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Analysis of complaints

From 1 July – 30 September 2008 the Unit reached findings on 51 complaints concerning 45 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)	7	7
Harm to individual/organisation (3 rd party complaint)	3	3
Other bias (non-party political)	8	6
Factual inaccuracy	10	9
Offence to public taste	7	6
Offensive language	1	1
Violence	2	1
Sensitivity and portrayal	2	1
Offence to religious feeling	2	2
Bad example (adults)	1	1
Commercial concerns	2	2
Other	6	6
Total	51	45

In the period 1 July – 30 September, 8 complaints were upheld (5 of them partly) – 15.5% of the total. Of the items investigated in the quarter, complaints were upheld against 8 items (18% of the total). One complaint was 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 (8 in this quarter) which require longer or more complex investigation. During the period 1 July – 30 September, 84.5% of replies were sent within their target time.

Summaries of upheld complaints

BBC News (10.00pm), BBC1, 25 January 2008

Complaint

The complaint arose out of an item on the closure of Tower Colliery, which had previously been the subject of a buy-out by the miners working there. The introduction to the report said of the miners that "*They took on Mrs Thatcher and won*". A viewer complained that this was both inaccurate and indicative of bias against Mrs Thatcher.

Ruling

As Mrs Thatcher had been out of office for five years by the time the Tower Colliery miners launched their buy-out bid, the impression of direct confrontation with her was misleading (as was the reference by a speaker in the report to "*a workers' buy-out under a Thatcher government*"). However, as the words in question implied neither approval nor disapproval of Mrs Thatcher and her government, they were not indicative of bias.

Party upheld

Further action

The Editor of the 10.00pm **News** has taken his production team through the issues arising from the finding, and reminded staff of the importance of checking their facts carefully and using accurate language when scripting introductions to items.

News (08.00am), Radio Merseyside, 14 February 2008

Complaint

A listener complained of a misleading impression that the official report on the death of Jessica Randall (a baby murdered by her father) had found senior social workers to blame.

Outcome

Because of the way an item prepared by the political news team at Westminster had been edited by Radio Merseyside, a misleading impression was inadvertently given. However, the headline supplied by Westminster, which referred to "*calls for senior social workers to take responsibility*", contributed to the misleading impression because the item itself contained only one such call, by a local MP.

Further action

The Managing Editor of Radio Merseyside has discussed the issues arising from the finding with the individuals directly involved, and stressed to newsroom staff the importance of ensuring that portions of prepared items are not broadcast without due consideration of their context in the full story. Advice to this effect will be included in the station guide, which is currently under revision, and which is issued to all staff. Reporters at Westminster have also been reminded that the stories they provide are sometimes not used in their entirety by the radio stations they serve, and that introductory lines must be completely fair and accurate, even when heard in isolation from the main story.

The Curse of Steptoe, BBC4, 19 March 2008

Complaint

The brother of Harry H Corbett's deceased second wife Maureen complained of numerous specific inaccuracies and a false overall impression, with elements of unfairness to Corbett himself, his second wife and Wilfrid Brambell.

Outcome

In most instances, the ECU found that the departures from ascertainable fact were legitimate exercises of dramatic license in the context of a drama featuring living or well-remembered people. However, the drama gave the impression that Maureen's relationship with Corbett preceded, and might have contributed to, the breakdown of his marriage with Sheila Steafel, whereas the chronology established by the ECU did not support this. The drama also gave the impression that the end of **Steptoe and Son** was immediately preceded, if not precipitated, by the birth of Corbett's first child. This was a dramatic device which had the legitimate intention of illustrating the change in Corbett's attitudes and priorities brought about by family life. However, the two events were separated by eight years, so the device tended to mislead viewers significantly on an aspect of the narrative central to their interest in the drama. The complaint was upheld on these two points.

Partly upheld

Further action

The BBC will not re-broadcast the programme without appropriate editing and content information.

Breakfast, BBC1, 19 March 2008

Complaint

The programme included an item on the drama **The Curse of Steptoe**, which was to be broadcast on BBC4 that evening. The brother-in-law of the late Harry H Corbett complained that the item gave a misleading impression of the extent to which the drama was based on fact and, in particular, that it falsely suggested Corbett and his co-star Wilfrid Brambell loathed each other.

Outcome

The item did not give an unambiguous impression that **The Curse of Steptoe** was entirely factual; while the actor playing Brambell described it at one point as "*all fact*", he added that some of it was speculation. However, the suggestion that Bramble and Corbett loathed each other was presented as established fact, whereas the balance of first-hand evidence is that this was by no means the case (and nor was it the impression given by the drama itself).

Further Action

The Editor of **Breakfast** has discussed the issues arising from the finding with her team, underlining the importance of subjecting BBC-made programmes to the same level of editorial scrutiny as those made by independent companies. In addition, the team has discussed the need to identify the potential pitfalls in advance and alert the presenters and editors to any sweeping factual claims which are likely to be made. This will be included as part of the programme briefing process in the future.

Six o'Clock News, Radio 4, 11 April 2008

Complaint

A listener complained that the Regulation of Investigatory Powers Act 2000 had been incorrectly described as "*anti-terrorist legislation*", introduced "*as the threat of global terrorism was on the rise*".

Outcome

It is clear from the terms in which the legislation was presented to Parliament that it was not primarily an anti-terrorist measure, and it predated the main events which contributed to the rise in the perceived threat of global terror.

Further action

News management has circulated a note outlining the purposes of the Act and making clear that BBC journalists should not refer to it as anti-terrorist legislation.

The ONE Show, BBC1, 12 June 2008

Complaint

The programme included an item prompted by Hair Loss Awareness Month. A viewer pointed out that Hair Loss Awareness Month was an initiative by the manufacturers of a product sold as promoting hair re-growth, that both the presenter of the item and the celebrity guest were advertised by the manufacturers as endorsing the product, and that the corresponding item on the programme's website linked directly to a commercial website where their endorsements could be seen. Although the link in the body of the text had been removed in the course of consideration of the complaint by the Editor of **The ONE Show**, a less prominent link at the side of the page remained at the time the viewer took his complaint to the ECU.

Outcome

Although Hair Loss Awareness Month was commercially inspired, the subject of hair loss was a legitimate one for the programme to cover. As the product in question was not identified in the programme, the BBC's guidelines on undue prominence for commercial products were not contravened. The links from the programme's website to a commercial website, in contrast, were inappropriate and contrary to the relevant BBC guidelines. However, as both links were removed independently of the ECU investigation (the second, having initially been overlooked, was removed as soon as the Editor became aware of the oversight) the ECU regarded this aspect of the complaint as resolved.

All Things Considered, Radio Wales, 22 June 2008

Complaint

The programme consisted of an interview with Siôn Jenkins, whose conviction for murdering his foster-daughter was overturned in 2006. His former wife complained that Mr Jenkins had given the false impression that she had admitted to giving unreliable evidence in court. She also complained that he had been allowed to make a number of statements which were misleading and, in some cases, capable of having an adverse impact on their children.

Outcome

During the interview, Mr Jenkins referred to a letter his former wife had written to a judge. The letter was in response to a request to give evidence at Mr Jenkins' second trial, and expressed her apprehensions about doing so. However, this context was not made clear in the programme, and the impression was given that she had admitted that her evidence in the original trial might have been unreliable. This impression was incorrect, and unfair to her. The other statements in question, though clearly touching on matters of ongoing sensitivity, were legitimate in the context of an interview which focused on Mr Jenkins' own appreciation of his situation during his trial and conviction and subsequent re-trials.

Further action

BBC Wales will ensure that staff are clear about the need for alertness, when exploring one person's perspective on events, to material which may potentially affect other interested parties.

Weakest Link Special, BBC1, 5 July 2008

Complaint

A viewer complained that a series of exchanges which culminated in Anne Robinson asking one of the celebrity contestants "*Do people feel sorry for you and offer you a shag?*" was inappropriate for a transmission time when significant numbers of children were likely to be watching.

Outcome

The programme was a repeat, broadcast at 5.50pm on a Saturday, immediately before the culminating episode of a series of **Doctor Who**. While gentle sexual innuendo is often a feature of **Weakest Link**, the exchanges in question were more insistent and, finally, more explicit than was usual for the programme or appropriate for transmission at a time when it could be expected that the audience would include significant numbers of children.

Further action

Any further repeat will be in an appropriate slot.

Atom, BBC4, 26 July – 9 August 2007

Complaint

A viewer of this series on the physics of the atom complained of inaccuracies and over-simplifications, both in its account of the development of scientific thinking about the subject and in its presentation of the relevant scientific concepts.

Outcome

Most of the instances complained of were the kind of simplifications or approximations which are warranted in the effort to present complex science to a non-specialist audience. However, the statement that *“100 years ago arguing atoms were real was considered by most scientists to be a waste of time”* gave a misleading impression of the balance of scientific opinion at the beginning of the 20th century.

Further action

The Commissioning Executive discussed the issues arising from the finding with the programme team, and the misleading impression will be rectified before any re-broadcast.