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Analysis of complaints

From 1 April to 30 September 2009 the Unit reached findings on 106 complaints concerning 100 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	Number of Complaints	Number of Items
Harm to individual/organisation (victim complaint)	9	9
Harm to individual/organisation (3 rd party complaint)	1	1
Infringement of privacy	1	1
Political bias	2	2
Other bias	31	29
Factual inaccuracy	20	20
Offence to public taste	10	9
Offensive language	4	3
Violence	3	2
Sensitivity and portrayal	9	9
Racism	5	5
Offence to religious feeling	1	1
Bad example (adults)	5	4
Commercial concerns	2	2
Total	103	97

In the period 1 April to 30 September, 5 complaints were upheld (3 of them partly) – 5% of the total. Of the items investigated in the quarter, complaints were upheld against 5 items (5% of the total). Four complaints were resolved. This report contains summaries of the findings in those 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 (6 in this period) which require longer or

more complex investigation. During the period 1 April to 30 September, 77.5% of replies were sent within their target time.

Summaries of upheld complaints

BBC News (10.00pm), BBC1, 20 November 2008

Complaint

The item complained of was a report on the Government's plans to introduce higher penalties for motorists who exceeded the speed limit by more than a certain amount, in which the reporter explained that the plans were motivated by research suggesting that lowering driving speeds from 40 to 30mph could drastically reduce pedestrian fatalities. A viewer questioned the basis of the research relied on by the Government, and complained that, in any event, it had been inaccurately reported in the item. In particular, the reporter had confused stopping distance with speed at impact, and had overstated the likely impact of reducing speeds on the level of pedestrian fatalities.

Outcome

Before the complaint was put to the ECU, the reporter had acknowledged that he should have referred to impact speed rather than stopping distance. The ECU regarded his acknowledgement as resolving this aspect of the complaint. After investigation, however, the ECU concluded that the statement "*Hit someone at 40mph, and there is an 80% chance they will be killed. Hit someone at 30mph and there is an 80% chance they will survive*" was also questionable, in that the figures reflected conclusions drawn from the research in relation to children hit by vehicles, whereas the differential for pedestrians as a whole (including adults) was significantly lower. Irrespective of the complainant's points about validity of the research and the conclusions drawn from it, the terms in which it was reported were inaccurate, and the complaint was upheld in this respect.

Further action

The Editor of the BBC's Business and Economics Centre has discussed the issues arising from the finding with his production and reporting teams, stressing the importance of checking their facts carefully, especially when handling stories where statistics play a crucial part.

Top Gear, BBC2, 23 November 2008

Complaint

A viewer complained that a mobile phone device used by one of the presenters while driving was not "*technically hands-free*", as had been maintained in previous correspondence from the BBC.

Outcome

Although hardly such as to impinge on the presenter's driving, the device was not hands-free in terms of the relevant legislation. However, it had been acknowledged in the previous correspondence that the shots of the device being used while driving should not have been included. This acknowledgement and the assurance that the matter had been discussed with the programme team were sufficient to resolve the issue.

Resolved

Our World: Jonah and the Whalers, BBC News, 26 December 2008

Complaint

The presenter accompanied a Greenpeace crew in pursuit of Japanese whalers. A viewer complained that his comments on Sea Shepherd, another environmentalist group operating in the area, had given a false impression that Sea Shepherd endorsed violence.

Outcome

The presenter referred to Sea Shepherd as throwing "*bottles of acid*" at Japanese whaling vessels, without making clear that the substance in question (butyric acid, produced when butter turns rancid) was harmless to humans and intended only to cause a repellent smell. This allowed the inference that, in contrast to Greenpeace, Sea Shepherd was prepared to engage in violence against people, whereas its policy is to confine itself to damage to property.

Upheld

Further action

Programme teams have been reminded of the need to be precise on technical or scientific specifics so as to avoid the potential for misleading impressions.

Liza Tarbuck and Cathy Burke, Radio 2, 17 January 2008

Complaint

A listener complained that an exchange about euphemisms for homosexuality and a subsequent reference by Liza Tarbuck to lesbians were homophobic.

Outcome

The terms used in the exchange in question were not derogatory, and did not tend to perpetuate stereotypical assumptions. The reference to lesbians, though innocently intended, could have been interpreted as perpetuating such assumptions. However, the actions of Radio Two in contacting each complainant to offer an apology and making the apology public in response to an enquiry by The Pink Paper were sufficient to resolve the issue.

Resolved

Footloose, Radio Scotland, 19 January 2009

Complaint

The Rangers Trust (a body claiming to represent the views of Rangers fans) complained that both the programme and the presenter's blog had given the untrue impression that the objective of the Trust's "We Deserve Better" campaign was the removal of the manager of Rangers, whereas it was in fact calling for improved performance by the current chairman and management team.

Outcome

The programme itself did not give the impression complained of. However, by placing the "We Deserve Better" campaign in the context of observations about the sacking of Scottish Premier League managers following pressure from fans without making clear its distinct objectives, the presenter's blog inadvertently gave the impression that the Trust was seeking the dismissal of the Rangers manager.

Partly upheld

Further action

The Sports Department has reminded staff writing blogs of the importance of precise language, to avoid any impression that the blog is not compliant with BBC guidelines on accuracy.

The Politics Show, BBC1, 25 January 2009**Complaint**

A viewer complained that an item on Nigel Farage gave undue prominence to the brand of cigarette he was smoking.

Outcome

Mr Farage's cigarette packet was incidentally in shot in a number of sequences. These incidental appearances on their own would not have given the impression of undue prominence, but, taken together with a sequence where the camera dwelt on the cigarette packet in close-up and for no apparent editorial reason, they did. Independently of the ECU's involvement, however, the Editor of the programme had recognised that the impression was inappropriate and taken steps to guard against a recurrence.

Resolved**The Graham Norton Show, BBC2, 12 March****Complaint**

A viewer complained that references by Graham Norton to lesbians (in the context of commenting on a patent illustrated by a drawing of a large woman with short hair) perpetuated an offensive stereotype.

Outcome

Although the initial references might have been inoffensive if considered on their own, they prompted an exchange with one of the programme's guests which gave the references the appearance of perpetuating or reinforcing a potentially offensive stereotype.

Upheld**Further action**

The programme team were reminded of the need to avoid any possibility of being seen to endorse offensive sexual stereotypes.

"Existing" on the poverty line, BBC News Online, 8 April 2009**Complaint**

The item reported the case of a particular family which illustrated concerns voiced by Oxfam and reported in a linked item, "Call for action to help UK's poor". A reader of the item complained that it did not make clear what definition of poverty was being applied, and that, in any event, the family concerned would be eligible for benefits and other entitlements which would leave it outside any applicable definition of poverty.

Outcome

The relevant definition of poverty (having an income of less than 60% of the median) was set out in "Call for action to help UK's poor", to which the item complained of was linked. In the view of the ECU, its absence from the item complained of did not constitute a breach of editorial standards (though BBC News Online added the definition in response to the complaint), and this aspect of the complaint was not upheld. However, as considerations of confidentiality prevented Oxfam from providing the details of the family's financial circumstances, and as there was some doubt about whether the benefits and entitlements

for which the family was eligible would have left it with an income below 60% of the median, the item's claim could not be substantiated. In this respect, the item fell short of the requirement of the BBC's guidelines on accuracy that output should be "*based on sound evidence and thoroughly tested*".

Partly upheld

Further action

The Deputy Head of Newsgathering has sent a note to all staff reminding them of the need to validate claims made about people offered as case studies.

Newsbeat, Radio 1, 20 April 2009

Complaint

The programme contained a report which incorrectly suggested that the official inquiry into the Hillsborough disaster had blamed the behaviour of Liverpool supporters. A listener complained that the correction and apology offered by the programme were insufficient.

Outcome

The following correction/apology was broadcast in the next day's edition of **Newsbeat** and posted on its website:

Yesterday on Newsbeat at 12.45 we broadcast an item on the Hillsborough disaster in which 96 people were killed. We said an official report blamed Liverpool supporters for too many fans getting into one part of the stadium that day. This was wrong and we would like to apologise to listeners offended by our report and for this error.

In the view of the ECU, this met the requirements of the BBC's guidelines on correcting mistakes, which say:

We should normally acknowledge serious factual errors and correct mistakes quickly and clearly...An effective way of correcting a mistake is saying what was wrong as well as putting it right.

Resolved