the facts of the news, and the factual background to it, with appropriate accuracy. It goes to the heart of the relationship of trust between a broadcaster and its audience.

Ofcom’s published guidance to Section Five³ makes clear that “due” means adequate or appropriate to the subject and nature of the programme. The approach may vary according to the nature of the subject, the type of programme and channel, the likely expectation of the audience as to content, and the extent to which the content and approach is signalled to the audience.

This guidance also states that “where a matter is of particular public interest, the requirement to present that matter with due accuracy will be correspondingly higher”. Issues related to the health and wellbeing of the monarch are of a very high level of public interest. Therefore, we considered the reporting of King Charles’s death was a very significant inaccuracy. We also considered the potential impact on listeners and the degree to which they were likely to consider the inaccurate information was true was compounded by the repeated nature of the statements, the reference to

² [Communications Act 2003 \(legislation.gov.uk\)](https://legislation.gov.uk)

³ [Ofcom’s Section Five Guidance](#), paragraph 1.4.

the news media having “*confirmed*” the information and the subsequent broadcast of the national anthem.

We recognised that an apology and a confirmation the information was incorrect was broadcast approximately 30 minutes after the death of King Charles III had been announced. However, in Ofcom’s view, this was a considerable length of time given the profound and significant nature of the inaccuracy.

Ofcom also acknowledged the Licensee’s explanation that the announcements were broadcast unintentionally as a result of human error. However, the responsibility of complying content with the Code lies with the Licensee, even where an individual has made an error.

We took into consideration the steps the Licensee had taken to improve its compliance procedures. However, for the reasons outlined above, Ofcom’s Decision is that this content was in breach of rule 5.1.

Rule 5.2

Rule 5.2 requires that significant mistakes in news should normally be acknowledged and corrected on air quickly and that corrections should be appropriately scheduled.

We considered this to have been a very significant inaccuracy about an issue of particular public importance. As outlined above, Radio Caroline did not broadcast an apology and clarification until approximately 30 minutes after the inaccurate announcements were first broadcast. We noted that the Licensee was monitoring the output around the time of the incident and that an engineer was already aware of the issue, but that it took some time to understand what had occurred and reinstate the scheduled programme, with that being exacerbated by the circumstances of the presenter streaming the programme remotely.

Ofcom acknowledged the activity taking place between the broadcast of the inaccurate statements and the apology, nevertheless we considered this was a significant amount of time to elapse given the significance of the incorrect information. Ofcom also considered that the broadcast apology did not adequately acknowledge the nature of the original error.

Taking these factors into account, Ofcom concluded that the Licensee was in breach of Rule 5.2.

Decision: In breach of Rule 5.1 and Rule 5.2