

Analysis of complaints

From 1 October 2013 to 31 March 2014 the Unit reached findings on 251 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	9	9
Political bias	4	4
Other bias	67	53
Factual inaccuracy	120	72
Offence to public taste	24	23
Offensive language	3	3
Sexual conduct	2	2
Violence	2	2
Sensitivity and portrayal	1	1
Bad example (adults)	5	5
Racism	2	2
Sexism	2	1
Offence to religious feeling	1	1
Commercial concerns	3	3
Standards of interviewing/presentation	6	6
Total	251	187

In the period 1 October 2013 – 31 March 2014, 20 complaints were upheld (5 of them partly) – 8% of the total. Of the items investigated in the period, complaints were upheld against 17 items (9% of the total). 12 complaints, about 4 items, were resolved. This report contains summaries of the findings in those cases, and in one case where the provisional finding was reached before 1 October but finalised within the period.

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 (22 in this period) which require longer or more complex investigation. During the period 1 March – 30 September 2013, 87% of replies were sent within their target time.

Summaries of upheld/resolved complaints

Today, Radio 4, 28 November 2013

Complaint

In a discussion about cigarette packaging, a contributor was introduced as the Director-General of the Institute for Economic Affairs and a smoker. A number of listeners complained that mention should have been made of tobacco industry funding for the IEA.

Outcome

The ECU agreed with the stage one response from BBC News which acknowledged that information about the political orientation of the IEA should have been provided but maintained that there was no requirement to explore sources of funding.

Resolved

Precision: The Measure of All Things, BBC4, 17 June 2013

Complaint

A viewer complained that the programme misrepresented the degree to which the weight of an item changes the further away it gets from the earth.

Outcome

The programme-makers acknowledged that a statement that an object weighing 370g would "*hardly weigh anything at all*" if taken 100,000 metres above the earth should have referred to 100,000 kilometres. The inaccuracy was the result of human error and the relevant section of the programme was re-edited to remove the inaccuracy. The Editorial Complaints Unit considered this to be an appropriate response in the circumstances.

Resolved

Harvest 2013, BBC2, 11 September 2013

Complaint

A viewer complained that a sequence about the nutritional benefits of broccoli was inaccurate and misleading because it said that broccoli contains Vitamin D.

Outcome

The programme-makers had acknowledged that broccoli does not contain Vitamin D and had already re-edited the programme to remove this error. The Editorial Complaints Unit considered this to be an appropriate response in the circumstances.

Resolved

Vanessa Feltz in for Jeremy Vine, Radio 2, 29 October 2013

Complaint

A listener complained that the presenter displayed bias during an interview on the dismissal of Sharon Shoesmith, former head of Haringey children's services.

Outcome

A passage during the interview was inappropriately antagonistic in tone, which may have given listeners the impression that the presenter was expressing her own views on a matter of controversy.

Upheld

Further action

The Editor of the programme will discuss the finding with Ms Feltz, with a view to identifying how the interview went wrong and avoiding any repetition. The programme team will review the provisions for briefing guest presenters on the handling of controversial subjects.

Today, Radio 4, 15 November 2013

Complaint

The programme included an interview with Baroness Warsi, arising from her warning that Christians in some parts of the world faced extinction because of violence against them. Two listeners complained that the interviewer had wrongly identified Israel as a case in point.

Outcome

The interviewer posed the question: *“But are you saying – can I just ask – countries like Pakistan that you refer to, or perhaps Israel or even Iraq where there is a functioning government – is it just down to the politicians in those countries to speak out and this problem could be solved?”*. The intention of the question was to cite Israel as an example of a country where there was a functioning government, but the ECU found that, in the context of the interview, it nevertheless created the impression complained of.

Upheld

Further action

The Editor of **Today** discussed the findings with the presenter who conducted the interview and underlined the need for care when making references to specific countries in the context of controversial subjects.

Y chromosome: Why men contribute so little, bbc.co.uk

Complaint

Two visitors to the page complained that the headline was inaccurate and, together with the picture of a somewhat overweight man lounging on a sofa which illustrated the article, offensively sexist.

Outcome

The article itself was an accurate account of a study which sought to minimise the Y-chromosome contribution from male mice through assisted reproductive technologies, and which concluded that it was possible to produce mouse progeny via a Y chromosome which was limited to only two genes. As the study had no direct bearing on human reproduction, the headline was misleading. However, the ECU did not consider it or the illustration (though of little relevance) to be offensively sexist.

Partly upheld

Further action

Staff will be reminded that, while there is a place for humour in online output, headlines and associated material should be directly related to the content of the report in question.

What’s Killing Our Bees? A Horizon Special, BBC2, 2 August 2013

Complaint

A viewer complained that a sequence in the programme misrepresented the extent to which traditional breakfast foods rely on bee pollination for their production. In particular, he said it was wrong to suggest that dairy products would become unavailable.

Outcome

The ECU agreed the programme gave the impression that bees play a significantly greater role in the production of our food than is actually the case. We recognised there were a number of caveats included in the script but concluded that the cumulative effect of the words and pictures would have resulted in a materially misleading impression.

Upheld**Further Action**

The Editor discussed the finding with the production team and reinforced the need for due accuracy. The programme will not be repeated in its original form.

Patrick Kielty, Radio 2, 29 May 2013**Complaint**

A listener complained that a contributor to the programme was allowed to put forward his opposition to an impending badger cull without challenge or any balancing comment.

Outcome

The ECU took the view that, although listeners would have understood the contributor was expressing a personal view, the cull is a controversial issue. The programme should have made clear that this was just one opinion on the subject and there are those who believe that culling badgers will help to stop the spread of bovine Tuberculosis in cattle.

Upheld**Further Action**

The Editor, Editorial Standards, Radio 2, has met with the production team and the presenter involved to clarify their responsibilities in achieving impartiality and this has been reinforced in writing to the presenter's representatives.

Motorway Cops, BBC 1, 23 September 2013**Complaint**

The programme reported on a fatal accident which had been caused by horses escaping from a field and straying onto a main road. The programme concluded that the reason for the horses' escape "*remains a mystery*". The viewer complained that the programme had thus suggested that the owners of the horses may have been at fault whereas a coroner's inquest had concluded that, while there was no conclusive proof, it was "*highly probable that someone has tried to remove the horses in an attempt to steal them*".

Outcome

The ECU found that the programme's formulation did not accurately reflect the conclusion of the coroner's inquest.

Upheld**Further action**

The programme-makers agreed that the words used did not adequately reflect the Coroner's conclusion. They undertook that, in the event that this episode of the programme is repeated, the commentary in question will be removed or amended to reflect the Coroner's conclusion more accurately.

Beyond Belief, Radio 4, 19 August 2013

Complaint

The programme explored Buddhist attitudes to violence, and took the situation of the Muslim Rohingya minority in Burma (who have experienced violence from members of the Buddhist majority) as a contemporary case in point. A listener complained that one of the speakers in the discussion, a journalist with the BBC's Burmese Service, appeared to be expressing personal support for the Burmese government and the Buddhist majority.

Outcome

The ECU found that the speaker had expressed himself in terms which gave the impression of taking sides on a controversial issue. However, the ECU accepted assurances that he had not, in fact, been expressing his own view, but had simply failed to make clear that he was reporting the majority and government view.

Upheld

Further action

The head of the Burmese Service discussed the finding with the journalist, emphasising the need for care over clarity of language and better preparation and briefing for features in non-news programmes.

America's forgotten black cowboys, BBC News Online

Complaint

A reader made a number of complaints about an article on black cowboys, which accompanied a radio programme on the subject. Amongst other claims of accuracy and bias he maintained that the article misrepresented the true number of black cowboys in the old west of America.

Outcome

The ECU found that a reference by one of the interviewees to the number of black cowboys on the Texas trails (25%) had been understood to refer to the entirety of the old west. While there is some consensus on this estimate in the case of Texas, this would not hold true in other areas. The available evidence did not support the claim that a quarter of all cowboys were black, and the article was therefore misleading on a single but material point.

Partly upheld

Further action

Reporters will be reminded that when using quotes from a broadcast interview for another outlet such as online, they ensure the context of the original comment is not lost.

North West Today, BBC 1 (North West) 27 November 2013

Complaint

The lead story in the 8.28am bulletin reported that one of the region's MPs *"says she's been contacted by householders who've been told that shale gas extraction near their homes could invalidate their insurance"*. A viewer complained that this was misleading, saying he was aware of no evidence of insurers withdrawing or threatening to withdraw domestic cover in the event of fracking.

Outcome

The ECU understood from the Association of British Insurers that, broadly speaking, damage from fracking would be covered by buildings insurance and that there was nothing to suggest

any moves by household insurers to invalidate insurance because of proximity to fracking sites. The ECU concluded that, in broadcasting a claim which was potentially of great significance in relation to an issue of sharp controversy in the region, more should have been done to establish what basis it had.

Upheld

Further action

The Editor has reminded the team of the need to apply appropriate journalistic rigour to substantiate claims that are made about controversial topics.

The House That 100k Built, BBC2, 2 October 2013

Complaint

A company which distributes liquid petroleum gas (LPG) cylinders complained about a sequence which showed a person cutting through a used gas cylinder with an angle grinder. It said this was extremely dangerous and could encourage imitation, putting lives at risk. It also said the act was unlawful because all LPG cylinders remain the property of the distributor.

Outcome

The ECU agreed that the sequence should not have been broadcast, and was concerned that there was no appropriate explanation of the dangers involved to prevent possible imitation by viewers. A warning was subsequently put on the programme's website but the ECU did not consider it to be sufficiently clear about the risks involved. The website did, however, make it clear that the cylinders remain the property of the distributors, so the ECU regarded this aspect of the complaint as having been resolved.

Partly upheld/Resolved

Further Action

The decision had already been taken to remove the sequence featuring the cylinder from any repeat of the original programme. However the BBC Commissioning Editor agreed with the ECU's suggestion that a warning about the dangers of dismantling LPG cylinders should be included in the series. This warning was broadcast in the last episode in the series (23 October 2013). The text on the series webpages was also amended to make the dangers clearer.

News (6.00pm), Radio 4, 1 November 2013

Complaint

The bulletin included a report on the government's announcement of changes to GCSE examinations in England. A listener complained that the impression was given that the changes would lead to the study of a substantial component of English Literature becoming compulsory, whereas the reverse was true.

Outcome

The headline "Children in England will have to study at least 15 poems – including works by poets such as Wordsworth and Keats – under a shake-up of GCSEs" was inaccurate. The requirement to study at least 15 poems pertains to GCSE English Literature, which is an optional examination. In the case of GCSE English Language, which is compulsory, the requirement to study literature is to be dropped, to enable coursework to be removed. The report itself did not repeat the inaccuracy, but it contained nothing which served to correct it.

Upheld

Further action

The Editor of the Radio Newsroom drew the finding to the attention of all Radio Newsroom staff, alerting them to the error and to the need to avoid repeating it.

Sunday Politics (London), BBC1, 7 July 2013

Complaint

A report about government proposals to allow members of the public to film or record meetings of local councils featured Hammersmith and Fulham Council, where, the reporter said, Conservative members of the Council were “*quick to point out*” that Andy Slaughter MP, who supported greater access, had himself introduced the current restrictions as Labour Leader of the Council in 2003. This was put to Mr Slaughter in the studio discussion which followed, without warning, with the suggestion that he was guilty of double standards. Mr Slaughter complained that he had not been in a position to respond in the studio about something which had happened in 2003 but had checked the Council record immediately after the discussion and had demonstrated to the programme-makers, before transmission, that the claim was inaccurate and unfair. The item, with the allegation of double standards, was nevertheless broadcast.

Outcome

The ECU found that Mr Slaughter was correct in saying that he had not been responsible for introducing filming restrictions but had merely codified restrictions which already existed. The suggestion that he had been responsible for introducing restrictions in 2003, and was guilty of double standards, was inaccurate and unfair.

Upheld

Further action

The editorial team discussed the finding and the importance of putting allegations to contributors in sufficient time for them to formulate their response.

Tudur Owen, 24 a 25 Mai 2013, BBC Radio Cymru: Canfyddiad yr Uned Cwynion Golygyddol

Cwyn

Cwynodd Gwilym Owen fod darnau o'i gyfweiliad ar y rhaglen **Dan yr Wyneb** wedi eu defnyddio yn ddiarwybod iddo a heb ei ganiatâd mewn cyd-destun dychanol, a'u bod wedi eu cyfiosod o fewn cyfres o sylwadau personol sarhaus.

Canlyniad

Wrth ymateb i gwyn wreiddiol Mr Owen, amddiffynnodd y Pennaeth Rhaglenni a Gwasanaethau Cymraeg y defnydd o rannau o'i gyfweiliad blaenorol o fewn yr hyn y credai hi oedd yn gyd-destun dychanol cyfarwydd a pherthnasol, ond roedd yn cydnabod bod rhai o'r sylwadau dilynol yn rhai y “*gellid eu hystyried yn ddi-chwaeth a di-angen*”, ac fe ymddiheurodd am hynny. Ail-adroddodd yr ymddiheuriad hwn mewn llythyr at Golwg (y cyfeiriwyd ato wedyn yn Y Cymro), ar ôl i Mr Owen leisio ei gwyn yn gyhoeddus.

Cytunodd yr Uned Cwynion Golygyddol (ECU) gyda'r Pennaeth Rhaglenni a Gwasanaethau Cymraeg fod Mr Owen wedi bod yn darged dilys i hiwmor yn yr achos hwn, ond bod rhan olaf yr eitem wedi gwroddi wrth ddychan tuag at fod yn ddilornus. Mae hyn yn mynd yn groes i'r safonau golygyddol. Ystyriodd yr ECU gynig Mr Owen y dylid cydnabod torri'r safonau mewn datganiad i'r wasg gan BBC Cymru, ond daeth i'r casgliad fod ymddiheuriad y Pennaeth

Rhaglenni a Gwasanaethau Cymraeg (o gofio iddo gael ei gyhoeddi a'r sylw a gafodd yn y cyfryngau Cymraeg) yn ddigon i ddatrys y mater.

Wedi ei ddatrys

Tudur Owen, 24 & 25 May 2013, BBC Radio Cymru

Complaint

Gwilym Owen complained that extracts from an interview he had provided to the programme **Dan yr Wyneb** had been used without his knowledge or permission in a satirical context, and had been made the occasion for a series of offensive personal remarks.

Outcome

In response to Mr Owen's initial complaint, the Head of Welsh Language Programmes and Services defended the use of extracts from his earlier interview in what she considered to be a well-established and well-understood satirical context, but acknowledged that some of the ensuing comments "*could be considered tasteless and unnecessary*", and apologised for those. She reiterated the apology in a letter to the periodical Golwg (which was then referred to in an article in the newspaper Y Cymro), in response to Mr Owen having aired his complaint publicly.

The ECU agreed with the Head of Welsh Language Programmes and Services that, while Mr Owen had been a legitimate target for humour in this instance, the final part of the item had veered from the satirical towards something closer to the merely abusive. This constituted a breach of editorial standards. The ECU considered Mr Owen's proposal that the breach of standards should be explicitly acknowledged in a press release by BBC Cymru Wales, but concluded that the apology by the Head of Welsh Language Programmes and Services (bearing in mind its publication and the coverage it had attracted in Welsh-language media) was sufficient to resolve the matter.

Resolved

Today, Radio 4, 11 November 2013

Complaint

The programme included an interview with Professor David Nutt about his research into drugs which might mimic the effect of alcohol without its adverse consequences. Two listeners complained that the references to his search for funding, together with mention of the fact that he occupies the Chair of Neuropsychopharmacology at Imperial College, London, tended to give the impression that his research project was being endorsed or promoted, and that there was no mention of the possible dangers of the group of drugs he was investigating. One listener added that it should have been made clear that Professor Nutt, who had been dismissed by the Home Secretary as Chair of the Advisory Council on the Misuse of Drugs amid controversy in 2009, was an advocate for the legalisation of some illegal drugs.

Outcome

The only new development in the story, and the occasion for the interview, was Professor Nutt's search for funding, and the interviewer had intended only to make this clear to listeners. However, the ECU agreed that references to this, taken together, tended to give an impression of promotion or endorsement which was reinforced by the mention of Professor Nutt's academic status and which might have been offset by some reference to the potential dangers of the drug group in question. The ECU did not agree that he should have been identified as an advocate of legalising certain drugs, as doing so would not have materially affected the audience's understanding of the topic under discussion.

Upheld (Partly upheld in relation to the second complaint)

Further action

The editorial team discussed the finding and stressed the importance of limiting references to commercial interests in interviews.

Nick Ahad in for Martin Kelner, Radio Leeds, 5 September 2013

Complaint

During a discussion on the life and death of Diana, Princess of Wales, a guest described his meeting with her in London on the day before her death. A listener complained that this account could not be true, as on the day in question the Princess had been in Sardinia. On the basis of information from recognised authorities on the life of the Princess, the listener also questioned whether the guest had been a friend of hers, as he claimed.

Outcome

There is a limit to which programme-makers can be held responsible for the claims of guests. However the circumstances of the Princess' death are a matter of public record and the claim to have met her the previous day should at least have been questioned. It went to the heart of the matter under discussion and listeners would have been misled - via the recollections of a contributor - on what was a material point. The ECU was unable to find corroboration of the guest's claim to have been a friend of the Princess.

Upheld

Further action

The Acting Editor of Radio Leeds spoke to the programme team about the finding and reminded them about the importance of both rigour in research and the appropriate on-air challenge to contributors.

Inside Out (Yorkshire & Lincolnshire), bbc.co.uk:

Call me Motherwell Football Club, bbc.co.uk:

Nottingham superhero fans may have longest UK names, bbc.co.uk

Complaint

The director of a company which offers services to those wishing to change their names by Deed Poll complained that three unconnected articles about changing a name by Deed Poll each included a link to a company which provides this service, with the effect of giving the companies concerned an advantage over others in the field.

Outcome

The BBC's guidelines allow links to the websites of commercial companies when there is sufficient editorial justification. In the instances in question, the Editorial Complaints Unit found there was insufficient editorial justification to offset the potential promotional effect of the links.

Upheld

Further action

Online writers will be reminded of the need to take careful account of BBC guidelines when considering adding links to commercial organisations.

Today, Radio 4, 9 July 2012

Complaint

The programme included an interview with a representative of BritainsDNA, a company which offers genetic ancestry testing. A listener who occupies a Chair of Statistical Genetics complained that the interview included inaccurate and misleading claims (which went unchallenged) about the results of tests recently conducted by BritainsDNA, and that it had the effect of endorsing or promoting a commercial enterprise (particularly by describing BritainsDNA's services as "*massively subsidised*", and by including the URL of the company's website).

Outcome

The ECU found that, in a number of instances, the representative of BritainsDNA had spoken in terms which went beyond what could be inferred with certainty from the evidence, or were simply mistaken. Even allowing for an element of shorthand arising from the need to render technical information comprehensible to a non-specialist audience within the compass of a short interview, the result was to give an exaggerated impression of what could be established about the remote ancestry of individuals by the kind of testing offered by BritainsDNA, and the programme team should have done more to guard against this.

In relation to an impression of endorsement or promotion, the ECU noted the explanation of the term "*massively subsidised*" subsequently offered by another representative of the company, who said "*The sentiment was that many people were working for free to get the effort off the ground and had made investments from our own funds*". While there are contexts in which references to subsidy in that sense would be unexceptionable, the context in this instance was one in which it was not made clear that BritainsDNA is a commercial undertaking. In that context the reference to massive subsidy may have contributed to an impression that BritainsDNA is a disinterested research study (an impression which the interviewer's description of the company as a "*DNA database*" and his reference to "*people who give their DNA for the project*" would have tended to reinforce). Against this background, the mention of the company's URL towards the end of the item contributed to an inappropriate impression of promoting what is in fact a commercial enterprise.

Upheld

Further action

The Editor of **Today** discussed the findings with the team and emphasised the need for careful scrutiny of the claims of commercial companies and the avoidance of undue on-air promotion.