

Analysis of complaints

From 1 April to 30 September 2018 the Unit reached findings on 268 complaints concerning 206 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 complainant	12	12
Harm to third party	8	8
Infringement of privacy	4	3
Bad example (adults)	2	2
Political bias	85	38
Other bias	22	20
Factual inaccuracy	82	78
Offence to public taste	9	9
Offensive language	1	1
Offence to religious feeling	15	10
Violence	1	1
Sensitivity and portrayal	10	9
Racism	6	5
Sexism	3	3
Standards of interviewing/presentation	4	4
Commercial concerns	4	3
Total	268	206

In the period April to 30 September 2018, 28 complaints were upheld (12 of them partly) – 10.5% of the total. Of the items investigated in the period, complaints were upheld against 25 items (12% of the total). 5 complaints, about 5 items, were resolved. The bulletin includes summaries of these 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 (71 in this period) which require longer or more complex investigation. During the period 1 April to 30 September 2018, 85% of replies were sent within their target time.

Summaries of upheld/resolved complaints

Today, Radio 4, 27 October 2017

Complaint

In an item on the conclusion of a report to the UN Security Council that the Syrian government had been responsible for a sarin gas attack on the town of Khan Sheikhoun the previous April, an interviewee, Reza Afshar was introduced as working for Independent Diplomat (an organisation which provided diplomatic support to unrecognised governments), having worked previously at the Foreign Office. A listener who disputed the conclusion of the report complained that the interview had been poorly conducted and that no mention had been made of Mr Afshar's status as a Syrian opposition spokesman.

Outcome

The interview had been properly conducted, but the terms in which Mr Afshar was introduced gave an impression of neutrality which was misleading to listeners.

Partly upheld

Further action

The **Today** team have been reminded of the importance of providing sufficient background information on interviewees to enable listeners to calibrate their comments.

Elizabeth I's Secret Agents, BBC Two, 30 October & 6 November, 2017

Complaint

A viewer complained that these two episodes of the three-part documentary series gave the misleading impression that Fr John Gerard, a Jesuit priest, had known of, or been complicit in, the Gunpowder Plot.

Outcome

Fr Gerard had given the plotters communion shortly before they attempted to execute their plan, but the only evidence of his knowledge or involvement was provided under torture by a servant of one of the plotters, who withdrew his confession when it became clear that he was to be executed in any event. The final sentence of the 30 October broadcast and two sequences in the 6 November broadcast gave the impression that Fr Gerard's knowledge or involvement was a matter of established fact, and this was misleading to viewers.

Upheld

Further action

The two episodes were edited in the light of the finding before being re-broadcast.

Inside Out, BBC One (South West), 30 October 2017

Complaint

The programme included an item on “legacy prosecutions” of British former soldiers in connection with incidents during their service in Northern Ireland. It featured the case of Dennis Hutchings, who is facing charges arising out of the fatal shooting of John Pat Cunningham, an unarmed man with learning difficulties, in 1974. On behalf of Mr Cunningham’s family and on its own behalf, the Pat Finucane Centre complained that the amount of time and sympathetic attention devoted to Mr Hutchins in the item led to an unacceptable lack of balance, and that the item had been misleading in relation to the issues arising from such prosecutions.

Outcome

The story’s claim to attention in a regional programme rested on the fact that Mr Hutchings is resident in the region, and it was in keeping with the audience’s expectations that the main focus of the item should have been on him. The views of Mr Cunningham’s family and their supporters were presented in a manner which met the requirements of due impartiality in this context and made clear that their feelings were no less entitled to consideration than those of Mr Hutchings. However, the item included a contribution from a supporter of Mr Hutchings in which he described “on the run” letters issued to former paramilitaries as “*effectively...letters of immunity*”. As the letters in fact provide for future prosecution in the event of new evidence coming to light, and as the description passed unchallenged, it created a misleading impression in relation to the issues under discussion.

Partly upheld

Further action

The findings of the ECU have been conveyed to the production team. The reason for the upheld part of the complaint has been explained to staff and they have been reminded to challenge any similar assertion should it arise in the future.

BBC News (6pm), BBC One, 30 November 2017

Complaint

A report on the latest net migration figures included a contribution from a Welsh businessman introduced as speaking from the point of view of an employer. A viewer complained that his affiliation to UKIP had not been made clear.

Outcome

The speaker is a prominent member of UKIP in Wales and one of the party’s parliamentary candidates. As his political affiliation might have had a bearing on viewers’ judgement of his contribution, it should have been made clear.

Upheld

Further action

The programme has been reminded that there are occasions on which we may need to make it clear to the audience that contributors are associated with a particular viewpoint.

The Alternativity, BBC Two, 17 December 2017

Complaint

The programme followed Danny Boyle's visit to the West Bank as he took up Banksy's invitation to produce a nativity play outside his Walled Off Hotel in Bethlehem. A representative of BBC Watch complained that it included a number of statements which were misleading and biased against Israel.

Outcome

Of the three statements complained of, two were consistent with due accuracy in a context where the focus was on Danny Boyle's experience and impressions rather than reportage of the situation in the West Bank. However, the narrator's statement that Thousands of Palestinians had been "*imprisoned for refusing to leave their land*" was misleading in a context where it could not be understood as a reference to the large number of arrests relating to the more general issue of the occupation of the West Bank and opposition to Israeli actions.

Partly upheld

Further action

The programme will not be repeated in its present form.

Anti-Semitism row MP Naz Shah gets Labour role, bbc.co.uk

Complaint

The article reported the appointment of Naz Shah MP as shadow equalities minister. A representative of the Muslim Council of Britain complained that it was misleading, biased and derogatory to refer to Ms Shah as "*Anti-Semitism row MP*" (she being now widely regarded as a "*sincere friend*" of the Jewish community), and that the article failed to provide essential context in the form of comments by the then President of the Board of Deputies of British Jews.

Outcome

As Ms Shah had been disciplined by the Labour Party in 2016 for sending social media messages which she had acknowledged to be anti-Semitic, it was neither misleading nor biased to refer to the incident in the context of her being given the equalities brief, and the phrase "*Anti-Semitism row*" was a legitimate encapsulation of the matter. However, as the incident was such as to raise questions in the minds of readers about Ms Shah's suitability for her new role, the article should have made clear that her expressed desire to strengthen her relationship with the Jewish community had been accepted as sincere by the Board of Deputies. The addition of a paragraph to that

effect, including a quote from the Board's then-President, sufficed to resolve this aspect of the complaint.

Resolved

BBC News (10pm), BBC One, 1 August 2018

Complaint

A viewer complained that a report on the financial crisis at Northamptonshire County Council failed to mention which political party runs the authority.

Outcome

In view of the political controversy arising from the situation in Northamptonshire, the item should have made clear that the Council is Conservative-controlled.

Upheld

Further action

The programme team has been reminded of the need to refer to the political background of elected bodies as and when editorially relevant.

BBC News (10pm), BBC One, 24 February 2018

Complaint

A report from east Ghouta in Syria included footage which originated from the "White Helmets" group. A viewer complained that the footage had not been identified as coming from a third-party source.

Outcome

The response at the previous stage of the BBC's complaints procedure had acknowledged that this was a mistake, and said that editors had been reminded of the importance of ensuring that such material is correctly attributed. In the view of the ECU, this sufficed to resolve the issue of complaint.

Resolved

Brexit : All you need to know about the UK leaving the EU, bbc.co.uk

Complaint

A reader complained that the article misrepresented the relative strength of Sterling by saying it had "*regained its losses against the Dollar*" since its fall in value immediately after the 2016 Referendum.

Outcome

The article includes a revised and regularly updated account of the performance of the UK economy since the Referendum. The Sterling/Dollar exchange rate was

updated in January 2018, at which point the statement complained of was correct. However, it had not been amended subsequently to reflect the fact that Sterling had declined significantly against the Dollar by the time the complaint was made.

Upheld

Further action

News Online staff have been reminded of the need to ensure that Q&A articles are updated to reflect recent developments.

Carney: Brexit has cost households £900, bbc.co.uk

Complaint

This online item reported on the appearance of the Governor of the Bank of England, Mark Carney, before the Treasury Select Committee. A reader complained that its headline gave an inaccurate impression of what he had said to the Committee.

Outcome

As reported later in the item, Mr Carney had said *“Real household incomes are about £900 lower than we forecast in 2016. The question is why and what drove that difference. Some of it is ascribed to Brexit”*. As it follows from this that the amount attributed by Mr Carney to Brexit was less than £900, the headline was misleading.

Upheld

Further action

The finding was discussed with the writers, who have been reminded of the need to ensure that summaries accurately reflect the story that follows, and the headline has been amended accordingly.

Liz Green, Radio Leeds, 26 June 2018

Complaint

The programme included a phone-in on homeopathy. A representative of the Good Thinking Society complained that it was conducted in a way which gave the impression that the arguments for and against the efficacy of homeopathy were on an equal footing, and included misleading and inaccurate claims by homeopaths.

Outcome

The conduct of the phone-in did not sufficiently reflect the fact that there is no peer-reviewed scientific evidence that homeopathic treatment has any efficacy beyond a possible placebo effect, and claims by some callers about its effectiveness in a range of medical conditions should have been challenged.

Upheld

Further action

The team has discussed the finding and staff have been reminded of the need to ensure due impartiality, and apply appropriate weight to issues of a controversial nature. Staff have also been briefed on the BBC Academy articles and features on reporting science and pseudo-science.

Look North, BBC One (Yorkshire), 20, 21 May & 20 July 2018, Josh Warrington... Leeds' first ever boxing World Champion, bbc.co.uk, and various social media

Complaint

Michelle Sutcliffe complained that describing Josh Warrington as Leeds' first boxing world champion was inaccurate, she having won the WBF World Flyweight title in 2000. The error had been repeated on a number of social media platforms, and again on **Look North** on 20 July despite her lodging a complaint after the original transmission.

Outcome

The broadcast of 20 May correctly described Josh Warrington as the first male World boxing champion from Leeds, but a mistake later arose which led to broadcast and online copy omitting that qualification, up to and including the 20 July broadcast. A posting by the programme-makers on the Corrections and Clarifications page of bbc.co.uk acknowledged only this latter error and, in the view of the Executive Complaints Unit, did not suffice to resolve the issue of complaint.

Partly Upheld

Further action

The finding was discussed with the team and there was considerable emphasis on the importance of correcting errors promptly and thoroughly.

Look North, BBC One (North East & Cumbria), 27 March 2018, 6.30pm

Complaint

The programme included an interview with Emma Lewell-Buck, MP for South Shields, following a finding by the Local Government Ombudsman on the process by which her husband had been found guilty of elder abuse in his former capacity as a care worker for South Tyneside Council. The South Shields Constituency Labour Party complained that they had not been offered proper opportunities to reply to allegations, and that the item had failed to report important aspects of the story, had not been duly impartial and had allowed Ms Lewell-Buck to allege she and her husband had been the victims of a vendetta within the party despite the fact that the Ombudsman had found no substance in the allegation.

Outcome

The programme had given proper opportunities for reply, had legitimately focused on certain aspects of the story and had observed due impartiality. However, it was at fault in not reporting the Ombudsman's finding that there was *"no evidence the Council had*

any vendetta” against Ms Lewell-Buck or her husband (which had been mentioned in the lunchtime edition’s treatment of the same story).

Partly upheld

Further action

The team has been reminded of the need to be consistent in the reporting of the matter in hand and include all relevant details in all broadcasts.

Manchester: The Night of the Bomb, BBC Two, 22 May 2018

Complaint

The families of two victims of the Manchester Arena bombing complained that the programme included mobile phone footage of the foyer in the immediate aftermath of the explosion, despite the concerns they had expressed before transmission about the broadcasting of such potentially distressing images.

Outcome

The programme-makers had considered the families’ concerns, in balance with what might be appropriate in a programme broadcast on the anniversary of the event (rather than its immediate aftermath) and the public interest they believed would be served by the inclusion of the footage, in showing the reality of the situation which faced survivors and those trying to help victims before the arrival of emergency services. As a result, they increased the extent to which the images in the footage were obscured and used a shorter extract than originally planned. In the view of the Executive Complaints Unit, they had succeeded in ensuring the footage did not allow individual victims to be identified, but the sequence had added less to the audience’s understanding of the event than they had hoped and intended. The Unit concluded, on balance, that the public interest considerations did not outweigh the potential distress to victims’ families, that the footage in question should not have been included, and that the programme should not be rebroadcast in a form which included it.

Upheld

Further action

The finding has been discussed with programme teams as a future guide to finding the right balance between the public interest and the impact on those concerned.

Monday Night Club, Radio 5 live, 19 March 2018

Complaint

During a discussion about possible risks for gay and black football fans attending the Football World Cup in Russia, the commentator Ian Wright interjected to say “*I won’t wear a dress*”. A listener complained that this perpetuated an offensive stereotype of gay people.

Outcome

The interjection, though humorously intended, was difficult to reconcile with the BBC's Editorial Guidelines' advice to "*avoid careless or offensive stereotypical assumptions*". However, the acknowledgement by the management of Radio 5 live that the remark was inappropriate, together with Mr Wright's own expression of regret for it, sufficed to resolve the issue of complaint.

Resolved

MP criticises government clean energy policies, bbc.co.uk

Complaint

The article reported criticisms of Government energy policies by two parliamentary committees. A reader complained that it was mistaken in saying Government policy included "*A ban on new onshore wind farms*", in response to which the wording was changed to "*An effective ban*". The reader complained to the ECU that this, too, was inaccurate.

Outcome

The Government had announced in 2015 that it was ending subsidies for onshore windfarms, devolving decision-making to local authorities and introducing new tests for the granting of planning permission, but there was no actual or effective Government ban.

Upheld

Further action

The phrasing has now been changed to "*Withdrawing support for new onshore wind farms in mainland UK*".

Newsnight Twitter account, 24 July 2018

Complaint

The tweet in question included a quote from the programme's interview with the head of the Meteorological Office, Professor Stephen Belcher. A reader complained that it omitted a crucial qualification, resulting in a misleading impression of Professor Belcher's views on climate change.

Outcome

The tweet quoted Professor Belcher as saying "*So the heatwave that we've got is probably part of natural cycles in the weather*". In the interview, he had followed this with "*but it's superimposed on this background of global warming and that's what's elevating our temperatures*". The Executive Complaints Unit agreed with the complainant that the truncation of Professor Belcher's comment gave a misleading impression of what he had said. However, when the error was pointed out to them the programme-makers took down the tweet and posted an apology which clarified

Professor Belcher's position on the relationship between climate change and this year's hot and dry summer. In the Unit's view this sufficed to resolve the issue of complaint.

Resolved

OPCW finds 'chlorinated compounds' in Syria's Douma, bbc.co.uk

Complaint

The ECU received three separate complaints about three versions of a BBC News Online article about an investigation by the Organization for the Prohibition of Chemical Weapons (OPCW) into an alleged chemical attack on the Syrian town of Douma. Each complaint challenged the accuracy of the headline of the relevant version, and one challenged the accuracy of the text.

Outcome

The ECU agreed that the headlines were inaccurate, as follows.

Version 1: Syria war: Douma attack was chlorine gas – watchdog

The OPCW reported that chlorinated chemicals were found at the site but expressed no view as to how they got there.

Version 2: Syria war: 'Possible chlorine' at Douma attack site – watchdog

The OPCW concluded that chlorinated chemicals were present at the site, not that their presence was a possibility. Any element of doubt related to whether they were there as a result of a chemical attack.

Version 3: Syria war: Chlorine possible at Douma 'attack' site – OPCW

The rewording of the headline failed to correct the impression that the OPCW had found that the presence of chlorinated chemicals was no more than a possibility.

However, the ECU did not agree with the suggestion that the error in the headline of version 2 was repeated in the text of the article. The sentence in question was "*A chemical weapons watchdog says chlorine may have been used in April's attack on the Syrian city of Douma*" and, while the OPCW report contained no specific statement to that effect, the significance of its finding that chlorinated chemicals were present at the site was that it kept open the possibility that they had been used in the attack.

Upheld/partly upheld/upheld

Further action

The findings have been discussed with senior editors at the BBC News website, who have been reminded of the importance of accuracy at all times, and of ensuring any inaccuracies are effectively corrected.

Reporting Scotland, BBC One Scotland & Good Morning Scotland, Radio Scotland, 26 May 2018

Complaint

Both programmes included reports of the conclusions of a study presented at an international conference on obesity, as they related to Scotland. A member of the audience complained that both reports contained serious inaccuracies, while the Good Morning Scotland item had failed to report initiatives by the Scottish Government which accounted for the study's prediction of lower rates of future obesity in Scotland than in England and Wales.

Outcome

As the purpose of the items was to report the findings of the study, and as the summary of them presented to the conference had said nothing about the possible impact of Scottish Government initiatives, there was no occasion for either item to call attention to them. However, both items were incorrect in reporting the study as finding that more than a third of Scottish women would be "*morbidly obese*" (rather than simply "obese") by 2035.

Upheld/partly upheld

Further action

BBC Scotland news teams have been reminded of the importance of accurate reporting, particularly where information is being gleaned from published reports.

Reporting Scotland, BBC One Scotland, 16 February 2018

Complaint

The programme included a report dealing with the issue of government ministers (in both the Scottish and UK Parliaments) receiving severance payments having resigned following allegations about their behaviour, in the course of which it was stated that Michael Fallon and Damien Green had both received them. A viewer who had pointed out that Mr Fallon had not received a severance payment (being above the maximum age of eligibility under the Ministers' Pension Scheme) complained that, despite the error being acknowledged, no correction had been published.

Outcome

The ECU agreed that the nature of the error was such that a correction should have been published.

Upheld

Further action

BBC Scotland news teams have been reminded of the importance of detailed fact-checking to ensure accuracy across all of their reporting.

Simon Mayo, Radio 2, 10 January 2018

Complaint

The regular “Confessions” item consisted of a story of a prank played on the boss’s son by his workmates in a small company 20 years ago. The owner of the company complained that the story included information which identified his son and his business and exposed them to ridicule.

Outcome

At Stage 1, the BBC had acknowledged that insufficient care had been taken to avoid identification, apologised for any embarrassment, and removed the item from publicly accessible websites. In the view of the ECU, this sufficed to resolve the issue of complaint.

Resolved

Stephen: the Murder That Changed a Nation, BBC One, 19 April 2018

Complaint

The programme included footage of the complainant and a former police colleague of his, and a reference to the fact that they were among those convicted on evidence provided by a third party. He complained that it failed to mention that his conviction and that of his colleague were subsequently quashed.

Outcome

The complaint was initially lodged via a contributor who alerted the programme-makers to the error. They edited the offending section of the programme, removing the footage and changing the voiceover (though without contacting the complainant to explain what had been done). In the Executive Complaints Unit’s view, this action did not suffice to resolve the issue of complaint in the absence of an appropriate public acknowledgement and correction.

Partly upheld

Further action

The finding, and the importance of correcting significant errors on the record, was discussed with the programme-makers.

The Andrew Marr Show, BBC One, 8 April 2018

Complaint

In the programme’s review of the papers, and immediately after discussion of that morning’s reports of events in Syria, Andrew Marr said *“And the Middle East is aflame again, I mean, there’s lots of Palestinian kids being killed further south as well by the Israeli forces”*. Two viewers complained that the reference to *“lots”* of Palestinian children being killed by Israeli forces was misleading in itself, and that the overall effect of the statement was to create a misleading sense of equivalence between the

actions of Israeli forces on the border with Gaza and the alleged use of chemical weapons by the Syrian regime.

Outcome

There was nothing in the statement or its context to warrant the view that it suggested the equivalence complained of. However, the toll of casualties in the events on the Israel-Gaza border by the date of transmission was not such as to justify the reference to “lots” of children being killed.

Partly upheld

Further action

The team has been reminded that all BBC output must be well sourced and presented in clear, precise language.

The Mash Report, BBC Two, 25 January 2018

Complaint

A viewer complained that the use of the term “tranny”, in the handle of a tweet shown and discussed in the social media wall segment of the programme, was offensive.

Outcome

Ofcom’s research indicates that in most contexts the word “tranny” is considered “strong and problematic” and viewed as offensive because hurtful towards LGBT people. In this instance, there was no contextual justification for any offence given by showing the Twitter handle @Tranny_Magnet.

Upheld

Further action

The programme-makers have noted and discussed this word’s potential for offence.

The One Show, BBC One, 4 April 2018

Complaint

The programme included an item about Dr Dan Reinstein, the inventor of a form of laser treatment for presbyopia (“Laser Blended Vision”) who had recently undergone the treatment himself. Two viewers complained that the item was “an advertorial” for Dr Reinstein and his clinic had failed to warn viewers of the risks attaching to the treatment.

Outcome

The level of risk attaching to the treatment was not such as to warrant a warning to viewers. However, the item did not entirely avoid an impression of promoting or endorsing a commercially available procedure.

Partly upheld

Further action

The finding has been noted and discussed with the production team.

This Week, BBC One, 19 April 2018**Complaint**

The programme included a filmed opinion piece by Peter Hitchens questioning the evidential basis on which Western powers had used force in Syria after alleged chemical attacks on civilian populations, followed by a studio interview. A viewer complained that Andrew Neil had conducted the interview in a rude and bullying manner and had misrepresented what Mr Hitchens had written on the matter.

Outcome

The conduct of the interview went no further than might have been expected in testing a controversial argument put forward by an experienced media contributor. However, Mr Neil was incorrect in representing Mr Hitchens as having written that there was a temptation for the UK, France and the USA to fake chemical attacks in Syria. In the blog in question, Mr Hitchens had identified a temptation for groups opposed to the Assad regime to fake such attacks, in the hope of getting those countries directly embroiled in the Syrian conflict.

Partly upheld**Further action**

The programme has been reminded of the need for due accuracy in paraphrasing the views expressed by its contributors.

Today, Radio 4, 23 February 2018**Complaint**

The business desk included an item about the Labour Party's plans for the rail industry, consisting of an interview with Christian Wolmar. A listener complained that he was introduced in terms which gave an impression of disinterested expertise, whereas he was an active Labour Party member.

Outcome

Mr Wolmar, introduced as "*author, journalist, longtime observer of the rail industry*", has sought the Labour nomination for Mayor of London and stood as a Labour candidate in a 2016 by-election, and is currently seeking nomination as a Labour candidate for Parliament. Listeners should have been made aware of his political affiliation.

Upheld

Further action

The **Today** team have been reminded of the importance of providing sufficient background information on interviewees to enable listeners to calibrate their comments.

Victoria Derbyshire, BBC Two, 19 January 2018**Complaint**

During an interview with the Indian writer and film producer Twinkle Khanna about her new film "Pad Man", a caption saying "*90% of Indian women use rags, ashes or newspapers instead of sanitary products*" was shown. A viewer complained that this figure was seriously inaccurate.

Outcome

The figure was taken from a 2011 study, the reliability of which the ECU was unable to assess. However, more recent survey work has shown a much higher level of use of sanitary products, so the earlier figure is now misleading.

Upheld**Further action**

The programme has been advised to ensure it checks all statistics thoroughly, to ensure due accuracy in its output.

The death of the local newspaper, bbc.co.uk**Complaint**

A reader of this online article complained that it had been inaccurate in stating that the Manchester Evening News had implemented redundancies a month after the Manchester Arena bombing and that, although the statement had since been removed, the error had not been acknowledged or corrected.

Outcome

The redundancies in question had in fact been announced and implemented before the bombing, and the error should have been corrected as well as removed.

Upheld

The article was amended to identify and correct the error.