

## **Analysis of complaints**

From 1 October 2012 to 31 March 2013 the Unit reached findings on 182 complaints concerning 147 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**

	<b><u>No of Complaints</u></b>	<b><u>No of Items</u></b>
Harm to individual/organisation (victim complaint)	7	7
Harm to individual/organisation (3 <sup>rd</sup> party complaint) <sup>1</sup>	4	4
Infringement of privacy	2	2
Political bias	7	7
Other bias	27	25
Factual inaccuracy	89	64
Offence to public taste	24	16
Bad language	2	2
Violence	1	1
Sensitivity and portrayal	9	9
Bad example (children)	3	3
Sexism	1	1
Commercial concerns	4	4
Standards of interviewing/presentation	2	2
<b>Total</b>	<b>182</b>	<b>147</b>

In the period 1 October to 31 March, 7 complaints were upheld (5 of them partly) – 4% of the total. Of the items investigated in the period, complaints were upheld against 7 items (5% of the total). 19 complaints, about 3 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 (6 in this period) which require longer or more complex investigation. During the period 1 October – 31 March, 86% of replies were sent within their target time.

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<sup>1</sup> As a result of changes to the BBC's complaints framework implemented in June 2013, the ECU no longer considers complaints in this category. These four complaints were received before the changes.

## **Summaries of upheld complaints**

### **BBC Sport website, [bbc.co.uk](http://bbc.co.uk)**

#### **Complaint**

A visitor to the site complained that it included a tweet from a freelance presenter of Formula 1 coverage which promoted his recent book.

#### **Outcome**

The tweet was of a promotional nature, and its inclusion breached the BBC's guidelines on references to commercial goods and services. There was an arrangement that the presenter's tweets would appear on the website only when he was on BBC duty, but on this occasion, as a result of human error, one of his private tweets had appeared and had not been removed. However, as the programme-makers had acknowledged the error and taken measures to prevent a recurrence before the complaint was escalated, the ECU regarded the issue as having been resolved.

#### **Resolved**

### **How do banks work?, [bbc.co.uk](http://bbc.co.uk)**

#### **Complaint**

The item was a video extract from a BBC3 programme directed at a young audience. In the video, the BBC's Business Editor sought to explain, in appropriately simplified terms, the principles of banking and the role played by banking in relation to the global credit crunch. A viewer complained that it gave a misleading impression of the way banks work (by failing to note their role as creators of credit) and of the causes of the global financial crisis.

#### **Outcome**

Though highly simplified, the item did not give a misleading impression of the immediate causes of the global credit crunch (as distinct from the period of extensive lending which preceded it). In relation to the principles of banking, however, it was simplified to the point of suggesting that the amount a bank could lend was limited to the sum of its deposits. This left a misleading impression of how banks in fact work, and of the impact of the working of banks on the economy at large.

#### **Partly upheld**

#### **Further action**

The video was removed from the website following the ECU finding.

### **NewsWatch, BBC News, 10 February 2012**

#### **Complaint**

The programme included an item on the BBC2 series **Putin, Russia and the West** in which a viewer who was critical of the series put forward the argument that it could be perceived as not taking a dispassionate view of the Russian government because the consultant to the series, Angus Roxburgh, had previously worked as an adviser to the Kremlin. Mr Roxburgh (a former BBC foreign correspondent) complained that he had not been given an opportunity to rebut what he regarded as an unfair and professionally damaging criticism, and that the response offered by the Series Producer, to the effect that he had had no involvement in the editing of the series, was untrue and compounded the unfairness.

### **Outcome**

The presenter's questioning and the Series Producer's response, which was later acknowledged to have been inaccurate, gave the impression of endorsing the suggestion that Mr Roxburgh's involvement in the project could have led to bias, and this was unfair to him. In circumstances where criticism is directed against an organisation or a team and its members, programme-makers are entitled to rely on a contribution from the leader of the team or organisation as satisfying the requirement to provide a right of reply. However, it is a requirement of the guidelines on accuracy that BBC output should be well-sourced, based on sound evidence and thoroughly tested, and the programme-makers should have done more to ensure that this requirement was met.

### **Partly upheld**

### **Further action**

The production team have discussed the issue at length and agreed that the way questions on air are framed must make clear that we are representing the opinion of a viewer and are not endorsing that opinion.

## **The Future State of Welfare, BBC2, 27 October 2011**

### **Complaint**

A viewer complained that this programme was inaccurate in a number of respects, including giving a misleading impression that, prior to the introduction of new eligibility tests, the decision on whether Disability Benefit should be granted rested with GPs.

### **Outcome**

On the subject of eligibility for Disability Benefit, the programme said "*your local Doctor no longer has the final say. More stringent tests have been brought in to try to flush out people who are claiming on health grounds when they shouldn't be*", and the ECU agreed that this gave the inaccurate impression that the decision on eligibility had previously rested with GPs. However, it found no other significant inaccuracies.

### **Partly upheld**

### **Further action**

The production team have discussed the issues arising from the finding, including the requirement for due accuracy, and the programme will not be repeated in its original form.

## **The World at One, Radio 4, 28 August 2012**

### **Complaint**

The programme included a report on the outcome of the civil action by the parents of Rachel Corrie in the Israeli courts, followed by an interview by Martha Kearney of the Israeli government spokesman Mark Regev. In the course of the interview, she said:

*Clearly Rachel Corrie was one of the casualties of what happened that day – and I know Israeli soldiers died too – but has this meant there's a rethink of the policy of what was happening at that time – bulldozing Palestinian houses?*

Following a number of complaints that this gave the inaccurate impression that Israeli soldiers had been killed in the area on the same day as Ms Corrie, and in incidents connected with the circumstances of her death, BBC News posted an acknowledgement and correction on the complaints pages of [bbc.co.uk](http://bbc.co.uk). The ECU received 18 complaints to the effect that this was insufficient, and that a broadcast correction and apology was necessary.

### **Outcome**

The ECU agreed that Martha Kearney's choice of words (which appeared to be a conflation of two points made by Mr Regev in earlier interviews, which she wished to dispose of in order to proceed directly to the agenda of the interview) did tend to create an inaccurate impression as to the events of the day in question. However, as earlier deaths of Israeli soldiers in the area provided the context for the events which caused Ms Corrie's death, listeners would not have been misled as to the overall situation, and the inaccurate impression was in any case tangential to the topic of the interview. The ECU took the view that the online posting by News sufficed to resolve the issue.

### **Resolved**

### **Today, Radio 4, 18 April 2012**

#### **Complaint**

The programme included a report on the release of documents from the archive of the Foreign Office. The reporter said "*Some files have been kept back. But there are files on the Mau Mau uprising in Kenya, and on Malaya, where another uprising against British rule was brutally suppressed*". A listener complained that the term "*brutally suppressed*" was seriously misleading in relation to the Malayan uprising.

### **Outcome**

The consensus among historians is that, while there were some instances of what could be termed brutality, the British response taken overall was a relatively humane instance of counter-insurgency. Nothing in the recently-released files has caused historians to revise that view.

### **Upheld**

#### **Further action**

Editors will discuss stories and the scope of research with reporters as material is being prepared.

### **What the Papers Say, Radio 4, 29 July 2012**

#### **Complaint**

In a sequence focusing on reactions to the London Olympics, the presenter quoted a journalist, as having written "*Count me out of the compulsory joy. It reminds me all too much of Soviet Moscow*", and added "*Really, [name of journalist], Really? London 2012 is the Soviet Union 1980? I think not*". The journalist complained that a cut had been made which altered the sense of his words (he had originally written "*Count me out of the compulsory joy. It reminds me all too much of May Day in Soviet Moscow*"), allowing the presenter to make a disparaging comment he could not otherwise have made; that his words had been voiced in a manner clearly intended to ridicule him and his views; and that the selection and presentation of material relating to the Olympics had failed to treat a controversial issue impartially. He maintained that the apology broadcast in a subsequent edition of the programme, which referred to his article having been "*edited incorrectly*" failed to reflect the gravity of what occurred; it implied an unintentional error, whereas there was strong circumstantial evidence that there had been an intention to alter the sense.

### **Outcome**

It appeared from the ECU's investigation that the cut was one of a number made entirely on the initiative of the presenter (as is common practice), and that the producer and Editor were unaware of it because it has not been the practice of the programme to check quotations against the original source. The presenter maintained that he had made the cut without

appreciating that it changed the sense – and, as the uncut quotation would have allowed him to comment to much the same effect, this seemed more plausible than the idea that he had knowingly altered the sense, in an easily detectable and demonstrable manner, to so little purpose. The voicing of the complainant's words was consistent with the programme's tradition of highly-coloured readings with an element of caricature, and not dissimilar to the treatment of some other quotes in the item. The presenter's focus was on personal reactions to the Olympics, rather than on aspects of the Olympics which could be said to be controversial, and there was no departure from due impartiality. The subsequent broadcast apology seemed to the ECU to be a fair reflection of what had occurred, and sufficient to resolve the issues of complaint.

### **Resolved**

*Note: All quotations in the script are now checked against the original newspaper article by the producer.*

## **Health Check, World Service, 4 October 2012**

### **Complaint**

A listener complained that an item on the situation of people with kidney failure in Gaza gave the misleading impression that medical supplies and equipment were subject to the Israeli blockade, and that the item was misleading in other respects.

### **Outcome**

In most respects the item was not misleading. However, the sentence "*The blockade of Gaza for example has led to shortages of medicines and medical equipment*" gave the impression that the Israeli blockade covered medical supplies, which is not the case.

### **Partly upheld**

### **Further action**

In future, when commissioning reports from freelance reporters abroad, **Healthcheck** will ensure they take advice from the local BBC bureau before finalising the item.

## **Guide: Why are Israel and the Palestinians fighting over Gaza?, Newsround website, [bbc.co.uk](http://bbc.co.uk).**

### **Complaint**

A visitor to the site complained that the item was misleading in three respects. The reference to Israel having been "*carved out of land populated by Palestinian Arabs*" gave the impression that there had previously been no Jewish inhabitants of the area, the reference to Israel being "*in control*" of movements in and out of Gaza ignored the fact that Gaza has a border with Egypt which is not under Israeli control, and the identification of "*whether or not Israel should exist as a country*" as one of the "*unresolved issues*" was inaccurate and misleading.

### **Outcome**

Bearing in mind the degree of simplification appropriate for an item intended for children, the ECU found that "*carved out of land populated by Palestinian Arabs*" was duly accurate to reflect a situation in which Arabs formed a substantial majority of the population and the Israeli claim was not based on recent occupancy, while the impression that Israel exerted total control over Gaza's borders was counteracted by other information (both verbal and visual) in the item. However, the ECU agreed that, in this context, the reference to "*whether or not Israel should exist as a country*" gave a misleading impression of the options on which efforts to achieve peace in the area have focused.

### **Partly upheld**

**Further action**

The programme team edited the online video and will be mindful of the need for absolute clarity in any future attempts to condense such a complex story for the Newsround website.

**Money laundering drugs gang boss Jia Jin He jailed, [bbc.co.uk](http://bbc.co.uk)****Complaint**

This item, drawn from a BBC West television news piece, reported the conviction and sentencing of the Chinese businessman Jia Jin He at Bristol Crown Court. An associate of Mr He complained on his behalf that it was seriously inaccurate.

**Outcome**

Mr He had been neither accused nor convicted of money laundering on this occasion (though he had been convicted on three counts of money laundering in Hong Kong in 2007), and there were no grounds for describing him as a drugs gang boss.

**Upheld****Further action**

Staff will be reminded to ensure the wording used in accounts of court cases accurately reflects the content and outcome of the proceedings.