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Analysis of complaints

From 1 October 2008 to 31 March 2009 the Unit reached findings on 107 complaints concerning 97 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)	4	4
Infringement of privacy	1	1
Political bias	4	4
Other bias	22	21
Factual inaccuracy	37	30
Offence to public taste	16	12
Offensive language	5	4
Sexual conduct	1	1
Violence	1	1
Sensitivity and portrayal	3	3
Racism	5	5
Offence to religious feeling	1	1
Bad example (adults)	3	3
Commercial concerns	4	4
Total	107	94

In the period 1 October to 31 March, 18 complaints were upheld (5 of them partly) – 17% of the total. Of the items investigated in the quarter, complaints were upheld against 18 items (19% of the total). Two 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 (20 in this period) which require longer or more complex investigation. During the period 1 October to 31 March, 87% of replies were sent within their target time.

Summaries of upheld complaints

Panorama: What's Next for Craig?, BBC1, 12 November 2007

Complaint

The programme explored issues relating to attention deficit hyperactivity disorder (ADHD) and the implications of the most recently-published results of The Multimodal Treatment Study of Children with Attention Deficit Hyperactivity Disorder ("the MTA Study") for the treatment of the condition in children. A viewer complained that it had given the misleading impression that the preferred form of medication was ineffective (or even harmful) in the

longer term, gave rise to serious behavioural problems, and should be abandoned in favour of other treatment approaches.

The viewer also complained that the programme's choice of interviewees had been inappropriate, and that the treatment of the two young people with ADHD who appeared in the programme had been contrary to the provision of the BBC's Editorial Guidelines relating to children.

Outcome

In the view of the ECU, the programme did not give the impression that the form of medication in question led to behavioural problems, but did give the impression that the most recently-published results of the MTA Study had shown medication for longer than three years to be ineffective, and that other treatment approaches were therefore preferable. The results in question, though compatible with that view, in fact showed only that medication had no advantages over other treatment approaches after three years (though also that, unlike other treatment approaches, it was associated with reduced growth) . As earlier results from the MTA Study had shown a distinct advantage for medication, this finding was both noteworthy and surprising to many experts in the field. However, the research was not conducted in such a way as to be able to determine that long-term medication conferred no benefit at all, and to that extent the impression given by the programme was misleading. The other aspects of the complaint were not upheld.

Partly Upheld

Further action

The finding was discussed in detail and noted by the production team.

Today, Radio 4, 11 December 2007

Complaint

A listener complained that an interview with a representative of the World Wildlife Fund about a report on penguin populations in an area of Antarctica gave the misleading impression that penguin colonies throughout the continent were suffering adverse effects from global warming.

Outcome

The questioning concentrated on the report's findings of adverse effects in certain species and in certain areas, though the report itself had concluded that other species and penguin populations of the same species in other areas were stable or increasing. The impression given by the item was thus misleading.

Upheld

Further action

The Editor will remind all producers of the need to take into account the full range of findings of any report which forms the basis of an interview on the programme.

Political Animal, Radio 4, 17 June 2008

Complaint

A listener complained about a joke directed at the Israeli army which ended by drawing an analogy between Palestine and a cake and saying "that cake is being punched to pieces by a very angry Jew".

Outcome

The use of "Jew" in this context was inappropriate.

Upheld

Further action

The Commissioning Editor has made arrangements with the independent production company for more effective editorial supervision of any future editions of the programme.

Bonekickers, BBC1, 8 July 2008

Complaint

A viewer complained that a scene in which a Muslim character was decapitated with a sword by a member of an extreme Christian group was unacceptably graphic (even for a drama beginning at 9.00pm), and might provoke imitation by Muslim extremists.

Outcome

In the context of a drama which was closer to the fantastic than the realistic end of the spectrum, this action by an obsessed and somewhat deranged character was unlikely to give rise to imitation. However, the graphic and explicit depiction of the moment of decapitation was beyond what viewers would have been led to expect by the content of the programme up to that point.

Partly upheld

Further action

The programme will be re-edited before any repeat by the BBC.

The ONE Show, BBC1, 7 August 2008

Complaint

The programme included an item about price comparison websites in relation to motor insurance. The focus of the item was on Moneysupermarket.com (MSC), which complained that the item had unfairly reported that it had performed poorly when its results had been compared with prices derived from the insurers' own websites. The programme-makers had relied on searches which MSC had not been able to replicate, and had disregarded subsequent searches which, MSC claimed, had produced good results. Further, the item had given the entirely misleading impression that the good search results claimed by MSC had been discredited by subsequent searches by the programme-makers.

Outcome

The only direct evidence in relation to the results of the programme-makers' original searches consisted of contemporaneous print-outs, which were consistent with the results reported in the item. In relation to the subsequent searches, it was no longer possible to verify what they had revealed, as printouts had not been obtained before these searches expired. From an analysis of the relevant weblogs, however, it was clear that, despite inviting MSC to participate in a further search, the programme-makers had reached the conclusion that no further searches were in fact necessary before they were in a position to verify the accuracy of the subsequent search results. As MSC had acted on the programme-makers' invitation, and had made them aware of claims which, if true, cast doubt on their story, due efforts to test those claims should have been made in the week that remained before transmission of the item. The failure to do so resulted in unfairness to MSC.

Unfairness also arose from the fact that a line of script intended to reflect MSC's claims was garbled in delivery in a way which gave the misleading impression that the claims conflicted with search results subsequently obtained by the programme-makers.

Partly upheld

Further action

The programme team were reminded of the importance of checking the status of claims made by parties who are the subject of criticism within the programme.

Would I Lie To You?, BBC1, 22 August 2008**Complaint**

A viewer complained about two occurrences of the f-word within the first 15 minutes of the programme.

Outcome

The occurrences (one spontaneous, the other scripted) did not have sufficient editorial justification, in the context of the first half of a programme broadcast immediately after the watershed on BBC1.

Upheld**Further action**

The programme will not be repeated in its present form in a similar slot.

PM, Radio 4, 26 August 2008**Complaint**

The programme included an item arising from an incident in Birmingham in which a five year-old girl shot and killed her younger brother with an air rifle left unattended by their father. A listener complained that it included an interview with a representative of the Gun Control Network with no balancing contribution.

Outcome

In most respects the contribution from the interviewee was uncontroversial. However, he argued in the course of the interview for a change in the law to subject air weapons to the same requirements for secure storage as firearms. As this is a point on which there is active controversy, there was a need for a balancing view either within the programme or on another appropriate occasion.

Upheld**Further action**

Editors were reminded that, when there is an active controversy over an issue, it is important to consider carefully how to reflect varying shades of opinion.

The World This Weekend, Radio 4, 31 August 2008**Complaint**

A listener challenged the statement by a correspondent that Sarah Palin was "a creationist".

Outcome

Although Sarah Palin is on record as supporting the teaching of "creation science" in schools as an alternative to evolution, she is not on record as expressing views which would justify describing her as "a creationist" in the sense the term has in the context of public debate.

Upheld**Further action**

Editors were reminded that, even when someone is on record as supporting the teaching of "creation science", care should be taken about using "creationist" as a shorthand description.

BBC News (6.00pm), BBC1, 29 September 2008**Complaint**

A viewer complained that a report on the Conservatives' proposal for a Council Tax freeze in England made the incorrect claim that the Council Tax freeze introduced by the Scottish Executive in Scotland had led to cuts in services, which in turn had prompted protests in Aberdeen.

Outcome

The reporter's words were "There's already a council tax freeze in Scotland following a deal between councils and the SNP government - a freeze that's led to protests about cuts in cities like Aberdeen", and they were accompanied by pictures of protest demonstrations in Aberdeen. This would have given viewers the impression that the demonstrations were about cuts resulting from the freeze. However, press coverage at the time made no direct mention of the freeze and reported the demonstration as attributing the spending cuts which were being proposed to historic overspending and/or the funding formula for local government as it had been applied to Aberdeen. Although it is argued by some that the freeze has intensified Aberdeen's problems, it was not the focus of the demonstrations, and the report was misleading in that respect.

Upheld**Further action**

Editors will stress again to correspondents and producers the importance of making sure of the exact context of pictures of specific events being used to make a general point.

Global Business, World Service, 3 October 2008**Complaint**

The programme was the first in a three-part series on the Israeli and Palestinian economies, and included an interview with a former minister of the Palestinian Authority. A listener complained that a question which described the Israeli settlements in the Occupied Territories as "the real stumbling block to any change" lacked impartiality, as there were a number of impediments to change in the Palestinian economy, some of them attributable to the Palestinian Authority itself.

Outcome

In a different context, the question might have been unexceptionable. However, it occurred in a context where the focus was on the actions of the Israeli government and the interviewer did not sufficiently challenge the interviewee's position. This resulted in a lack of impartiality.

Upheld**Further action**

The Editor has discussed the issues arising from the finding with the presenter, and has briefed the programme team on the need to be alert to all relevant lines of questioning.

George Lamb, 6Music, 23 October 2008**Complaint**

A listener complained that, by referring by name to the manufacturer of a digital radio set which had been sent to him, George Lamb had given undue prominence to a commercial product.

Outcome

The point of the reference was to bring out the fact that George Lamb, although a presenter on a digital network, had not owned a digital radio until the arrival of this unsolicited gift – a

fact which listeners might have found amusing. However, naming the manufacturer added nothing to the humour, and was not editorially justified.

Upheld

Further action

The Controller of Radio 2 discussed the issues arising from this and other recent complaints with George Lamb, to ensure that he has a clear understanding of the boundaries set by the BBC's Editorial Guidelines.

Top Gear, BBC2, 2 November 2008

Complaint

A dealer in Aston Martins complained of a statement in the programme that a particular model of Aston Martin had lost half its value 12 months after being sold as new, the example in question being a car which was in fact between 22 and 34 months old.

Outcome

The car was a 2006 model, not a 2007 model as suggested by the programme. Although the second-hand market in rare cars is such that the effect of this difference on the likely price cannot be stated with certainty, this was a material inaccuracy.

Upheld

Further action

The Executive Producer reminded the programme team of the need for a member of editorial staff to check the accuracy of information provided in the programme.

George Lamb, 6Music, 5 November 2008

Complaint

A listener complained about references to Travellers which he considered offensive and racist. Although 6Music had immediately recognised their inappropriateness and had edited them out of the version of the programme available on iPlayer, and although George Lamb had apologised in the next day's programme, the complainant did not accept that enough had been done to prevent a recurrence.

Outcome

The ECU accepted that the remarks were offensive, but not that they were racist; while Roma and Irish Travellers are recognised as distinct ethnic groups by UK law, the generic term "Travellers" does not have that standing. The ECU recognised that the measures taken by 6Music did not provide a guarantee against future breaches of standards in this live programme, but considered them proportionate and appropriate in this instance.

Resolved

George Lamb, 6Music, 17 November 2008

Complaint

A listener complained about gratuitous and offensive references to "dwarfs and midgets".

Outcome

The references were part of a running joke arising out of a news story involving a dwarf burglar some time previously, and were not intended to be derogatory. However, shorn of their original context, they gave the impression that dwarfism itself was the target of the humour.

Upheld

Further action

The Controller of Radio 2 discussed the issues arising from this and other recent complaints with George Lamb, to ensure that he has a clear understanding of the boundaries set by the BBC's Editorial Guidelines.

News (12.00pm), Radio 5 Live, 21 November 2008

Complaint

A listener complained that an item about the BBC Trust's finding on the 18 and 25 October 2008 editions of **Russell Brand** (Radio 2) had contained illustrative material which was itself offensive.

Outcome

The item used a section of the 18 October edition which had been replayed in the 25 October edition. As the repetition of the material on 25 October was described in the BBC Trust's finding as having "exacerbated the intrusion of privacy and the offence", it should not have been used in the item.

Upheld

Further action

Programme teams have been reminded of their responsibilities for careful consideration before the transmission of any controversial material.

Britain's happiest places mapped, BBC News Online

Complaint

A reader of the item, which reported the results of research commissioned by the Royal Geographical Society, complained that it had given the misleading impression that the research had shown a link between relative happiness and location.

Outcome

The research had been released to the media in terms which fostered that impression, and the item reflected it. However, notes accompanying the media release made clear that the differences observed were attributable to socio-demographic factors rather than location. In the light of points previously made by the complainant, the Editor of the relevant webpages had added a paragraph to the item, but this was not sufficient to correct the misleading impression.

Upheld

Further action

The News website has updated the story to give more information about the survey method and the size of the sample and to make clear that geographical location was not a significant factor in the research findings. The story also now stresses that the researchers acknowledge this but nonetheless feel there is academic value in their work. Journalists will be reminded that when reporting stories based on statistical research they take care to verify the status of that research, making its provenance clear in the article where appropriate.

Fate of Obama note alarms rabbis, BBC News Online

Complaint

A reader of this report about an aspect of Barack Obama's visit to Israel complained that it had incorrectly described the Western Wall as "the holiest place in Judaism".

Outcome

Although the Western Wall is the holiest of those places whose locations are known and accessible, the site of the Holy of Holies of the Temple (which is on Temple Mount, though its exact location is not known) is regarded by religious authorities as the holiest place in Judaism.

Upheld**Further action**

This story has been amended, and changes are also being made to the special background guide on this subject. Staff will be reminded of the appropriate terminology.

London Summit on Jewish Refugees, BBC News Online**Complaint**

A reader of the page complained that the item gave an inaccurate picture of the position of Jewish communities in Muslim countries before 1948, which tended to suggest that any animosity between Jew and Arab arose only from foundation of the State of Israel.

Outcome

The item was accurate in most respects, but the statement by the BBC's Arab Affairs analyst that Jews in Muslim countries were "fully integrated" into their societies gave a misleading impression of equal treatment, whereas their "dhimmi" status in Muslim countries entailed numerous laws and policies that discriminated against them.

Partly upheld**Further action**

The report has been amended and the Middle East team reminded of the need to explain this situation clearly should it arise again.

Three items, BBC Scotland News Website**Complaint**

The items in question reported a situation in which it appeared that the efforts of a charitable trust to buy a historic building from a private owner would succeed only if money could be raised by a certain deadline, the third reporting that the transaction had been successfully completed. The owner complained that the reports were inaccurate. Although he had been in negotiations with the trust concerned, neither the reported price nor the purported reason for completing the transaction by a certain date were correct, and no sale had in fact taken place.

Outcome

It had emerged in previous correspondence with the BBC that the reporter had relied for initial verification on a telephone conversation with someone who had represented himself as the owner, but who was not. The circumstances were not such that a reporter would normally be expected to query the identity of an apparent source or seek further verification, but the result was a misleading account of events.

Partly Upheld**Further action**

The Editor discussed the finding with the journalistic team, and emphasised the need for appropriate vigilance.