

Analysis of complaints

From 1 April to 31 September 2015 the Unit reached findings on 202 complaints concerning 146 items (normally a single broadcast or webpage, but sometimes a broadcast series or a set of related webpages). Topics of complaint were as follows:

Table 1
Topics of Complaint

	<u>No of Complaints</u>	<u>No of Items</u>
Harm to individual/organisation	5	5
Infringement of privacy	4	4
Political bias	6	6
Other bias	75	47
Factual inaccuracy	59	45
Offence to public taste	8	8
Offensive language	4	4
Sensitivity and portrayal	6	6
Bad example (adults)	14	4
Racism	2	2
Offence to religious feeling	10	7
Commercial concerns	1	1
Standards of interviewing/presentation	2	2
Other	6	5
Total	202	146

In the period 1 April – 30 September 2015, 34 complaints were upheld (2 of them partly) – 17% of the total. Of the items investigated in the period, complaints were upheld against 15 items (10.5% of the total). 3 complaints, about 3 items, were resolved. The bulletin includes summaries of these cases.

Standards of service

The Unit's target is to deal with most complaints within 20 working days of receiving them. A target of 35 days applies to a minority of cases (7 in this period) which require longer or more complex investigation. During the period 1 April – 30 September 2015, 83.5% of replies were sent within their target time.

Summaries of upheld/resolved complaints

News Channel, 30 August 2014

Complaint

The channel re-broadcast an item about the first anniversary of the Commons vote against military intervention in Syria, originally shown in the previous evening's edition of **Newsnight**. A viewer complained that footage of an attack on Syrian civilians (the authenticity of which he has questioned in another context) had been replaced in the item as re-broadcast by footage of an earlier incident. As the presenter said the footage in question had first been broadcast "*just as MPs voted*", the result was misleading to viewers.

Outcome

After coming off the air, the **Newsnight** team had replaced the original footage with less graphic footage of a different incident, with a view to making the item more suitable to be re-shown before the watershed. However, the soundtrack was not checked, and it was not noticed that the substitution rendered the presenter's comment inaccurate. The result was inadvertently misleading to viewers of the item as re-broadcast.

Upheld

Further action

The finding has been discussed with the production team, and **Newsnight's** internal compliance procedure has been amended to ensure that, in similar circumstances, the duty editor will view any picture recuts prior to approving the script.

The Wrong Mans, BBC2, 23 December 2014

Complaint

A viewer who had otherwise enjoyed this post-watershed comedy thriller complained about a sequence in which a character expressed astonishment by coupling "*Jesus Christ*" with one of the strongest swear-words.

Outcome

Research makes clear that viewers and listeners find the combination of the strongest swear-words with holy names significantly more offensive than either when used separately. The phrase in question calls for stronger editorial justification than was apparent in this case.

Upheld

Further action

The finding has been shared with BBC Television's Compliance Managers and senior management. They have been reminded that any proposal to use the phrase in question would require very strong editorial justification.

PM, Radio 4, 13 January 2015

Complaint

In a light-hearted item about older men chasing younger women, Taki (the author of the Spectator's "High Life" column) spoke of seeing "*horrible old Arabs with very young women in St Tropez or Gstaad*". A listener complained that this was offensive and racist.

Outcome

Although Taki's point concerned age rather than ethnicity, his remarks could have been interpreted as racist. However, News had already acknowledged that they were offensive, and this was sufficient to resolve the issue of complaint.

Resolved

Panorama: Bank of Tax Cheats, BBC1, 9 February 2015

Complaint

A viewer of this pre-watershed programme complained that it was apparent that the f-word was used, even though it had been bleeped.

Outcome

The word had been used by someone who was a subject of the programme's investigations, and there was sufficient editorial justification for including the sequence in which it occurred. However, the BBC's Editorial Guidelines say "*Language that is bleeped for pre-watershed content must be thoroughly obscured, taking care to ensure also that the bleeped words are not then made obvious by visible mouth movements*", and this requirement had been overlooked by the programme-makers.

Upheld

Further action

The Editor has reminded producers of the need to make sure that visible mouth movements are obscured in the case of words which require bleeping in pre-watershed broadcasts.

Today, Radio 4, 19 March 2015

Complaint

The programme included an interview with Moshe Ya'alon, the Israeli Defence Minister, about the consequences of the recent Israeli general election. Eight listeners complained that Mr Ya'alon was allowed to make controversial claims about Israel's relations with the Palestinians without challenge from the interviewer.

Outcome

When the interview moved from the election results to issues of security Mr Ya'alon made a number of controversial assertions which called for intervention by the interviewer.

Upheld

Further action

The Editor of **Today** reminded the presenters and producers of the need to prepare thoroughly for all interviews relating to the politics of the Middle East, to allow enough time for contentious statements to be challenged, and to be alert to the possibility of such interviews ranging beyond their intended topic.

From Our Own Correspondent, Radio 4, 11 April 2015

Complaint

An item in the programme included the statement that Cecil Rhodes had dreamed of "*a British empire built on slave labour*". A listener challenged the accuracy of the statement.

Outcome

The ECU found no grounds for the view that Rhodes was in favour of slavery. In response to the complaint at Stage 1 the reference to slave labour had been removed from the related online item, but this did not suffice to resolve the complaint in relation to the broadcast.

Further action

The programme team have been reminded that vigilance over copy should not be restricted to contemporary events, but should equally apply to historical issues.

Sunday Politics, BBC 2, 19 April 2015

Complaint

The regional segment of the programme shown in the North West included an item in which a reporter approached members of the public to canvass their views on devolution. Stephen Morris, who was interviewed in the item as a representative of the English Democrats, complained that it gave a misleading impression of his party's position on the issue.

Outcome

The English Democrat manifesto proposed devolution (under an English parliament) to local, but not regional, level. Mr Morris represented that position in the course of his interview, but the excerpt included in the item, in a context which did not distinguish clearly between local and regional devolution, gave the impression that his party was opposed to any devolution beyond the level of an English parliament.

Upheld

Further action

The finding has been discussed with the reporter who carried out the interview and shared with the wider Politics team.

Who Will Win the Election? Panorama, BBC1, 27 April 2015

Complaint

The programme included shots of the presenter and a contributor in a moving caravan being towed on a public road. 11 viewers with an interest in caravanning complained this was unsafe and illegal.

Outcome

Although the independent production company concerned had sought expert advice on the matter, their belief that they had acted in compliance with traffic regulations was mistaken: carrying passengers in a moving trailer of the type used in the programme contravenes The Road Vehicles (Construction and Use) Regulations, 1986. The Editorial Guidelines say that programme makers should observe the law unless there is clear editorial justification for not doing so, and there was no such justification in this instance.

Upheld

Further action

The BBC's Head of Safety has written to the production company, reminding them of the need to ensure that filming does not involve breaches of road traffic laws and health and safety regulations.

Britain's Best Drives, BBC4, 5 May 2015

Complaint

Having arrived at Scarborough beach on his tour of Britain (in a series originally broadcast in 2009), Richard Wilson remarked that there were "*quite a lot of people who look – how can I put this nicely? – like they really enjoy their food*". A woman who was identifiably in shot at this point complained that the remark had caused her distress.

Outcome

The management of BBC Television had apologised to the complainant, removed the programme from iPlayer immediately and arranged for it to be appropriately edited. In the view of the ECU this sufficed to resolve the issue.

Resolved

Jeremy Vine, Radio 2, 5 May 2015

Complaint

A listener complained that an item on the reasons for emigration from Eritrea was inaccurate in various respects, and that Eritrea had been misleadingly described as “tiny”.

Outcome

The item itself was duly accurate, and did not refer to Eritrea as “tiny”. However, the summary on the programme’s iPlayer page included the phrase “*Eritrea, the tiny country in the horn of Africa*”. The ECU has previously found that “tiny” is not the most appropriate adjective to use, given the size of the country, and there was nothing in the context which warranted its use on this occasion.

Partly upheld

Further action

A note drawing attention to the finding was sent to all Radio editors.

Look East, BBC1 (East), 12 May 2015

Complaint

In an item on a man who had recently lost his entitlement to a disability car, the reporter said “*The Government needs to make £12 billion worth of welfare savings, so it’s gradually re-assessing thousands of people*”. A representative of the Department for Work and Pensions complained that this was inaccurate (the reassessment of people’s disability needs being the result of legislation passed in 2012, not the recent pledge to cut welfare costs) and potentially alarming to those awaiting reassessment. While noting that BBC East had acknowledged and apologised for the error, he considered that there should be a broadcast correction.

Outcome

The ECU agreed that the error had amounted to a breach of editorial standards but considered that, so long after the event, an on-air correction would not be justified and that an on-the-record correction in the form of a summary of the finding published on bbc.co.uk would be the appropriate remedy.

Upheld

Further action

The journalists working on this story and other key members of the Look East team have been reminded of the need to be accurate at all times.

Victoria Derbyshire, BBC 2, 9 June 2015

Complaint

A viewer complained that an Apple promotional video used to illustrate a business story amounted to advertising.

Outcome

Whilst the use of the clip did not fall foul of the guidelines on advertising, it was shown at greater length than was editorially justified, resulting in undue prominence for a commercial product.

Upheld**Further action**

The Editor has reminded the team that promotional or advertising material must be used sparingly in broadcasts, and no more than is required for illustrative purposes.

Newsnight, BBC2, 15 June 2015**Complaint**

A viewer complained that Allegra Stratton's characterisation of Nigel Farage as "*opposed to*" immigration (in contrast to Douglas Carswell MP, who was said to be "*pro-immigration*") was inaccurate.

Outcome

Although Mr Farage has argued for a reduction in net immigration, he also advocates a points-based system for skilled migrants from within and outside the EU. While this would reduce the number of EU migrants admitted to the UK, it would increase the number from other parts of the world, so it was inaccurate to characterise him as an opponent of immigration.

Upheld**Further action**

The editor has discussed with all Newsnight reporters the importance of ensuring that shorthand summaries of party policies are not misleading.

Off the Ball, Radio Scotland, 4 July 2015**Complaint**

A listener complained that one of the presenters had used the word "*poofy*", despite the action taken by BBC Scotland after his previous complaint about the same usage had been upheld.

Outcome

The ECU agreed that the word had been used in a stereotyping and derogatory sense (as on the previous occasion), and was not editorially justified.

Upheld**Further action**

The Head of Sport, Scotland, made clear to the presenter that the comment in question was completely unacceptable, laying particular emphasis on the fact that it was the second occasion on which a complaint had been made.

Newshour, World Service, 14 July 2015**Complaint**

Interviewing an Israeli minister, the presenter suggested that Israel was not under threat from Iran and that in fact "*nobody in Iran had threatened (Israel) for a very long time*". A listener complained that this was inaccurate, pointing to recent statement from official Iranian sources.

Outcome

Although the question was intended only to draw out the interviewee's views on the nature of the threats faced by Israel, its phrasing gave the impression of stating an uncontested fact. The statements from Iranian sources cited by the complainant sufficed to call the matter into question.

Upheld

Further action

The Editor has discussed the finding with the presenter and team, and emphasised the need for care in framing questions clearly.

Danny Kelly, Radio WM, 24 July 2015

Complaint

A listener complained that the programme contained inaccuracies about Statutory Maternity Pay (SMP) which gave a misleading impression of its cost to employers.

Outcome

The programme stated that a company had to pay 50% of SMP, whereas the Government pays most, if not all, of the costs (depending on the size of the company).

Upheld

Further action

The programme team has been reminded of the need for accuracy in all matters, not least when discussing the basis of important welfare issues which might directly affect members of its audience.

Alistair Carmichael rejects calls to resign over leaked memo, bbc.co.uk

Complaint

A reader complained that the article was misleading in asserting that the memo leaked by Alistair Carmichael MP during the election campaign had "*incorrectly*" reported Nicola Sturgeon as saying she wanted David Cameron to remain as Prime Minister.

Outcome

It cannot be stated as a fact that the memo was incorrect in this respect. However, the Acting Head of News and Current Affairs (Scotland) had already acknowledged the element of inaccuracy, amended the article and reminded relevant staff of the importance of correctness, precision, nuance and context. In the view of the Editorial Complaints Unit, this was sufficient to resolve the issues of complaint.

Resolved

Caution needed with Gaza casualty figures, bbc.co.uk

Complaint

This article about the methods by which casualty statistics for Gaza were compiled originally included the sentence: "*If the Israeli attacks have been 'indiscriminate', as the UN Human Rights Council says, it is hard to work out why they have killed so many more civilian men than women*". A reader complained that this endorsed an Israeli narrative (overlooking other, more probable, explanations of the high proportion of male casualties) and that the changes since made to the article were insufficient and, in claiming to have "*clarified*" the passage in question, misleading.

Outcome

The ECU agreed that the article was faulty in its original form, but found that the changes (which included the addition of other explanations and the attribution to the IDF of the explanation contested by the complainant) sufficed to address the issue and justified the reference to clarification.

Resolved**Los Angeles follows Seattle in \$15 hourly minimum wage, [bbc.co.uk](https://www.bbc.com/news/health-45848484)****Complaint**

A reader of the article complained that it gave the misleading impression that the decision to raise the minimum wage in Los Angeles had been uncontroversial, and that the author had used vocabulary which implied approval for higher minimum wage levels.

Outcome

Viewed in context, the author's vocabulary did not have such positive connotations as to result in bias, but the article should have reflected the fact that the Los Angeles decision was the subject of ongoing debate.

Partly upheld**Further action**

Staff have been reminded of the importance of ensuring that, where there is a debate over policy, significant views and perspectives are properly reflected.