

Analysis of complaints

From 1 March to 30 September 2013 the Unit reached findings on 235 complaints concerning 187 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	18	18
Infringement of privacy	2	2
Political bias	3	3
Other bias	59	35
Factual inaccuracy	100	84
Offence to public taste	26	24
Sensitivity and portrayal	2	2
Bad example (children)	1	1
Bad example (adults)	2	1
Racism	6	4
Offence to religious feeling	7	5
Commercial concerns	3	3
Standards of interviewing/presentation	6	5
Total	235	187

In the period 1 March – 30 September 2013, 26 complaints were upheld (10 of them partly) – 11% of the total. Of the items investigated in the period, complaints were upheld against 20 items (10.5% of the total). 9 complaints, about 8 items, 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 (16 in this period) which require longer or more complex investigation. During the period 1 March – 30 September 2013, 80% of replies were sent within their target time.

Summaries of upheld complaints

Fake Britain, BBC1, 4 June 2012

Complaint

The programme included an item on high-visibility safety wear, principally concerned with the issue of items which didn't meet the relevant regulatory standards. The owner of Equisafety complained that her company's products were shown in a manner which wrongly suggested that they fell below regulatory standards; that they featured as a result of the activities of a contributor who was associated with her principal competitor, but who was misleadingly represented in the programme as no more than a concerned customer; and that Equisafety had been given no opportunity to respond to damaging criticism.

Outcome

The ECU found that there was in fact no suggestion that Equisafety products failed to meet the relevant standards, but that viewers should have been made aware of the contributor's interest, and that Equisafety should have been given the opportunity to respond to the suggestion that they had continued to distribute items with tags claiming police endorsement after the ASA had ruled against the use of such claims in Equisafety's advertising.

Partly upheld

Further action

The programme team has been reminded to be careful about the way in which they introduce contributors and the circumstances in which they should offer an individual the right of reply. The original programme will not be repeated in its present form.

Newsnight, BBC2, 9 August 2012 and associated online and broadcast news coverage (seven items in total)

Complaint

The 9 August 2012 edition of **Newsnight** included a report on provision for seriously injured British troops in which the charity Help for Heroes (H4H) featured prominently as the subject of criticism. The story was taken up by a number of BBC news programmes during that day, and covered on the BBC website. A complaint by H4H was referred to the ECU for independent investigation.

Outcome

The BBC's coverage gave the impression that H4H was responsible for shortcomings in the provision of support for wounded veterans, and the ECU found no evidence to justify this impression. Although it was legitimate to report the concerns of veterans, the ECU found that two interviewees in the **Newsnight** report had been edited in a way which misrepresented them, that criticisms about overall support for veterans by a number of agencies were portrayed as specific criticism of H4H, and that the report did not properly reflect H4H's response (though this was somewhat offset by the participation of an H4H representative in the studio discussion which followed). The unfairness to H4H was reinforced by the coverage of the story in other BBC Outlets.

Upheld

Further action

The BBC broadcast apologies to H4H on BBC2, Radio 1 and Radio 2. The content of the relevant online pages was removed, and replaced with information about H4H's complaint and the BBC's apology.

Reporting Scotland, BBC1 Scotland, 24 September 2012 (6.30pm)

Complaint

A viewer complained that a report on the deaths of three people in a canoeing accident confused the distinction between life jackets and buoyancy aids.

Outcome

The piece was edited in a way which gave the impression that a representative of the RNLI was demonstrating the benefits of a buoyancy aid, when in fact he was talking about (and showing) a life jacket. The programme team quickly recognised that this impression was misleading, and the version of the item broadcast later that evening was edited to remove it, but the original broadcast could have caused confusion over the correct use of safety equipment, in a context where the use of life jackets rather than buoyancy aids might have made the difference between life and death.

Upheld

Further action

News teams have been reminded of the need to ensure absolute accuracy of description, particularly when the subject matter is safety equipment and its use.

BBC News, 14 November 2012

Complaint

The programme included a studio interview with Jonathan Sacerdoti about recent Israeli actions in Gaza. Two viewers complained that he had not been identified as a pro-Israeli speaker, which was misleading and resulted in bias.

Outcome

Mr Sacerdoti was introduced as the Director of the Institute for Middle Eastern Democracy, and it was not made clear that he is an active proponent of the Israeli viewpoint. What he said in the course of the interview was a legitimate expression of that viewpoint, and his appearance in the programme was in keeping with the requirements of due impartiality. However, as a matter of due accuracy, viewers should have been made aware that he was not a neutral commentator.

Partly upheld

Further action

The production team have been reminded of the importance of clearly summarising the standpoint of any interviewee where it is relevant and not immediately clear from their position or the title of their organisation.

#Gaza militants launch missiles at Tel Aviv in 1st rocket attack on Israeli capital since 1991 Gulf War <http://bbc.in/QJkWK7>, BBC News, 15 November 2012

Complaint

This was a tweet posted to draw attention to an online article. A reader complained that it referred to Tel Aviv as the capital of Israel.

Outcome

The ECU agreed that this was inaccurate (the inaccuracy was not repeated in the article itself) but found that the correction and apology already made by BBC News was sufficient to resolve the issue.

Resolved

Andy Crane, Radio Manchester, 23 November 2012

Complaint

A contributor to the programme complained that the description of a site which Manchester Airport wants to develop as “brown-field” was inaccurate, and called for a broadcast correction.

Outcome

The statement, made in a programme earlier that day by a spokesman for the Airport and repeated by Andy Crane in the introduction to the complainant’s interview and in one of his questions, was inaccurate. In the view of the ECU, however, the detailed description of the site which the complainant had then given sufficed to correct any misleading impression.

Resolved

Today, Radio 4, 27 November 2012

Complaint

In an interview about the figures for the Government’s Work Programme to be released later that morning, Nick Robinson said taxpayers were “*slightly better off*” because benefits were not paid to participants in the Programme. A listener pointed out that participants do in fact receive benefits, and argued that the scale of the error was such that there should be a broadcast correction.

Outcome

The statement was incorrect, and Nick Robinson corrected it on his blog and Twitter page during the day. However, the error didn’t come to the attention of the **Today** team until later in the week. The ECU agreed with the Today team that, while there would have been a good case for broadcasting a correction soon after the item, the passage of time had rendered such action inappropriate. Nevertheless, the error represented a breach of editorial standards.

Upheld

Further action

Correspondents will be reminded that the relevant programme teams should be notified when an error is acknowledged or corrected.

Newsnight, BBC2, 15 January 2013

Complaint

Two viewers complained that a report on the Negev desert gave the inaccurate impression that Israel occupied only part of the West Bank.

Outcome

The introduction to the report included the sentence “Israeli soldiers shot dead a 17 year old Palestinian youth today near the barrier which separates West Bank towns and villages from areas occupied by Israel”, which tended to give the impression complained of. However, as the complaint had elicited an unequivocal acknowledgement and apology at the first stage of the BBC’s complaints process, and as the inaccuracy was not of such magnitude as to require broadcast correction, the ECU took the view that the issue had been resolved.

Resolved

Daily Politics, BBC2, 15 February 2013

Complaint

A viewer complained that an item on Marxism had been biased and inaccurate.

Outcome

The item set out to consider two questions – whether Marxism worked, and whether it could provide lessons for *“the post-economic crash era in which anti-capitalism protests are rife”*. In most respects, it observed the levels of impartiality and accuracy due in the treatment of such questions, but the reporter’s attribution to Marx of the view that capitalism was doomed because it was unfair was not duly accurate in an item whose subject was Marxism.

Partly upheld

Further action

The Editor discussed the finding with the programme team and reinforced the need for careful scripting.

Food and Drink, BBC2, 18 February 2013

Complaint

Introducing an item on how children could be engaged in healthy eating when parental time was limited, the presenter cited research which (she said) showed that children in families with two working parents were six times more likely to be obese than other children. A viewer complained that this was misleading and resulted in bias against working mothers, and that a broadcast correction was necessary.

Outcome

The ECU agreed that the research in question (which was about American children in a very limited age-range) didn’t warrant such a general statement but, as the presenter’s remarks were applicable to parents of either sex, found no bias against working mothers. The programme-makers’ acknowledgement of the inaccuracy at Stage 1 sufficed to resolve the issue, and the ECU saw no case for a broadcast correction on a point which was so tangential to the focus of the item.

Resolved

The National Lottery: Who Dares Wins, BBC1, 23 March 2013

Complaint

The programme allowed “Finland” as an answer to a question about countries whose national flags had the colour red in them. A viewer complained that this was incorrect.

Outcome

There is a version of the flag which incorporates a red lion, but it is not the current national flag of Finland (which consists of a blue cross on a white ground). Allowing the incorrect answer, in the context of a competition with a substantial prize which emphasises the thoroughness of its research, fell short of due accuracy.

Upheld

Further action

The programme team has undertaken to review its question verification processes.

Off the Ball, Radio Scotland, 20 April 2013

Complaint

A listener complained that one of the presenters had described a football fan as carrying a “wee, poofy banner”.

Outcome

Although it was used without derogatory intent, the word “*poofy*”, in this context, suggested something feeble or ineffectual, and thus tended to perpetuate an offensive stereotype.

Upheld

Further action

Editor Sport (Scotland) discussed the finding with the producer of the programme and the presenter concerned, with reference to portrayal and the potential for certain terms to cause offence. Though there had been no intent to offend, they recognised that offence had in fact been caused on this occasion, and offered their apologies.

David Prever at Drivetime, Radio Oxford, 9 May 2013

Complaint

A listener complained that the presenter said the evidence against climate change was “*overwhelming*” and suggested there was a “*huge amount of evidence from esteemed organisations and professors and universities around the world*” which questioned whether climate change was occurring.

Outcome

The ECU agreed that the presenter misrepresented the weight of evidence for man-made climate change and gave undue emphasis to a minority view.

Upheld

Further Action

The Editor has discussed the finding with the presenter and producer and reinforced the importance of asking challenging questions that are based on proper evidence and are well sourced, as well as highlighting the BBC Trust’s position on the climate change debate.

Jo Good, BBC London 94.9FM, 17 May 2013

Complaint

During a regular slot devoted to canine topics, the presenter’s guest was an “alternative” veterinary practitioner. A listener complained that the guest was allowed to make unfounded claims for treatments (ranging from homeopathy to chiropractic) for whose effectiveness there was no scientific evidence, and that the item gave the misleading impression that dog-owners could take their animals to alternative practitioners without referral by a vet (which is illegal).

Outcome

The presenter appeared to endorse claims which should have been challenged, and the item as a whole gave the misleading impression complained of.

Upheld

Further action

The Editor discussed the finding with the presenter and producer, reminding them of their duty to be impartial and to research topics thoroughly so that they are aware of all sides of the debate and, in this case, the legal implications.

Judi Spiers Show, BBC Radio Devon, 20 May 2013

Complaint

A listener complained that a homeopath who was interviewed on the programme was allowed to make the misleading claim that an organisation working in Tanzania had successfully treated patients using homeopathic remedies.

Outcome

The presenter appeared to endorse the claims that were made for the efficacy of homeopathic remedies and failed to challenge the assertion that homeopathic remedies had been effective in treating patients with a range of medical conditions, including the side effects of HIV medication. As there is no scientific support for them, such claims are controversial and the item fell short of due impartiality

Upheld

Further Action

The finding was discussed with the presenter and producer, and all the station's non-news programme teams have been reminded of their commitment to due impartiality in all interviews.

News (7.00pm), Radio 4, 21 May 2013

Complaint

A listener said that an item on the impending retirement of Sir David Nicholson, Chief Executive of NHS England, gave the inaccurate impression that the Francis Report had found that there had been hundreds of avoidable deaths at Stafford Hospital. In fact it had concluded that it would be unsafe to infer from the figures that there had been any particular number of avoidable or unnecessary deaths.

Outcome

The report had been commissioned in the light of concerns about mortality rates, and had found evidence of very serious problems at the Trust. However it did not conclude that there had been "hundreds of avoidable deaths" and had warned against drawing such conclusions from the data. The ECU concluded that the reference to "*the inquiry report into hundreds of avoidable deaths at Stafford Hospital*" had inaccurately characterised the Francis Report.

Upheld

Further action

News teams have been re-briefed on the importance of clarity when discussing an issue as complex as this in a short summary.

Sadie J, CBBC, 16 June 2013

Complaint

A viewer complained that the reference to a character as "a small-minded, OCD neat freak" was offensive because it trivialised a recognised medical condition and perpetuated a negative and inaccurate stereotype of people with Obsessive Compulsive Disorder.

Outcome

The ECU agreed that the use of OCD as a form of insult, without challenge from another character, was unacceptable in the context of this children's programme.

Upheld

Further Action

CBBC edited this comment from the programme to bring it into line with the channel's on-going commitment to feature OCD and other medical conditions in a sympathetic and educational way.

False rape claims "devastating" say wrongly accused, Newsbeat website, bbc.co.uk Complaint

A reader of the item complained that it gave the impression that false rape claims are common, when in fact they are the reverse.

Outcome

The item, which focused on the impact of false rape claims on those involved, was commissioned to coincide with publication of a Crown Prosecution Service study which (in the words of the Editor of **Newsbeat**) "*set out to establish how common such false rape allegations were*". Having cited the study's figure of two prosecutions per month for falsely alleging rape, the item went on to say "*It's the first time details for England and Wales have been compiled, showing how common the problem is*". In the context of this indicative statement, the phrase "*how common*" tended to suggest that false rape allegations were indeed frequent. In response to complaints, however, "*common*" had been changed to "*unusual*" before the reader's complaint reached the ECU. As the item also included two quotations from credible sources which made clear that false rape claims were in fact relatively uncommon, the ECU took the view that the change to "*unusual*" sufficed to resolve the issue of complaint.

Resolved

Huge 'holograms' offer medics more memorable classes, BBC News Online Complaint

A reader with a professional involvement in holography complained that the teaching aids described in the article were not holograms but examples of the Pepper's Ghost illusion, and that the article was seriously misleading.

Outcome

In response to the complainant's points at an earlier stage of the BBC's complaints procedure, a passage making clear that the items were examples of the Pepper's Ghost illusion was added to the article. In the view of the ECU, and notwithstanding the complainant's belief that any reference to holograms in this context was seriously misleading, the addition sufficed to resolve the issue of complaint.

Resolved

NHS failings 'suppressed for electoral reasons', BBC News Online Complaint

A reader complained that an article written in advance of a report into the quality of care and treatment at 14 NHS Trusts in England gave undue weight to views expressed by one of the contributors to that report, Sir Brian Jarman, and incorrectly presented him as an independent expert. The reader also said that the first version of the article incorrectly said

the forthcoming report would include specific figures for the number of deaths above the national average which occurred in the 14 Trusts between 2005 and 2010.

Outcome

The ECU did not uphold the main points of complaint. It concluded that it was accurate to describe Sir Brian as an *“independent expert on mortality rates”* and reasonable to report his views in advance of the publication of a major report on standards of health care. However it agreed the original version of the article which suggested the report would contain specific figures for the number of deaths above the national average was incorrect because it was known that no such figures would be included. The article was subsequently corrected once the error had been brought to the attention of the journalist. In the view of the ECU, this was sufficient to resolve the issues of complaint

Resolved

The Gaza Surf Club, bbc.co.uk

Complaint

This programme page accompanying the online version of a Radio 4 piece dealt with a group of young surfers in Gaza and their efforts to pursue their sport despite difficulties arising from the Israeli blockade. A reader had complained of inaccuracies, all tending to give an unfavourable impression of Israel, and the wording of the article had been changed as a result. He complained to the ECU that the page still created a misleading impression, and argued that it should indicate that changes had been made and explain why.

Outcome

The ECU found that the impression created by the amended article was not misleading, and that the original inaccuracies were not serious enough to warrant the addition to the page suggested by the complainant.

Resolved

Why Do Some UK Jews Settle in Israeli-occupied land?, BBC News Online

Complaint

This article was about the experiences of two men from the UK (and their families) who had chosen to move to settlements in the Israeli-occupied West Bank. Seven readers challenged the accuracy of what the settlers were quoted as saying.

Outcome

In most instances, the ECU found either that there was no inaccuracy or that the matter was one of opinion rather than fact. However, the statements by one of the settlers that *“About 90% of settlements are right on the border of the Green Line”* and *“It is relatively rare to find a hilltop settlement”*, singled out by four of the complainants, were inaccurate in a way which, in the context, was materially misleading

Partly upheld

Further action

Writers will be reminded of the need to ensure that a misleading impression does not arise from the use of quotes from interviews.