Editorial Standards
Findings
Appeals to the Trust and other editorial issues considered by the Editorial Standards Committee

January 2010 issued March 2010
Remit of the Editorial Standards Committee

The Editorial Standards Committee (ESC) is responsible for assisting the Trust in securing editorial standards. It has a number of responsibilities, set out in its Terms of Reference at bbc.co.uk/bbctrust/about/meetings_and_minutes/bbc_trust_committees.html.

The Committee comprises six Trustees: Richard Tait (Chairman), Chitra Bharucha, Mehmuda Mian, David Liddiment, Alison Hastings and Anthony Fry. It is advised and supported by the Trust Unit.

In line with the ESC’s responsibility for monitoring the effectiveness of handling editorial complaints by BBC management, the Committee considers appeals against the decisions and actions of the BBC’s Editorial Complaints Unit (ECU) or of a BBC Director with responsibility for the BBC’s output (if the editorial complaint falls outside the remit of the ECU).

The Committee will consider appeals concerning complaints which allege that:

- the complainant has suffered unfair treatment either in a transmitted programme or item, or in the process of making the programme or item
- the complainant’s privacy has been unjustifiably infringed, either in a transmitted programme or item, or in the process of making the programme or item
- there has otherwise been a failure to observe required editorial standards

The Committee will aim to reach a final decision on an appeal within 16 weeks of receiving the request.

The findings for all appeals accepted by the Committee are reported in this bulletin, Editorial Complaints: Appeals to the Trust.

As set out in its Terms of Reference, the Committee can decline to consider an appeal which in its opinion:

- is vexatious or trivial;
- does not raise a matter of substance;
- relates to the content of a programme or item which has not yet been broadcast;
- concerns issues of bias by omission in BBC news programmes unless the Chairman believes that it is plausible that the omission of an item could have led to a breach of the guidelines on impartiality;
- has not been made within four weeks of the final correspondence with the ECU or BBC Director on the original complaint; and
- relates to matters which are the subject of or likely to be the subject of, or relevant to, legal proceedings.

The Committee will not generally reconsider any aspects of complaints that have already been adjudicated upon or considered by a Court.

Any appeals that the Committee has declined to consider under the above criteria are reported in the bulletin.
In line with its duty to consider topics of editorial concern to the Committee, whether or not such concern arises from a formal complaint, and to commission information requests from the Trust Unit or Executive to support such consideration, the Committee also from time to time requests the Executive to report to the Committee regarding breaches which have been accepted by the Executive and are therefore not subject to appeal to the Committee. The bulletin also may contain findings relating to such cases.

The bulletin also includes any remedial action/s directed by the Committee.

It is published at bbc.co.uk/bbctrust or is available from:

The Secretary, Editorial Standards Committee
BBC Trust Unit
180 Great Portland Street
London W1W 5QZ
Summary of findings

Science and Islam, BBC Four, 5 January 2009

The complainant stated that the series had presented an unbalanced account of the subject and had exploited Professor Al-Khalili's professional title to "lend academic legitimacy to a tendentious argument". The complainant raised nine issues on which he claimed the programme was inaccurate or biased. He also complained that a viewer's comment on the Have Your Say web page associated with the programme, which was selected to appear on the BBC Four home page, was racist and offensive.

The Editorial Standards Committee concluded:

- that the subject matter of the programme was not a controversial subject in the specific terms of the BBC's Editorial Guidelines, and the complaint would therefore be considered under the general guidelines on Accuracy and Impartiality.
- that the series came under the category of authored programmes, as set out in the BBC's Editorial Guidelines, and that this had been clearly signposted to the viewer within the introduction to each part of the series as well as within the narrative of the programmes.
- that the reference within the series to a “great leap in scientific knowledge” in the medieval Islamic world was appropriately contextualised and duly accurate.
- that the presentation of the achievements of Islamic scholars had been suitably contextualised so that the audience could make up their own minds about the degree of credit due to Islamic scholars during this period.
- that Professor Al-Khalili’s comments relating to the development of the heliocentric model were reasonable in that they were the views of a professional scientist within an authored programme.
- that the issue of heliocentricity was treated with due accuracy and due impartiality in a series about the history of medieval Islamic science and not the history of the heliocentric model.
- that the lack of a reference to the philosophers Al-Ghazali and Averroes was an editorial choice for the author to make and did not constitute an inaccuracy.
- that the narrative had appropriately discussed the decline of science under Islam, clearly referring to “religious entrenchment” as one of the reasons for the decline in the wealth of the Islamic empire.
- that the comments made by Professor Al-Khalili during his visit to an Iranian fertility clinic were attributed to him as his personal view and were clearly distanced from any cultural and political issues that Britain and the West may have with the Iranian state.
- that there was sufficient information available outside Iran to suggest that the science on fertility and stem cells being conducted at the clinic could be considered as cutting edge, and that the remarks made about the clinic's status in this respect were not incorrect.
- that the series had made it clear under what religious conditions the fertility work was being carried out, not only referring to the fact that the clinic had an in-house imam but also interviewing him.
that there was sufficient information provided regarding the decline of the Islamic empire for viewers to reach their own view as to the relative importance of each reason.

that the series was a history of Islamic science and not the Islamic empire, and that not going into detail as to the various elements of the decline did not lead to a failure to be duly accurate and impartial.

that the views expressed by Professor Schaffer regarding colonialism and the suppression of Islamic science had been well sourced, and that the references to British colonialism in the context of this authored piece were presented as an authored view which the audience could either agree or disagree with.

that, in setting out the history of science in the Islamic empire, the series had fairly represented the success of scientific development as well as its ultimate decline.

that there was sufficient evidence to suggest that the premise of the series was the relationship between the economic dynamism of the Islamic empire and scientific development.

that the relationship between the development of science and trade wealth was sufficiently set out and, in the context of the series, it was not necessary to refer to the rise of Protestantism and religious freedom in the West in order to achieve due accuracy.

that there was no evidence to suggest that the series was anything more than a personal presentation of a little known period of history.

that it did not agree with the complainant’s view that the programme-makers were suggesting anything other than what was clearly presented in the narrative.

that the series did not set out to be a definitive view of this period of history, and that the presentation of the narrative and the history was appropriate and had not breached any of the BBC’s editorial standards.

that the quote selected for use on the front page of the Have Your Say site was from one end of the spectrum of views and that, where possible, quotes should be selected to reflect more directly the content and nature of the programme than this one did.

that the quote, while contentious, was not racist or offensive and did not breach the BBC’s editorial standards.

that, overall, the series had been clearly signposted as an authored piece and, as such, would not have misled viewers to believe that it was a definitive view of this aspect of history.

that the contributions from experts were well sourced and were presented with due accuracy and impartiality, taking into account the audience that the series was aimed at.

The complaint was not upheld.

For the finding in full see pages 8 to 31.

Newsnight, BBC Two, 20 January 2009
The complaint relates to a Newsnight item on the day of President Obama’s inauguration speech about the challenges facing the new president and his thinking on certain key issues. The report featured three excerpts from President Obama’s speech, which the complainant said had been edited in a way that misrepresented the contents of the speech.

The Editorial Standards Committee concluded:

- that the programme had not provided sufficient information in the presentation of the quote for the audience to fully realise that it was constructed from three separate extracts from President Obama’s speech.
- that the presentation of President Obama’s statements, albeit in a different order from the original speech, had been duly accurate in that it had accurately set out the President’s change in policy with regard to science.
- that there was no evidence to suggest that the programme had knowingly misled viewers by this use of the clips.
- that, while longer pauses or clearer fades would have helped the audience be aware that the extracts were from separate parts of the speech, this was not necessary to achieve due accuracy.
- that the programme team had demonstrated that making a distinction between the extracts had been a consideration when putting the piece together.
- that the presentation of the extracts from the speech had not been in breach of editorial standards as it had not misled the audience with regard to the contents of the speech and had been duly accurate.
- that, overall, the piece had not breached the accuracy and impartiality guidelines as it had correctly highlighted the references to the environment and the change of policy in science within the President’s speech.
- that the report as a whole had not given the impression that the environment was more significant in the speech than it actually was.

The complaint was not upheld.

For the finding in full see pages 32 to 42.

**Songs of Praise, BBC One, 7 June 2009**

The complainant stated that the programme had breached the BBC’s guidelines on impartiality in an item about Trafalgar Square which featured an interview with former general-secretary of the CND, Bruce Kent. The complainant said that Mr Kent’s views were controversial and should not have been included in the programme. He also said that the programme was inaccurate in its description of Bruce Kent as a peace campaigner, and that the presenter’s own views on nuclear disarmament were made apparent.

The Committee concluded:

- that it was perfectly reasonable for the introduction to describe Bruce Kent as a peace campaigner, given that a peace campaigner is somebody who campaigns for peace regardless of the methods for obtaining this end.
- that there was no endorsement of Mr Kent’s views in the introduction, which had described Mr Kent’s activities accurately.
• that the description of Mr Kent was accurate, and that whether or not the CND had been successful or was pursuing the right policy to achieve peace was not for the Committee to decide.

• that the fact that Mr Kent had been active in peace campaigning was irrefutable and did not need further qualification or representation of a different point of view in order to achieve impartiality.

• that the Harm and Offence guidelines were inappropriate in the consideration of this appeal as these guidelines are concerned with the risk of offence caused by broadcasting challenging material such as offensive language, humiliation, sex, violence and/or discriminatory treatment.

• that the theme of the programme had been clearly set out from the beginning and that it was unsurprising for the CND rallies to be included.

• that the choice of Bruce Kent as a contributor was editorially justified given that he was a well-known individual who had been involved in the CND rallies and whose strong Christian beliefs were a cornerstone of his peace campaigning.

• that the interview had concentrated on Mr Kent’s historic stance and had not included the more recent issues of the replacement of the Trident system or current nuclear controversies.

• that Mr Kent’s contribution had been a personal view which expressed his reasoning for how his faith informed his life, and that there was no requirement for the programme to provide an alternative viewpoint.

• that it did not agree with the complainant that the Editorial Complaints Unit had misinterpreted the meaning of the guidelines on controversial subjects.

• that, while the issues of defence and disarmament had been significant political issues, the issue of disarmament is not the subject of intense debate at this time and, therefore, does not fall within the area of controversial subjects as set out in the editorial guidelines.

• that, under the general guidelines on impartiality, there was no requirement for an opposing view to be presented within the programme.

• that the reference to CND marches uniting a section of people to campaign to rid the world of nuclear conflict was factually correct.

• that the presenter had not suggested that the campaigns were successful and had not advocated CND or its methods.

• that the presenter had not expressed a personal view in his interview with Mr Kent and nor would the audience be able to draw from the interview an idea of the presenter’s personal opinions.

The complaint was not upheld

For the finding in full see pages 43 to 53.

Panorama: What Next for Craig?, BBC One, 12 November 2007

The programme was an edition of Panorama that reported on new scientific research into the treatment of children with Attention Deficit Hyperactivity Disorder (ADHD). This is a
third party appeal brought by the complainant who argues that the programme was seriously inaccurate and unbalanced in the way it dealt with the issue of how ADHD should be treated. He says that the broadcast of the programme was likely to cause serious harm to children with ADHD. The substantive part of this complaint was dealt with by the Committee on 13 January 2010.

This finding relates only to the issues raised by the complainant relating to complaints handling by the Editorial Complaints Unit (ECU) and BBC management.

The Committee concluded:

**Accountability**

- That the ECU and BBC management dealt clearly, fairly and openly with the complainant.
- That the complaint was dealt with courteously and with respect.
- That although this was an extremely complicated complaint, generating a vast amount of paperwork, the time taken by the ECU to issue a decision and publish a finding of that decision was too long.
- Other than this delay, the ECU had handled the complaint in accordance with the BBC complaints process.

The complaint was partially upheld.

For the finding in full see pages 54 to 59.
Findings

Science and Islam, BBC Four, 5 January 2009

1. The series

“Part travelogue, part science documentary, part observational documentary, Science and Islam is a journey of exploration into the little-known story of the extraordinary Islamic scientific revolution which occurred between 700 and 1250 AD. The series will explore the contribution of early Islam to the development of scientific knowledge.” (BBC Press release)

2. The complaint

Stage 1

The complainant wrote to BBC Information on 26 January 2009. He said the series presented an unbalanced account, and failed to make clear the identity of the author. He stated that if the author was actually the presenter, he believed the series exploited Professor Al-Khalili’s professional title to lend academic legitimacy to a tendentious argument.

The complainant said:

“The presenter correctly stated at the end of a generally reasonable Part 1 that the provenance of science is irrelevant, begging the question: what purpose was ... served by the series? By the end of Part 3, however, its familiar “west awful, rest awesome” agenda was transparent. The case built by the unnamed writer (the researcher being credited as Dr Al-Akiti) [was] remarkable for bias and omission.”

The complainant then set out his complaint of bias and omission in nine points.

1. The series presented the history of medieval science in the Middle East as “a great leap in scientific knowledge”, whereas the consensus scientific view, shared by certain prominent Islamic scholars, was that only Al-Haytham’s work on optics was truly revolutionary, the rest being a process of gathering and refining existing knowledge.

2. It could be argued that Islamic scholars had too much credit. So-called Arabic numerals were in fact Indian, alkaline soap was known to the Babylonians, and algebra may well have been Greek. Much Arabic “science” was alchemy and magic. The narrative had mentioned this, but “pressed on regardless”. The revelation the presenter cited as the biggest on his travels actually concerned a field - Egyptology - not found in any book of science.

3. The argument that “Islam paved the way for one of the greatest upheavals in the history of science” – the cosmological revolution – was “literally false”. It was still barely true if one generously took “Islam” as shorthand for “Islamic scholars”. Aristarchus had already paved the way in proposing a heliocentric model; it was the Church of Rome that continued to assert Ptolemy’s fallacious theory. Copernicus’s model, like those of Al-Battani and Al-Haytham, still clung to the notion of celestial spheres. The true founder of modern cosmology was surely Giordano Bruno.
4. It was incredible there was no mention of Al-Ghazali, who persecuted scientific enquiry in the name of Islamic orthodoxy so vigorously it was “all but obliterated”; or the burning of the pro-science works (and branding as a Jew) of Averroes.

5. Professor Al-Khalili’s visit to an Iranian fertility clinic was reminiscent of Bertrand Russell’s credulous kowtowing to the Soviet Union - no mention was made of the fact that in many nations, science still has to accord to the Koran.

6. The decline of the Islamic empire was attributed to military aggression from Mongols, Crusaders and Castilians, which contrasted with, for example the account of Islamic specialist Professor Bernard Lewis of Princeton University, who ascribed it to cultural failure wrought by institutional misogyny, anti-infidel xenophobia, and repudiation of modernity.

7. Alongside the author’s denunciation of British colonialism, the Islamic empire was uncritically presented as a force for good. In reality, it and its successor states were bywords for terror, militaristic aggression and enslavement.

8. No doubt the British and French did disparage the culture of those over whom they ruled (as has just about every conquering power in history) but it was nonsense to suggest there was a systematic suppression of Islamic science by the British and French. For example Charles Singer’s 1959 classic “A Short History of Scientific Ideas to 1900” gave a comprehensive evaluation of scientific achievement in the Middle East. The fact that Middle-Eastern science was no better known in Germany - a land with strong historical ties to Islamic nations - gave the lie to this claim.

9. The suggestion that the explosion in British science was due to trade wealth was contradicted by the fact that both northern Germany and Scandinavia had also been, and still are, pre-eminent in science. What the three had in common was that they had rebelled against the Church of Rome and were free of the strictures of religious orthodoxy.

The complainant believed the series was “propagandist”, its purpose being to propagate the idea of Islam as being a great patron of science and morally superior to the West.

The complainant concluded by saying that science generally happened in spite of organised religion not because of it. Any objective account would have acknowledged that the Arabs cultivated the science of Nestorian Greek émigrés to the Middle East only so far and so long as the practical imperial benefits outweighed theological antipathy. To represent this historical fact as an advertisement for Islam was “a travesty in breach of the BBC’s obligations”.

In early March 2009 there was an exchange of correspondence between the complainant and the BBC Trust due to the lack of response from BBC Information to his initial complaint.

On 29 March 2009 BBC Information replied apologising for the delay in responding. The reply also included a response from the executive editor of the series who said that he was disappointed the complainant found issue with so many areas of the film. The executive editor also noted that a discussion of a subject such as this could never be said to offer a definitive account. There would always be areas of debate. He said:

“what we endeavoured to do was to bring together some of the leading experts in the area to offer an overview that met their consensus of opinion.”
In terms of the complainant’s comments about who should be assigned the authorship or origination of key concepts, the executive editor said the series took great pains to place Islamic scientists in their historical context:

“As you well know, as soon as one begins to pick apart any moment in the history of science, it becomes clear that almost all new developments can be shown to build on external influences and on previous work.”

The executive editor accepted that “anti-science” aspects of Islam did and do exist, but for the programme-makers in the limited time they had available their aim was to illustrate the achievements of Islamic scientists, something that had been all too rarely done. The programme-makers believed that during the medieval period, the rulers, scholars and merchants of the Islamic states showed a commitment to and interest in science that was remarkable and worthy of investigation.

With regard to the claim that the programme suggested that Islam was morally superior to the West, the executive editor said that such an opinion was never stated in the scripts. He stated:

“We were endeavouring to highlight the achievements of a certain group of scientists in the Islamic world, and importance of the Translation Movement\(^1\) in preserving scientific thinking from around the world, but I do not feel that we ever implied that the scientists and thinkers in question were ever ‘better than’ their western counterparts.”

He also stated that no other negative comments had been received, either from interviewees or other academics in the field.

The complainant replied on 6 April 2009. He noted his disappointment with the time it took for the BBC to reply to his complaint. He also stated that while he agreed there were always areas of debate his argument

“was that the series presented not a reasoned debate but a tendentious opinion in a manner that is at odds with the BBC’s explicit obligations”.

The complainant also stated:

“the comment that I was the only complainant is invidious: scientific truth is not a matter for deciding by vote; and I dare say … most academics with the specialist knowledge to see through the thesis are disinclined to dispute publicly a matter that might affect their funding”.

The complainant said with regard to authorship the series had “considerably overstated the original contribution to science of Middle-Eastern scholars”. He also stated that the executive editor had been unable to “justify the pivotal claim in the script that ‘a great leap in scientific knowledge’ took place”.

The complainant also pointed out that he had not argued that Middle-Eastern scientists were depicted as superior, but that the West was derogated while Islam was painted as a victim:

“The culmination of Part three of the series was a carefully constructed collage of indictments, including emotive references to every last vestige of Muslim civilization in Spain being removed by Christians, and every Spanish Muslim put to the sword, burnt or banished; Crusader ruthlessness... the portrayal by the English

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\(^1\) Translation Movement: The period when scholars in the Islamic World actively sought out and translated classical Greek texts into Arabic
and French of Islamic culture as moribund; Simon Schaffer’s disparaging reference to European self-perceived superiority on account of the Gatling gun; and the intentional obliteration of Islamic history by colonialism, etc. I disputed none of these interpretations, but contended they were in no way presented as part of a balanced account. What I did dispute is the groundless assertion that the European scientific revolution was due to wealth derived from trans-Atlantic trade. The several lands where science flourished correlate much more strongly with freedom from religious orthodoxy than with trade; if it were not so, why were Spanish and Portuguese scientists so thin on the ground?"

The complainant also wanted to know why:

"the BBC felt at liberty to feature prominently on its website [when promoting the series] an item of anti-Western propaganda that would no doubt have led to police action under anti hate laws if ‘we’ had read ‘they’ and ‘Islamic’ had read ‘British’.”

The executive editor replied on 3 June 2009. He again outlined the “particular and focused goal” of the series which was to “examine and explain the achievements of scientific development, experimentation and discovery of a group of scientists living in a particular time and place in history – the period between the 8th and 12th centuries AD, and in the loosely confederated Islamic states of that era.” He also pointed out that the series did not equate the practice of the Islamic faith per se with the practice of good science, stating:

“the series goes to some length to emphasise the secular forces influencing and inspiring scientists in this era, including trade, a common language, military imperatives etc”

The executive editor noted that where the series did discuss the influences of the Islamic faith on scientific activity it was in the context of how the rituals of that faith made concrete demand for accurate time-keeping and measurement of direction and distance.

The executive editor then replied to each of the nine points raised by the complainant in his initial letter of complaint. The executive editor stated:

1. “A great leap in scientific knowledge”: The phrase was not presented as an unqualified assertion, but a view the presenter Professor Al-Khalili was taught at school and one that he wished to test. The series also explored at length how the Islamic scientists in question gathered and refined pre-existing knowledge.

2. Islamic scholars “having too much credit”: The issue of credit “too much” or otherwise is a matter of argument. And, given that the majority of the BBC’s history of science output deals with Western scientists, this series, in that context, has its place in the overall balance of programming. As to the reference to the translation of Egyptian Hieroglyphs into Arabic, the programme team thought that Ibn Wahshiya’s work was an impressive example of a scientific approach to the challenges of translation.

3. Islam and the cosmological revolution: The programme team believed that the practice of Islam did in fact drive and encourage astronomy. Timekeeping during the day, the direction of prayer, knowing the length of the year and the timing of annual events were all important to Islam and all needed astronomical data. In Episode 3 this had been supported by showing how the main mosque in Damascus possessed a sophisticated sundial for precisely these reasons.

4. There was no mention either of Al-Ghazali or of the burning of the pro-science works (and branding as a Jew) of Averroes: The executive editor acknowledged
that both were of historical interest but that the focus of the series was on the achievements of scientific development, experimentation and discovery.

5. The Iranian fertility clinic: This section of the series made it clear the clinic was operating in a “theocratic state”, and that the work was only pursued under supervision of an in-house mullah; the fact that these scientists were working under close religious supervision was made clear.

6. The decline of the Islamic Empire was attributed to military aggression from the Mongols, Crusaders and Castilians: The series did not attribute the decline of the Islamic empire solely to military aggression from the Mongols, Crusaders and Castilians. It also stated that the Islamic empire collapsed into internally warring fiefdoms, and that this period was marked by “political and religious retrenchment”, an indicator of the reactionary movements described by the complainant.

7. Colonialism: The series did not denounce British colonialism. It levelled one very specific charge against the colonial powers in Europe in general and Britain in particular, namely that they downplayed the significance of the scientific achievements of the cultures they conquered. Neither did the programme present the Islamic empire as a “force for good”. 

8. The systematic suppression of Islamic science is nonsense: It was not unusual for a colonising power to disparage the cultures over whom they ruled. The series did not state there was “systematic suppression” of Islamic science reaching into the modern era. The series was quite clear that this process only took place in the era of colonisation.

9. The explosion in British science was due to wealth created by its trans-Atlantic trade: The discussion of the importance of European colonisation to the growth of European science was qualified by the statement that “some” historians emphasise its significance. The executive editor stated that he had discussed this with Simon Schaffer who had supplied him with a more detailed and highly convincing paper supporting his thesis that global trade was an important factor in the development of the European scientific “mode” in general, and in Newton’s work in particular.

In answer to the complainant’s query regarding the statement on the BBC Four website, he said the phrase in question was featured in the “Have Your Say” section of the BBC Four homepage. This featured comments from viewers as part of a wider debate. The comment in question linked through to the “Have Your Say” page, which featured a number of comments from differing viewpoints and represented a balanced view of opinion regarding the programme. The page stated it was a space for viewers’ opinions. He added the contact details for the Editorial Complaints Unit (ECU) if the complainant wished to take matters further.

**Stage 2**

The complainant wrote to the ECU on 19 June 2009 stating that he was unhappy with the reply he had received from the executive editor. The complainant believed it was misleading for the executive editor to suggest that the series was setting a question on whether “a great leap in scientific knowledge” took place in the Islamic world, when it was apparent at the end of the third programme what the viewer was intended to infer. The comments on the BBC Four website proved viewers drew exactly that inference.

However, the complainant said that detailed comments were incidental to the main point expressed by the executive editor that the point of the series was intended to “balance” usual output. The complainant noted the BBC permitted such a “tendentious approach”,...
but forbade the manner adopted by this series. The complainant also believed that the “inherently racist sentiment” highlighted on the website was politically motivated and at odds with the view of the overwhelming majority of the people whose national broadcaster is the BBC.

The ECU replied with its substantive response to the complaint on 28 September 2009. The ECU in its finding stated that it would consider the complaint against the BBC Editorial Guidelines on accuracy and impartiality. The response also stated that the complaint seemed to be a general one about authored programmes and that this could not be properly addressed without considering the points made in the complainant’s earlier letter dated 26 January 2009.

1. “The great leap”: The ECU considered whether the proposition of the programme (that there was a “great leap in scientific knowledge”) was presented as fact, and, if so, whether this was justified. The ECU noted that the programme made clear that developments of scientific knowledge were predicated upon, and drew from, existing knowledge from other societies and historical periods. The importance of the Translation Movement, for instance, was clearly set out as were comments on the progress of medicine and mathematics which stemmed from Greek and Indian traditions.

2. The ECU was satisfied therefore that the programme had considered at some length how Islamic scientists gathered and refined existing knowledge.

3. “Too much credit” given to Islamic scientists: The ECU noted that the narrative of the series had cited many of the complainant’s examples such as Arabic numerals being Indian and algebra, Greek. As such, similar to point one, the issue had already been explained. The ECU was not sure how the reference to Egyptology linked either to the general proposition of too much credit being given or any of the particular examples stated. However, the ECU took the reference as more in the nature of an observation than a complaint.

4. Islam and the Cosmological Revolution: The ECU was satisfied that although Aristarchus was not mentioned by name it was clear to whom the programme referred in its reference to the issue of a heliocentric view of the universe being first mentioned in “Greek Antiquity”. The ECU also considered that the programme had been careful in its qualification of Copernicus’s theory. The ECU noted that the programme referred to “many historians” believing it was the start of a scientific revolution, and that while the presenter Professor Al-Khalili also agreed, it was clear there was not universal acceptance of this view. The ECU was satisfied that the thrust of the programme was an examination of how significant the previous work of Islamic scholars had been to Copernicus, it was not a requirement of the programme to go into the rival claims of others such as Giordano Bruno.

5. There was no mention either of Al-Ghazali or of Averroes: The ECU said that it could not take a view on this issue as it could not “second guess” such decisions, which were a matter of editorial judgement, unless they gave rise to unfairness or material inaccuracy, which the ECU had not been asked to consider.

6. The Iranian fertility clinic: The ECU did not agree that this section of the series amounted to “credulous kowtowing”. It noted that while the presenter had commented that cutting edge research was being carried out in a theocratic state and that it was easy finding common ground with fellow scientists, he had noted with surprise that such research was being carried out at all and that there was an in-house Imam in the clinic offering guidance as to religious and ethical issues.
The ECU believed that the issue of science having to accord with the Koran was clearly implied by the remarks made to the imam.

7. The decline of the Islamic Empire: The ECU was satisfied that the programme when discussing the decline of the Islamic Empire, and thus the decline of science in the Islamic world, referred not only to military aggression, but also to the rejection of printing (and the rise of modernity), the collapse of the empire into warring fiefdoms and the arrival of Christopher Columbus in the Americas as contributory factors.

8. Colonialism: The ECU noted that this series was not about the Islamic or British Empires, except insofar as they might have a bearing on the central issue. In that regard, the ECU did not think it unreasonable for Professor Al-Khalili to offer a view concerning the ideological attitude of the British Empire towards the Islamic culture as an explanation for the fact that many scientific discoveries which occurred in the Islamic world during the period of the Empire should have been lost from view. The ECU did not believe that the expression of this one point amounted to a denouncement of British colonialism nor did it seem that the Islamic Empire was presented throughout as a force for good. The ECU did not get a sense from the series, overall, that it might be considered a force for good or evil. It noted that its presence was only background against the various scientific developments.

9. The systematic suppression of Islamic science: The ECU did not agree with the complainant’s view that the programme had suggested that there was a systematic suppression of Islamic science by British and French colonialists. The ECU noted that the presenter, Professor Al-Khalili had gone no further than to say that European colonialists had “actively encouraged the idea that the civilisations they encountered were moribund and in decline”. The ECU also noted that Simon Schaffer went no further than to say that Europeans asserted their superiority over other cultures. The ECU believed these comments were some distance off the suggestion of the systematic suppression of ideas. And, while the ECU noted that Professor George Saliba’s contribution suggested that Islamic and Arab history was “obliterated by the colonisation period”, it noted that these comments had been prefaced with the view “and some experts believe...” which suggested this was not a universal view and a contrast to the more modest views of the presenter and Professor Schaffer.

10. The explosion in British science was due to wealth created by its trans-Atlantic trade: The ECU suggested that the notion that wealth led to scientific progress was one offered in relation both to the emergence of the Islamic empire and the later emergence of the British empire. The complainant had suggested this was untenable and cited the examples of Sweden and North Germany. However, it seemed to the ECU arguable that it was not just a repudiation of the Catholic Church which the three countries had in common but also a basis of material wealth. In other words, the ECU did not think it self-evident that pre-eminence in science should be ascribed solely to having rejected the Catholic Church and its orthodoxy. The ECU noted that the series made clear that economic power was “for many historians of science the biggest single reason” explaining the scientific decline of the Islamic world and the ascendancy of Europe. The ECU was satisfied that this was sufficient acknowledgement that not all historians of science would necessarily agree and that there were other reasons which might be put forward.
The ECU taking all this into account did uphold the complaint in relation to the particular points raised. Nor did the ECU uphold the more general point of complaint that the series as a whole was in breach of the guidelines on impartiality.

Firstly, it had been made very clear this was an authored, personal exploration which was repeated at some length at the start of each episode. Secondly, it did not seem to the ECU that opposing views had been misrepresented. The complainant had highlighted particular points he felt should have been included but their omission would not represent a serious breach of editorial standards unless it led to the audience being significantly misled on a material point which the ECU did not believe to be the case.

The ECU also noted with regard to impartiality that avoiding bias did not mean every aspect of a subject had to be covered and, in the series, where debates were only partially reflected, it was generally made clear the views being considered were not necessarily universally accepted and there might be competing views. This the ECU believed met the requirement for “due impartiality” in this case.

The guideline concerning contributors expressing contentious views was designed to deal with situations where someone expressing a contentious view might appear to be expressing a view which was non-controversial unless challenged. In the case of an authored programme such as this it was clear that where contributors were called to support a particular view it was still, nevertheless, just a point of view within a wider debate. The ECU had already explained the programme made clear it was authored and a personal view, and at critical points it also made clear that views being expressed would not necessarily be universally accepted and that rival views existed. The ECU felt this met the requirements placed on programme-makers by this guideline.

The ECU was also satisfied that the viewpoints of the contributors to the programme, Professors Schaffer and Saliba, had been made clear in their comments and that no further information was required by the programme to inform the audience of their backgrounds.

**Stage 3 - Appeal to the Editorial Standards Committee (ESC)**

The complainant appealed to the ESC on 12 October 2009. He was unconvinced by the ECU's argument and noted that verbal components of communication were psychologically much the least cogent. The complainant noted that the series was clearly labelled as an authored, personal exploration, and if that was the case the BBC should balance this subjective view with one from another view - the series could be called “Science despite Islam”.

The complainant also noted that the comment selected to appear on the BBC Four homepage was ignored by the ECU.

The complainant also stated he had no confidence in a complaints system that allowed the accused party to set its own rules and also to act as its own judge, but would “ask you to examine your conscience and review the case with that greater, less politically expedient end in mind”.

### 3. Applicable editorial standards

**Section 3 - Accuracy**

**Introduction**

The BBC's commitment to accuracy is a core editorial value and fundamental to our reputation. Our output must be well sourced, based on sound evidence, thoroughly tested...
and presented in clear, precise language. We should be honest and open about what we don't know and avoid unfounded speculation.

For the BBC accuracy is more important than speed and it is often more than a question of getting the facts right. All the relevant facts and information should be weighed to get at the truth. If an issue is controversial, relevant opinions as well as facts may need to be considered.

Section 4 - Impartiality and Diversity of Opinion

Introduction

Impartiality lies at the heart of the BBC's commitment to its audiences. It applies across all of our services and output, whatever the format, from radio news bulletins via our web sites to our commercial magazines and includes a commitment to reflecting a diversity of opinion.

The Agreement accompanying the BBC’s Charter requires us to produce comprehensive, authoritative and impartial coverage of news and current affairs in the UK and throughout the world to support fair and informed debate. It specifies that we should do all we can to treat controversial subjects with due accuracy and impartiality in our news services and other programmes dealing with matters of public policy or of political or industrial controversy. It also states that the BBC is forbidden from expressing an opinion on current affairs or matters of public policy other than broadcasting.

In practice, our commitment to impartiality means:

- we exercise our editorial freedom to produce content about any subject, at any point on the spectrum of debate as long as there are good editorial reasons for doing so.

- we can explore or report on a specific aspect of an issue or provide an opportunity for a single view to be expressed, but in doing so we do not misrepresent opposing views. They may also require a right of reply.

- the approach to, and tone of, BBC stories must always reflect our editorial values. Presenters, reporters and correspondents are the public face and voice of the BBC, they can have a significant impact on the perceptions of our impartiality.

- we offer artists, writers and entertainers scope for individual expression in drama, arts and entertainment and we seek to reflect a wide range of talent and perspective.

- we should not automatically assume that academics and journalists from other organisations are impartial and make it clear to our audience when contributors are associated with a particular viewpoint.

Achieving impartiality

Impartiality must be adequate and appropriate to our output. Our approach to achieving it will therefore vary according to the nature of the subject, the type of output, the likely audience expectation and the extent to which the content and approach is signposted to our audiences.

Impartiality is described in the Agreement as "due impartiality". It requires us to be fair and open minded when examining the evidence and weighing all the material facts, as well as being objective and even handed in our approach to a subject. It does not require
the representation of every argument or facet of every argument on every occasion or an equal division of time for each view.

**Personal views and authored programmes and websites**

We have a tradition of allowing a wide range of individuals, groups or organisations to offer a personal view or opinion, express a belief, or advance a contentious argument in our programmes or on our websites. Personal views can range from the outright expression of highly partial views by a campaigner, to the authored view of a specialist or professional including an academic, scientist, or BBC correspondent, to those expressed through contributions from our audiences. Each can add to the public understanding and debate, especially when they allow our audience to hear fresh and original perspectives on well known issues.

Content reflecting personal views, or authored by an individual, group or organisation, or contributed by our audiences, particularly when dealing with controversial subjects, should be clearly signposted to audiences in advance.

**4. The Committee's decision**

The Committee considered the complaint against the relevant editorial standards, as set out in the BBC's editorial guidelines. The guidelines are a statement of the BBC's values and standards.

In reaching its decision, the Committee took full account of all the available evidence, including (but not limited to) the Editorial Adviser's report and the subsequent submissions from the complainant and the Head of the Editorial Complaints Unit.

This appeal raised issues requiring consideration of the editorial guidelines relating to accuracy and impartiality.

The Committee when coming to its finding considered each of the nine points raised by the complainant in his initial letter of complaint dated 26 January 2009. In addition to the nine points set out in this letter the Committee considered two further points that had been raised by the complainant in the course of his complaint's progress through the BBC's three stage complaints process. The eleven points therefore under consideration were:

a) “The Great Leap”

b) Islamic scholars have “too much credit”

c) Islam and the Cosmological Revolution

d) No mention of either Al-Ghazali or Averroes

e) The Iranian fertility clinic

f) The decline of the Islamic Empire

g) Colonialism

h) The systematic suppression of Islamic science

i) The explosion in British science was due to wealth created by its trans-Atlantic trade

j) Semiotics

k) BBC Four website “Have your Say”
In addition to these points the Committee also agreed that it would consider the overall impression of the programme at the end of its consideration.

However, the Committee noted that before it could consider the various elements of complaint it would have to establish:

- whether the series content should be considered “controversial” as defined in the BBC's Editorial Guidelines
- whether the series could be described as a personal view or authored programme.

The Committee noted that its finding on these two issues would have a bearing on its finding on the series in that if it established that the content was considered “controversial” it would require of the programme-makers greater care in the treatment of the subject matter with regard to impartiality and the avoidance of bias and imbalanced views.

Controversial Subjects

The Committee noted the guideline that defined what issues were deemed as being controversial:

“In the United Kingdom controversial subjects are issues of significance for the whole of the country, such as elections, or highly contentious new legislation on the eve of a crucial Commons vote, or a UK wide public sector strike.

In the nations and regions of the UK, controversial subjects are those which have considerable impact on the nation or region. They include political or industrial issues or events which are the subject of intense debate or relate to a policy under discussion or already decided by local government.”

The Committee noted that the series, which looked at the history of science in the medieval Islamic world, was aimed at a lay audience. While it covered issues that some of the audience would consider controversial (in that they may dispute the views being expressed), the Committee was satisfied that the subject matter was not of significance for the United Kingdom and did not concern political or industrial issues that were the focus of intense debate in the UK (which is the definition of a controversial subject as set out in the BBC's Editorial Guidelines). The Committee concluded therefore that the programme would not be considered as dealing with a “controversial subject”.

The Committee then considered whether or not the programme could be described as a personal view or authored programme. The Committee again noted the relevant editorial guideline and the requirements of a personal view or authored programme to meet editorial standards on impartiality:

“We have a tradition of allowing a wide range of individuals, groups or organisations to offer a personal view or opinion, express a belief, or advance a contentious argument in our programmes or on our websites. Personal views can range from the outright expression of highly partial views by a campaigner, to the authored view of a specialist or professional including an academic, scientist, or BBC correspondent, to those expressed through contributions from our audiences. Each can add to the public understanding and debate, especially when they allow our audience to hear fresh and original perspectives on well known issues.

Content reflecting personal views, or authored by an individual, group or organisation, or contributed by our audiences, particularly when dealing with controversial subjects, should be clearly signposted to audiences in advance.
Personal view and authored programmes and websites have a valuable part to play in our output. However when covering controversial subjects dealing with matters of public policy or political or industrial controversy we should:

- retain a respect for factual accuracy.
- fairly represent opposing viewpoints when appropriate.
- provide an opportunity to respond when appropriate for example in a pre-arranged discussion programme.
- ensure that a sufficiently broad range of views and perspectives is included in output of a similar type and weight and in an appropriate time frame.

It is not normally appropriate for BBC staff or for regular BBC presenters or reporters associated with news or public policy related programmes to present personal view programmes on controversial subjects.”

The Committee also noted the comments of the ECU, at stage 2 of the BBC's complaints process, when responding to the issue of the authorship of the series. The ECU stated:

“I think it was made very clear that this was an authored, personal exploration of the issues set out. This was repeated at some length at the start of each episode.”

The Committee then noted some examples of how the presenter, Professor Al-Khalili, introduced the programme. The Committee noted how he began part one of the series:

“"My name is Jim Al-Khalili and I’m a professor of physics at the University of Surrey. Studying the innermost secrets of atoms and their nuclei has been at the heart of my working life.

“But there is another side to me. I was born and grew up in Baghdad to an English mother and Iraqi father, but I left Iraq in the late 1970s with my family when Saddam Hussein came to power.

“By then science was already my great passion in life and as I studied it further I saw myself fully part of the 'Western' tradition, inspired by names like Newton and Einstein.

“But buried away was this nagging feeling that I was ignoring part of my own scientific heritage. I still remembered my schooldays and being taught of a golden age of Islamic scholarship, that between the 9th and 12th centuries, a great leap in scientific knowledge took place in Baghdad, Damascus, Cairo and Cordoba.

“So I want to unearth this buried history, discover its great figures, and assess how important their contribution really was.”

The Committee noted another example, from the introduction to part three of the series:

“I’m a professor of physics at the University of Surrey and the ideas and theories of the great European scientists like Galileo, Newton and Einstein lie at the heart of my work.

“But there's another side to me. I'm half-Iraqi, and I'm keen to investigate stories I'd heard as a schoolboy in Baghdad of great astronomers from the medieval Islamic world whose work shaped the discoveries of these later Western scientists.

“So I’m going on a journey through Syria and Egypt, to the remote mountains in northern Iran, to discover how the work of these Islamic astronomers had dramatic and far-reaching consequences.”
The Committee noted that beyond the introductions to each of the programmes in the series Professor Al-Khalili’s commentary was scripted in the first person; sometimes with additional biographic detail. The Committee noted a couple of examples from programme one:

“Recent events mean I can no longer visit the city, but these are the home movies of my cousin Fairs, filmed in the 1960s. The Baghdad we knew then looked nothing like the bomb-wrecked city it is now. I certainly grew up proud to be associated with one of the world’s greatest cities.”

And

“As a physicist I’ve spent much of my life doing algebra and I can’t overstate its importance to all the sciences. But it’s a strange idea – I remember being perplexed when my maths teacher first started talking about mathematics not using numbers but with symbols like x and y.”

The Committee also noted a reply the producers of the programme gave with regard to the question of authorship:

“Science & Islam was an authored series; and was authored by Jim Al-Khalili.

“In the context of the guidelines … the series was not ‘the outright expression of highly partial views by a campaigner’ but was rather ‘the authored view of a specialist or professional, including an academic…’

“In that context, we would also wish to highlight that the script was produced in collaboration with the production team, and was checked for factual accuracy by members of the production team.”

The Committee concluded that the series was authored as defined by the guidelines in that it was an “authored view of a specialist or professional including an academic, scientist” and that this had been clearly signposted to the viewer within the introduction to each part of the series as well as within the narrative of the programmes.

The Committee was also satisfied that as the subject matter was not “controversial” the programme, like all BBC content, was therefore subject to the general rules of impartiality that require that impartiality must be adequate and appropriate to the subject in question, the type of output and likely audience expectation of those watching.

The Committee then went on to consider each of the specific points raised by the complainant.

a) “The Great Leap”

The Committee noted that the complainant argued that with one exception the series did not present a “great leap in scientific knowledge” at all, but showed that science in that period was a “process of gathering and refining existing knowledge”.

The Committee also noted the responses that the series executive editor and the ECU had made to the complainant. The Committee noted that in the executive editor’s reply at stage 1 he had stated:

“the phrase ‘a great leap in scientific knowledge’ is not presented as an unqualified assertion”.

The Committee also noted that the executive editor had said that this was something the presenter said had been taught at school and something he wished to test.
The Committee then noted the ECU response which considered whether the proposition of the programme (that there was a “great leap in scientific knowledge”) was presented as “fact or non-controversial”, and, if so, whether this was justified. The Committee noted the evidence provided by the ECU to support the view that the series had:

“made clear that developments in scientific knowledge in the medieval Islamic world were predicated upon, and drew from, existing knowledge from other societies and other historical periods.”

The Committee noted examples from the narrative of the series when this had occurred. The Committee noted how the programme talked of mathematics:

“The story of numbers and the decimal point hints that even a thousand years ago science was becoming much more global.

“Ideas were spreading – emerging out of India, Greece or even China – and crossfertilizing. And looking on a map that shows where people lived a thousand years ago, gave me my first insight into why medieval Islam would play such an important role in the development of science.”

And of medicine:

“Islamic medicine built extensively on the foundations laid by the ancient Greeks. The most highly prized and among the first to be translated into Arabic was a medical manuscript by the 3rd century Greek physician, Galen.

“But Islamic doctors were acutely aware that Galen and Greek medicine were only one source of medical knowledge...

“There were other traditions of medicine that they were equally keen to incorporate into their understanding of how the body functioned...

“But Medieval Islamic doctors were also aware of other traditions of medicine from China and India...”

The Committee also noted the reference to, and the importance attached to, the Translation Movement, the collecting and classifying of amongst others, Greek and Indian texts, into Arabic:

“By the early 800s, the ruling elite of the Islamic empire were pouring money into a truly ambitious project which was global in scale and which was to have a profound impact on science. It was to scour the libraries of the world for scientific and philosophical manuscripts in any language, Greek, Syriac, Persian and Sanskrit, bring them to the Empire and translate them into Arabic.

“This became known as the ‘Translation Movement’...”

The Committee also noted that the reference to a “great leap” was supported by other academics such as Professor Schaffer, quoted in the series as saying:

“Wealthy, powerful, successful cultures will produce enormous advances in understanding and in technique and that’s just what we find in Islam in Baghdad under a series of successful, powerful, wealthy and self confident Islamic regimes.”

The Committee concluded that the reference to a “great leap” was appropriately contextualised and duly accurate given the fact that the series had shown that the Islamic scholars had given significant credit to earlier scientific discoveries and that any advancement of these thoughts had been based on previous findings and knowledge.
The Committee was also satisfied that while the reference to a “great leap” may have been considered by some as an assertion of the programme’s presenter, the reference was not definitive: the viewer was left sufficient information to make up their own mind as to whether Islamic scientists had used the classification of previous scientific knowledge i.e. the Translation Movement, to make significant advances in science.

This element of the appeal was not upheld.

b) Islamic scholars have “too much credit”

The Committee noted the complainant’s concern that Islamic scholars have had too much credit:

“So-called Arabic numerals are in fact Indian, alkaline soap was known to the Babylonians, algebra may well have been Greek, etc; whilst much Arabic science was alchemy and magic. The narrative mentioned much of this but pressed on regardless. It is striking that the event that led the presenter to state, ‘That’s probably the biggest revelation for me so far on my travels’ actually concerned a field – Egyptology – that will be found in no book of science.”

The Committee noted that the programme had referenced all these earlier scientific achievements (except the soap) within the narrative of the programmes.

The Committee concluded that as above the presentation of the achievements of Islamic scholars had been suitably contextualised. The audience would have been aware that the scientific achievements of this period were as a result of the strength, politically and economically, of the Islamic empire. As such, the audience would have been able to make up their own minds as to the degree of credit which should be given to the Islamic scholars of this period in history.

This element of the complaint was not upheld.

c) Islam and the Cosmological Revolution

The Committee noted the complainant’s argument that it was “literally false” to assert that Islam paved the way for the cosmological revolution. The Committee noted his particular concern that Aristarchus had not been named and that Giordano Bruno’s achievements had not been referred to.

The Committee then noted the response given by the ECU to this element of the complaint. It noted that the ECU, while it had explained the relationship and influence that Islamic scholars may have had on Nicolaus Copernicus, did point out that the programme had acknowledged the existence of the theory that the earth goes round the sun. The ECU noted what Professor Al-Khalili had said:

“This is the University of Padua in northern Italy. I’m here to see incontrovertible evidence that one of the greatest breakthroughs in European science links back to earlier work by Islamic scholars.

This is De Revolutionibus Orbium Coelestium, which was published in 1543 by the Polish astronomer, Nicolaus Copernicus.

The significance of this book is enormous. In it Copernicus argues for the first time since Greek antiquity, that all the planets, including the earth go around the sun.
For thousands of years everyone had believed a very different view – that the earth is static and everything including the stars, sun and planets move around it.”

And

“Many historians credit (the book) with starting the European scientific Revolution ... I agree.”

The Committee also noted a contribution to the programme from Professor Saliba, in which he said:

“I have no proof, I haven’t got a smoking gun, but to me it looked like and I go by analysing his own words, it looks like he was working from diagrams of what was done by Ibn Al-Shatir.”

The Committee concluded that Professor Al-Khalili’s comments were reasonable. In that they were the views within an authored programme of a professional scientist and physicist.

The Committee noted that the programme had taken account of Aristarchus’s discovery with the reference to “Greek antiquity”. And while it had referenced the importance of Copernicus’s work and the suggestion that it may have relied on Islamic scientists, it had not claimed that Copernicus’s work was definitive. The reference to the fact that “many historians”, including Professor Al-Khalili, considered Copernicus’s book as the start of the European scientific revolution was, yet again, not definitive. As such, the Committee was satisfied that the issue of heliocentricity was treated with due accuracy and due impartiality. The Committee noted that the purpose of the series was to discuss the history of medieval Islamic science, not the history of the heliocentric model. Therefore there was no requirement for the programme to consider every facet of this argument i.e. the merits of Copernicus against Bruno.

The element of the appeal was not upheld.

d) No mention of either Al-Ghazali or Averroes

The Committee noted the complainant’s concern that a history of Islamic science in the medieval period did not refer to Al-Ghazali and Averroes. The complainant suggested that failing to mention either of these 12th century philosophers, who sat at either end of the religious-secular perspective, was in his view an example of bias and an example of the series promoting science under Islam.

The Committee noted that the ECU had stated that it was unable to take a view on this issue as:

“The scope of such a programme, and the areas which it might cover, are matters of editorial judgment for the programme-makers and it is not part of the remit of the ECU to second guess such decisions unless they give rise to unfairness or material inaccuracy in the broadcast piece.”

The Committee agreed that it was the programme-makers’ editorial judgement as to what they should and/or should not include in a programme. The Committee noted that while it could consider issues of bias by omission, the burden of evidence would have to show that the omission of such information would render inaccurate or biased some other aspect of the programme by virtue of the omission.

The Committee concluded that this was not the case. The Committee agreed that both philosophers were historical figures, but as this was an authored view of science in the
medieval Islamic world it was, therefore, the author’s decision as to whether or not he wished to refer to them. The lack of reference to either philosopher was not a material inaccuracy. The series, by not referring to these two eminent figures, had not misled the audience or caused bias. The Committee was satisfied that the narrative of the series had appropriately discussed the issue of the decline of science under Islam. The Committee particularly noted one such comment from programme three which stated:

“As the wealth of the Islamic nations subsided through war, political and religious entrenchment, and loss of its lucrative trade, so its science declined.”

The Committee also noted that the series had clearly referred to “religious entrenchment” as being one of the reasons for the decline in the wealth of the Islamic Empire, which had consequently reduced the funds available to pursue scientific research. The Committee was also aware of the specific references to other contributory factors for the decline in science such as the rejection of printing; fighting with the Mongols; the “re-conquest” and the Crusades; the internal collapse of the empire into warring fiefdoms; and the shift in power and wealth across the Atlantic following the discovery of the new world by Christopher Columbus.

This element of the appeal was not upheld.

e) The Iranian fertility clinic

The Committee noted that the complainant’s contention that the final sequence of the series in an Iranian fertility clinic omitted to mention that the science practised there had to accord to the Koran. The Committee noted the complainant’s comment that:

“Prof Al-Khalili’s open-mouthed visit to an Iranian fertility clinic – reminiscent of nothing so much as Bertrand Russell’s credulous kowtowing to the Soviet Union.

The Committee then noted sections of the programme’s narrative when visiting the Rohan Institute in Tehran:

Professor Al-Khalili:

it’s true to say that most of the great scientific breakthroughs of the last four centuries have taken place in the west.

But that’s not to say, science has completely ground to a halt in the Islamic world – now in the 21st century, there are many examples of cutting edge research being carried out...

I was surprised to learn that here in Iran, an Islamic state, potentially controversial science like genetic modification and cloning is condoned, even funded by a theocratic government...

Considering genetic research has many vociferous opponents in Christian communities, I was intrigued to see that here in Tehran they have their own in-house imam to offer support and advice on this sometimes quite controversial research...

I’m not enough of an expert in genetics to truly assess the quality of the work here.

But one thing I can say is how at home I felt.
Whatever cultural and political differences we have with the Iranian state, inside the walls of the lab it was remarkably easy to find common ground with fellow scientists.

The Committee concluded that it was satisfied that the series had made it clear under what conditions this scientific work was being conducted and that the viewer would have been in no doubt as to the fact that the work was being carried out and controlled by religious authorities. The Committee noted that the programme not only referred to the clinic having an in-house imam, but they also interviewed him.

As to the suggestion by the complainant that Professor Al-Khalili was showing unnecessary or inappropriate deference to what he found happening in the clinic, the Committee was satisfied that there was sufficient information available outside of Iran to suggest that the science on fertility and stem cells could be considered as cutting edge. The Committee therefore concluded that the remarks by Professor Al-Khalili as to the Institute’s status had not been incorrect. Nor did the Committee consider his tone to be deferential to the scientists. The Committee considered that remarks made by Professor Al-Khalili of his fellow scientists and the atmosphere within the laboratory were suitably attributed to him personally, as his view, and were clearly distanced from the cultural and political issues that Britain and the West may have with the Iranian state.

This element of the appeal was not upheld.

f) **The decline of the Islamic Empire**

The Committee noted that the core point of this element of the complaint was similar to the issues raised by the complainant in point d), the complainant believes the series should have reflected more of the internal reasons for the decline in science under Islam at the end of the 12th century. In his argument on this point the complainant cited Professor Bernard Lewis of Princeton University and the reasons he suggests for the empire’s decline:

> “institutional misogyny, anti-infidel xenophobia and repudiation of modernity.”

The Committee noted how the programme had described the rejection of printing in the exchange between Professor Al-Khalili and Italian academic, Professor Angela Nuovo;

Professor Al-Khalili (AK):

> It struck me as strange that the world’s first printed Qur’an was produced in Venice and not in the Islamic world. And it’s obvious at first glance that it was printed by people who didn’t speak Arabic very well.

Professor Angela Nuovo (AN):

> Well it’s the first attempt to reproduce the handwriting in moveable type and as you know the language has an enormous amount of different sorts. Every letter changes according to ligatures and its position.

AK:

> Of course so it’s difficult. (Discusses some mistakes he notices in the Arabic)

AN:

> There probably were not really people of mother language in the press. So there were some errors and mistakes in the text, which are of course sins.
AK

Of course, as the Qur’an is the word of God for every Muslim so you can’t change it. How was it first received when it was published?

AN:

The hypothesis and I think it’s true is that it was an enormous failure from the business point of view. The Muslims didn’t accept the printing press for centuries and probably the whole copies of this book was destroyed so we don’t have any other copy.

AK:

I felt the failure of this printed Qur’an to catch on in the Islamic world spoke volumes. Eight hundred years earlier, one reason for Islamic science’s success had been precision of the Arabic language with over seventy different ways of writing its letters and many extra symbols to define pronunciation and meaning, it allowed scholars of many different lands to communicate in a single common language.

Now with the arrival of the printing press, scientific ideas should have been able to travel even more freely. In the West books printed in Latin accelerated its scientific renaissance. But because of its symbols and extra letters, Arabic was much harder to set into type than Latin, and so similar acceleration in the Islamic world failed to materialize.

I believe this rejection of the new technology, the printing press, marks a moment in history when Arabic Science undergoes a seismic shift.

The Committee also noted other references made by Professor Al-Khalili concerning the decline of science in the medieval Islamic world:

“This initial rejection of printing was one of many reasons (our emphasis) that caused science in the Islamic world to fall behind the west.

It coincided with a host of global changes, all of which affected the way science developed.

The first and most obvious reason for the slow down in Islamic science is that the Islamic empire itself falls into decline from the mid 1200s.

One reason for this is that it’s under attack from all sides.

From the east are the Mongols. In 1258 they invaded the intellectual capital of the empire, Baghdad, where the stories talk of how the river Tigris ran black for days with the ink of books from the libraries.

And trouble was brewing in the far West of the empire too...

Islamic Spain already fragmented into separate city-states now faced a new threat, a united and determined onslaught from the Christian North.

The 're-conquest', as it was called, raged for hundreds of years, but culminated in the 15th century when Ferdinand II and Isabella led an army, which forced the last of the Muslims in Granada to surrender in 1492.

The Christians were intent on removing every last vestige of Islamic civilization and culture from Spain. In 1499 they ordered the burning in this square in Granada of all Arabic texts from Granada's library, except for a small number of medical texts.
Within about 100 years, every Moslem in Spain had either been put to the sword, burnt at the stake or banished.

And Christians from the East of Europe were intent on reclaiming the Holy Land.

The crusades...

Bent on carving out a holy Christian Levant and claiming the holy city of Jerusalem the Crusaders launched a massive attack on Northern Syria. They quickly captured this castle and turned it in to one of their strongholds. Then with ruthless and missionary zeal they marched on Jerusalem.

And as the empire fought with its neighbours, it collapsed into warring fiefdoms.

The Mamluks, slaves who originally belonged to the state of Egypt, became its leaders.

The Berber Almohades ruled Morocco and Spain in the 13th century, and the north of Syria and Iraq splintered into a series of city states.

But for many historians of science, the biggest single reason for the decline in Islamic science was a rather famous event that took place in 1492.

That year the entire political geography of the world changed dramatically when a certain Christopher Columbus arrived in the Americas.”

The Committee also noted a further reference to the decline when Professor Al-Khalili stated:

“As the wealth of the Islamic nations subsided through war, political and religious entrenchment, and the loss of its lucrative trade, so its science declined.”

The Committee was satisfied that there was sufficient information provided as to the reasons for the decline of the Islamic empire for the viewers to reach their own views as to the relative importance of one reason over another i.e. whether external or internal influences were more or less to blame for its decline as an empire and trading power. The Committee noted that the series was a history of Islamic science not the Islamic empire and as such appropriate weight was given to the issue of the decline. The fact that the programme did not go into detail as to the various elements of the decline did not lead to failure to be duly accurate and impartial.

This element of the appeal was not upheld.

g) & h) Colonialism and the systematic suppression of Islamic science

The Committee considered the two points together.

The Committee noted the complainant's concerns regarding the reference to colonialism within the programme. The Committee noted what the complainant said:

“Alongside the author's denouncement of British colonialism, the Islamic Empire was uncritically presented as a force for good. In reality, it and its successor states were for centuries the byword, from Ireland to the Ukraine, for terror, militaristic aggression, and enslavement.”

The Committee noted what the programme said on this point, particularly the comments of Professor Simon Schaffer.

Professor Schaffer:
One of the most fascinating developments I think in the history of the encounter between western Europeans and other cultures is a kind of shift which has got fundamental and terrible consequences amongst western Europeans when they start to reflect on why they are superior.

It does not often cross western Europeans’ minds that they might not be superior to everybody else.

For a very long time after all, western Europeans in general, the British for example, supposed that their superiority lay in their religion, but then I think around the 1700s we begin to see a shift and the shift is from claiming that the reason for European superiority is its religion to the reason for European superiority is its science and technology.

Europeans from that period were quite prepared to acknowledge that in ancient times Islam for example had achieved great things in the sciences but they weren’t doing so now. So even recent Islamic and Sanskrit astronomy was imagined to be very old because if it was very old it meant that the culture the British were conquering was declining. And for the British that was clearly good news.

The Committee concluded that the views expressed by Professor Schaffer had been well sourced. As a contributor and academic the Committee was satisfied that Professor Schaffer was entitled to express a view on the ideological attitude of the British Empire towards Islamic culture with regard to the subject matter in hand. The Committee noted that the purpose of the series was to present a history of science in the Medieval Islamic world, it was not a history of either the British or Islamic Empires. The references to British colonialism within the context of this authored piece, were clearly a particular view which the audience could either agree or disagree with.

The Committee also noted that the programme had suggested that Britain, outside of acknowledging the advancement of ancient Islamic scholars in the work of Newton, had downplayed Islamic science by actively encouraging “the idea the civilizations they encountered were moribund and in decline” for its own purpose of aggrandisement. The Committee was satisfied that this did not amount to a denunciation of British colonialism.

Nor did the Committee consider the series presented the Islamic empire as a force for good. The Committee was satisfied that the author in setting out the history of science in the Islamic empire had fairly represented the successes of scientific development as well as its ultimate decline in a fair and open minded manner, leaving the audience to accept or not the various views and opinions on the issues discussed.

This element of the appeal was not upheld.

i) The explosion in British science was due to wealth created by its trans-Atlantic trade

The Committee noted the complainant’s view that the achievements in science across the ages have more to do with religious freedom than with some of the other reasons presented in the programme.

The Committee noted the references to this issue in the narrative of the third programme:

Professor Al-Khalili:

And science always follows the money. And as the 16th and 17th centuries came and went, that money, power and hence scientific will, moves through Italy, Spain and onto Britain.
By the 17th century, England, sitting at the centre of the lucrative Atlantic trade routes, could afford Big Science.

And that ultimately explains why the first great book of world science, Sir Isaac Newton's Principia Mathematica, the book that finally explains the movement of the sun, moon and planets, was published not in Baghdad but in London.

The Committee also noted other points in the narrative that referred to the relationship of economic development and scientific progress. In programme two the Committee noted:

Professor Al-Khalili:
On my journey through the Middle East I discovered that an astonishing leap in scientific knowledge took place here a thousand years ago under a powerful and flourishing Islamic Empire.

Professor Schaffer:
Wealthy, powerful, successful cultures will produce enormous advances in understanding and in technique and that's just what we find in Islam in Baghdad under a series of successful, powerful, wealthy and self confident Islamic regimes.

And

Professor Al-Khalili:
From Baghdad, its capital, the empire spread across thousands of miles from North Africa through to central Asia. Cities like al-Askar, Merv, Gurganj, Bukhara each powerful and thriving cities. Each would have been rich in trade, alive with culture, each would have had its own libraries, its own academies. These were powerhouses of the new science. This really was a Golden Age.

And

Professor Al-Khalili:
Reminders of this great Islamic Empire are everywhere in the Arab world today. This football match in the Syrian Capital, Damascus, is being played at the Abbasid Stadium. That's the name of the family who ruled the Islamic Empire from 750 to 1258 AD.

This large territory allowed them to raise enormous tax revenues to fund a search for knowledge and scholarship which became known as the 'Translation Movement'.

They sent scholars around the known world to gather up great books and have them translated into Arabic. It's a legacy that's still alive in the minds of most modern Arabs.

The Committee concluded that there was sufficient evidence to suggest that the premise of the series was the relationship between the economic dynamism of the Islamic empire and scientific development. The Committee noted that the development and spread of the Islamic empire, initially, had been rooted in the expansion of Islam as a religious belief, but that the advance of science had developed as a result of the wealth and influence of the empire and the collation and classification of scientific development within and outside the empire's boundaries. The Committee noted that this argument had been further developed by Professor Al-Khalili and Professor Schaffer following the explanation for the decline of the Islamic empire and the shift of trading dominance to first the Spanish/Italians and then the British. The Committee was satisfied that the relationship of the development of science to trading wealth was sufficiently set out. It was also satisfied...
that in the context of this programme it was not necessary to refer to the rise of Protestantism/religious freedom to achieve due accuracy and that omitting such a reference would not have misled the audience.

This element of the appeal was not upheld.

j) Presentation of the series (semiotics)

The Committee noted that the complainant had raised the issue of the presentation of the series and the use of non-verbal imagery. The Committee noted the complainant’s comment in his letter of appeal to the BBC Trust:

“I have made enough films in my lifetime to know the power of tone of voice, imagery, association, music, symbol, and innuendo – not to mention the availability error, in consequence of which what goes unsaid is quite as effective as mendacity.”

The Committee also noted another point on the presentation of the history raised by the complainant in an earlier letter to the BBC Executive:

“This is not a matter of merely analysing the script, but of assessing the propagandist effect of the production in its entirety ... I know all about the art of communicating ideas through film that are not expressed in anything as scrutable as a script. Take for example the moment in Part 3 where Prof Al-Khalili turns his back on the camera after relating the eradication of Islam from Spain – a classic signal of aversion.”

The Committee concluded that while the complainant may believe otherwise there was no evidence to suggest that the programme was anything more than a personal presentation of a little known period of history. The Committee did not agree that the programme-makers were suggesting anything other than what was clearly presented in the narrative. The Committee noted that this was not a definitive view of this period of history, nor did it set out to be. The Committee was satisfied that the presentation of the narrative and the history was appropriate and that it had not breached any of the BBC’s editorial standards.

This element of the appeal was not upheld.

k) BBC Four website “Have your Say”

The Committee noted the complainant’s concern that a quote from a member of the public in response to the series which was carried on the homepage of BBC Four’s “Have Your Say” was politically motivated and racist. The Committee noted the comment that was quoted:

“I always suspected that we were the savages in the Middle Ages and the Islamic Empire carried the torch of civilisation”

The Committee also noted the response to this point by the executive editor:

“In answer to your query regarding the BBC Four website, the phrase in question was featured in the ‘Have Your Say’ section of the BBC Four homepage. This section features comments from viewers which are part of a wider debate. The comment in question linked through to the ‘Have Your Say’ page, which featured a number of comments from differing viewpoints and represented a balanced view
Editorial Standards Findings
Appeals to the Trust and other editorial issues considered by the Editorial Standards Committee

of opinion regarding the programme. The ‘Have Your Say’ page also states that the space is for viewers’ opinions.”

The Committee concluded that while the quote would have attracted the audience to read the opinions of viewers of the series, it was at one end of a spectrum of views. The Committee agreed that, where possible, a quote used on the front page of the “Have Your Say” web page should reflect more directly on the content and nature of the series. The Committee did not believe it was necessary for the web team to use a contentious response to elicit further comment from viewers or visitors to the website. Nevertheless, the Committee was satisfied that the use of the quote was not racist or offensive and, as such, was not a breach of the BBC’s editorial standards. The comment was no more than an opinion, however contentious, and it led viewers who clicked on it to a range of views that provided a balance of responses received about the series.

This element of the appeal was not upheld.

The series overall

The Committee having considered the series as a whole against the issues raised in the appeal was satisfied that the series had been clearly signposted as an authored piece and, as such, would not have misled the viewer to believe that this was a definitive view of this aspect of history. The Committee noted that the presenter, Professor Al-Khalili, had been sufficiently cautious in the representation of his opinions to suggest that other scientists or academics may hold different views than his. As such, the Committee was satisfied that as a programme aimed at a lay audience the style of presentation allowed sufficient leeway for viewers to make up their own minds as to the information they were being given.

With regard to the choice of contributors, the Committee was satisfied that the experts were well qualified and respected academics on the subject matter in question. The Committee also considered their contributions to be well sourced and presented with due accuracy and impartiality taking into account the audience that the programme was being pitched at.

As such, the Committee found there was no evidence to support the complainant’s criticism of the series and was satisfied that no guidelines had been breached in its broadcast.

Finding: Not upheld
Newsnight, BBC Two, 20 January 2009

1. The context

This edition of Newsnight looked at the challenges facing the Obama presidency on the day of his inauguration speech. The matter in question concerned a report by Susan Watts who as one of three Newsnight specialist editors was looking at what issues were in President Obama’s in-tray. Susan Watts’s brief was to look at the question of the environment.

The opening of the report was constructed from three separate phrases used by President Obama in his speech.

The words were as follows:

“We will restore science to its rightful place ... roll back the spectre of a warming planet ... we will harness the sun and the winds and the soil to fuel our cars and run our factories.” (in vision are three different views of the Temperate House at Kew Gardens)

The phrases were extracted from the following parts of President Obama’s speech. The order in which they were used by Newsnight was not the order in which they had been used in the speech. (The words used in the Newsnight item are in bold.)

Extract A

“We will restore science to its rightful place, and wield technology’s wonders to raise healthcare’s quality and lower its cost.”

Extract B

“With old friends and former foes, we will work tirelessly to lessen the nuclear threat, and roll back the spectre of a warming planet.”

Extract C

“We will harness the sun and the winds and the soil to fuel our cars and run our factories.”

2. The complaint

Stage 1

The complainant initially emailed his complaint to the BBC Trust on 22 January 2009. He stated that the report by Susan Watts had been inaccurate and misleading and breached the BBC’s Editorial Guidelines on impartiality.

The complainant pointed out that the sound bite from President Obama’s inauguration speech had apparently been created by merging clips from three different parts of the speech. The complainant stated that when Susan Watts had said that “President Obama couldn’t have been clearer today”, she was not referring to anything the President had said in his speech “but to a concoction of phrases”.

The complainant believed that by using this sound bite the BBC had deceived viewers into thinking that this was an authentic quotation from the inaugural speech. He also stated that Susan Watts had then gone on to use the sound bite to substantiate her report.

BBC Information replied on 11 February 2009 having been passed the complaint from the Trust. The reply stated that this was one part of a 50 minute programme exploring the start of Obama’s presidency. The reply noted that the purpose of the montage was to give
people an impression of what he said about science. The reply noted that each segment of the speech was signposted to the audience in the form of a fade between each point. The reply stated that:

“It in no way altered the meaning or misrepresented what the President was saying.”

The complainant responded to BBC Information on 16 February 2009. He stated that to suggest that the three elements of the speech were signposted was unsustainable. He believed that no-one watching would have “recognised any such signposts”. The complainant further noted that Ms Watts’s comment that the President could not have been clearer reinforced the impression that the sound bite had been produced verbatim from the speech. He also felt that the BBC response, which had referred to the matter as being one part of a 50 minute programme, suggested that the BBC considered this matter to be of minor importance.

**Stage 2**

The complainant wrote to the Editorial Complaints Unit (ECU) on 7 March 2009 reiterating his complaint as well as making some additional points. He noted that had the full sentence been included for the first part of the montage it would have been clear to viewers that the President was referring to healthcare and not climate change:

“We will restore science to its rightful place, and wield technology’s wonders to raise healthcare’s quality and lower its cost.”

The complainant also noted that had the complete paragraph been quoted from which the first and third elements of the montage had been lifted it would have been clear to the audience that the subject he was addressing was economic growth and infrastructure renewal as a means for mitigating recession.

As to the middle sound bite the complainant quoted the sentence it came from in full:

“With old friends and former foes, we will work tirelessly to lessen the nuclear threat, and roll back the spectre of a warming planet.”

The complainant pointed out that this section of the speech was based on foreign policy. He suggested that it was only by isolating the phrase that Newsnight could create the impression that a significant policy statement had been made on climate change.

The complainant continued that had the audience been shown footage of the President speaking rather than hearing his words, it would have been clear to the audience that the extracts were “neither consecutive ... nor part of the same sentence.”

The ECU replied with its substantive answer on 8 May 2009. The ECU did not uphold the complaint. The ECU noted that, while the way in which the phrases were put together could have perhaps made it a little clearer that they came from different parts of the speech, there had been no intention to edit them in such a way as to deceive viewers into thinking that it was one consecutive sound bite, and viewers would not necessarily have formed that impression. The ECU also noted that each of the extracts had been rolled over slightly different views of Kew’s Temperate House and that there were discernible pauses between them.

The ECU also noted that the complainant had added an “and” between the first and second sound bites, which the ECU explained would have effectively suggested that the piece was one consecutive sound bite if Newsnight had taken this course, which it had not.
The ECU also disputed the meanings the complainant had suggested applied to the elements of the speech from which the extracts had been taken. The ECU noted that while the clause following the extract “We will restore science to its rightful place” did refer to healthcare, it was followed in turn by a sentence about harnessing the sun and the winds and the soil to fuel cars and run factories. The ECU interpreted this to mean that the President was attempting to encompass environmental issues in his consideration of the increased part he envisaged science would play in his decision-making.

With regard to the second extract “roll back the spectre of a warming planet”, the ECU noted that in the first part of the sentence which stated “With old friends and former foes, we will work tirelessly to lessen the nuclear threat”, the President was addressing issues of diplomacy. The ECU stated that given the two clauses of the sentence together it seemed that the President viewed the threat from nuclear weapons and the prospect of global warming as two examples of problems which could be addressed by international co-operation.

The ECU also explained that the piece had been filmed at Kew before the speech had been delivered. However, the ECU stated it did not believe the material added to the item when the speech became available was “edited misleadingly”.

**Stage 3 - Appeal to the Editorial Standards Committee (ESC)**

The complainant contacted the ESC on 26 June 2009 setting out his appeal. He added that the ECU had suggested that the pauses between each sound bite were about a second, which he disputed. He also noted that given President Obama’s style of delivery, the pauses would have been indistinguishable from other pauses in the speech.

The complainant also noted that as the report was prepared before the speech was known, certain assumptions would have been made by the reporter as to its content. The complainant noted that given that the few references to the environment “were either ambiguous or in the context of other concerns”, it seemed that the reporter tried to redeem the situation by the use of the montage in the introduction to the film. The complainant believed their inclusion misled the audience.

The Head of Editorial Standards, BBC Trust, replied to the complainant on 4 August 2009 noting that the three extracts had come from different areas of the speech. The reply noted that the use of a montage was a common production technique to give the flavour of a speech. The reply also explained that the context for Susan Watts’s report was to consider what was in the President’s in-tray. The reply noted that this gave the specialist editors some scope to extrapolate from the speech and look at wider issues. The reply stated:

> “in the context of a specialist correspondent’s professional judgment on the import of the speech and the in-tray that faces the Obama presidency the splicing together of these phrases and the interpretation given to the speech is duly accurate and thus duly impartial."

The reply also noted the use of the phrasing in Ms Watts’s introduction

> “President Obama couldn’t have been clearer today...”

The Head of Editorial Standards, BBC Trust, concluded that there was no reasonable prospect of success for the appeal and it therefore should not be considered by the Editorial Standards Committee of the BBC Trust.

**The complainant appealed the decision of the Head of Editorial Standards.**
The Editorial Standards Committee met on 30 September 2009 and having reviewed the decision of the Head of Editorial Standards found that the complaint did raise a matter of substance that should be considered by the Committee on appeal.

3. Applicable editorial standards

Section 3 – Accuracy

Introduction

The BBC’s commitment to accuracy is a core editorial value and fundamental to our reputation. Our output must be well sourced, based on sound evidence, thoroughly tested and presented in clear, precise language. We should be honest and open about what we don’t know and avoid unfounded speculation.

For the BBC accuracy is more important than speed and it is often more than a question of getting the facts right. All the relevant facts and information should be weighed to get at the truth. If an issue is controversial, relevant opinions as well as facts may need to be considered.

We aim to achieve accuracy by:

- the accurate gathering of material using first hand sources wherever possible.
- checking and cross checking the facts.
- validating the authenticity of documentary evidence and digital material.
- corroborating claims and allegations made by contributors wherever possible.

Misleading audiences

We should not distort known facts, present invented material as fact, or knowingly do anything to mislead our audiences. We may need to label material to avoid doing so.

Section 4 – Impartiality and Diversity Opinion

Impartiality lies at the heart of the BBC’s commitment to its audiences. It applies across all of our services and output, whatever the format, from radio news bulletins via our web sites to our commercial magazines and includes a commitment to reflecting a diversity of opinion.

The Agreement accompanying the BBC's Charter requires us to produce comprehensive, authoritative and impartial coverage of news and current affairs in the UK and throughout the world to support fair and informed debate. It specifies that we should do all we can to treat controversial subjects with due accuracy and impartiality in our news services and other programmes dealing with matters of public policy or of political or industrial controversy. It also states that the BBC is forbidden from expressing an opinion on current affairs or matters of public policy other than broadcasting.

In practice, our commitment to impartiality means:

- we exercise our editorial freedom to produce content about any subject, at any point on the spectrum of debate as long as there are good editorial reasons for doing so.
Editorial Standards Findings
Appeals to the Trust and other editorial issues considered by the Editorial Standards Committee

- we can explore or report on a specific aspect of an issue or provide an opportunity for a single view to be expressed, but in doing so we do not misrepresent opposing views. They may also require a right of reply.
- we must ensure we avoid bias or an imbalance of views on controversial subjects.
- the approach to, and tone of, BBC stories must always reflect our editorial values. Presenters, reporters and correspondents are the public face and voice of the BBC, they can have a significant impact on the perceptions of our impartiality.
- our journalists and presenters, including those in news and current affairs, may provide professional judgments but may not express personal opinions on matters of public policy or political or industrial controversy. Our audiences should not be able to tell from BBC programmes or other BBC output the personal views of our journalists and presenters on such matters.

Achieving impartiality

Impartiality must be adequate and appropriate to our output. Our approach to achieving it will therefore vary according to the nature of the subject, the type of output, the likely audience expectation and the extent to which the content and approach is signposted to our audiences.

Impartiality is described in the Agreement as "due impartiality". It requires us to be fair and open minded when examining the evidence and weighing all the material facts, as well as being objective and even handed in our approach to a subject. It does not require the representation of every argument or facet of every argument on every occasion or an equal division of time for each view.

News, in whatever form, must be presented with due impartiality.

4. The Committee’s decision

The Committee considered the complaint against the relevant editorial standards, as set out in the BBC’s editorial guidelines. The guidelines are a statement of the BBC’s values and standards.

In reaching its decision the Committee took full account of all the available evidence, including (but not limited to) the Editorial Adviser’s report and subsequent submissions from the complainant.

This appeal raised issues requiring consideration of the editorial guidelines relating to accuracy and impartiality.

The Committee acknowledged that the complaint was about a very few seconds of an edition of Newsnight that lasted over an hour on the day of the inauguration of President Obama.

As part of the coverage, Newsnight’s team decided to explore three major challenges facing the incoming president: Diplomacy, the Environment and the Economy.

Each of these was addressed in taped items presented by the relevant Newsnight specialist. They were all stylised and highly produced and used sophisticated visual techniques to enhance what were effectively “think pieces” about three issues which were seen as being among the most serious for the new administration.
The Environment piece began with the complained-about sequence using three clips from the speech, not in the order they were delivered, heard out of vision over general pictures of the Temperate House at Kew Gardens.

The relevant script was as follows – with the disputed clips in bold:

Jeremy Paxman:

As Jesse Jackson put it, in raising his hand and taking the oath as President, Barack Obama inherits both the garden and the desert, the Promised Land and the bleak challenges that lie ahead. The scenes here today have been amazing, but rarely has so much been expected of a single politician. There were people in the crowd who thought Obama would sort out their mortgage problems. But he also has the small matters of two wars abroad, a Middle East in crisis, climate change, and a world recession. Three of our editors now look at his in-tray.

“DIPLOMACY” – Mark Urban, Diplomatic Editor
“ENVIRONMENT” – Susan Watts, Science Editor:

Actuality: “We will restore science to its rightful place ... roll back the spectre of a warming planet ... we will harness the sun and winds and the soil to fuel our cars and run our factories.” (in vision are three different views of the Temperate House at Kew)

Susan Watts:

President Obama couldn’t have been clearer today and for most scientists his vote of confidence will have come not a moment too soon. In the eight years of the Bush presidency the world saw the Arctic ice cap shrink to a record summer low, the relentless rise of greenhouse gas emissions and warnings from scientists shift from urgent to panicky. President Bush came to power at the start of a new decade, a new century, and what many thought would be a new era for science. The news that scientists had pieced together an early draft of the human genome had given a palpable lift to the end of the Clinton presidency. Science was riding high, but Bush was less attentive. Religion, or at least the religious vote, informed Bush policy. His very public distaste for stem cell research mattered because it raised public suspicion of science. Creationism has grown stronger to the point that more Americans now believe in the biblical story of creation than evolution. Scientists have got used to attempts to silence them but now they’re speaking out again. Unlike economic recession and wars, which pass, climate change does not. And there are deadlines if we want to avoid a point of no return. In fact scientists calculate that Obama has four years in which to save the world. But unlike Bush, Obama does listen to scientists. He’s already appointed several to leading advisory positions. And although he has to deal with internal squabbles about whether a cap on trade or a carbon tax is the best way to bring down greenhouse gas emissions, at least the Obama team does agree on the goal. So Obama has a unique opportunity to fix the recession and fix climate change at the same time. He just has to have the nerve to follow through. And this year, of all years, leadership matters because the world hopes to thrash out a global deal to cut emissions. So if he does stick to his promises on renewables, energy efficiency, carbon capture and storage and hybrid vehicles, he’ll help loosen the grip that fossil fuels holds on all our lives.

The Committee heard that the reporter, Susan Watts, had decided to run the clips out of view, over pictures of Kew Gardens and out of order because she had thought that this was the most creative approach.
“It enabled us to set up our location, and to convey that these snippets were illustrative of his ‘thinking’ – the aim of the item.”

The Committee noted that all three of the “think pieces” opened with a visual device: a picture gallery for diplomacy and a chalkboard/picture of a younger Obama for the economy.

The Committee recognised that the complainant was concerned that the clips were run in such a way so as to make the broadcasted extracts seem a coherent single piece of audio.

The Committee also noted the position of Newsnight. Susan Watts had said that was not the case and that the order of the extracts followed the order of the subject matter of the item itself. She had felt the first extract to be the most important broad point for her item – so she put it at the top.

“My first script line, immediately after these snippets, refers to this as a ‘vote of confidence’ for science, which it clearly is.”

She said that the second extract referred to climate change.

“Since I felt that to be the key issue I ran that second, and the third snippet was a pledge to use renewable sources of energy. I ran this last because I referred to this promise last in the item itself.”

The Committee noted that Susan Watts absolutely denied there was any intention to “hype” the environment part of the speech:

“I can categorically say that there was no intention whatsoever to mislead or misinterpret what the president said. The entire speech was available on the BBC website for the world to read. It would certainly have been foolhardy to expect that no one would notice if our plan was to elide phrases of the speech together as if they were delivered in one single sentence.”

The programme editor, Peter Rippon, said that Newsnight had not run the clips from the speech in the order it had done to fit the pre-determined order of Susan Watts's piece.

“We ran the clips as we did to fit the brief of the piece which was, along with the two other films on economics and diplomacy, to explore the scientific and environmental issues that would impact on the new administration. The speech itself was just a peg to do this. We did film pieces to camera prior to the speech itself, but we only finalised the structure of it in the edit suite after the speech had taken place. We did not feel, and still do not, that there was anything in the speech we were not expecting that would have caused us to change the way we did it.”

He thought the fundamental question here was whether, in doing what the programme did, it unfairly misrepresented what the President said in his speech.

“A number of complainants ... suggest that we did. However, in his case, as in all the others I have seen, the allegation is just asserted as a fact. I have yet to see a developed argument or attempt to prove how this was the result. To me the President said ‘Apples’ ‘Bananas’ and ‘Oranges’ and we reported that he said ‘Apples’ ‘Oranges’ and ‘Bananas’. The meaning is the same, even if people heard it as ‘Apples, Oranges, Bananas’ I cannot see how this alters the meaning of what was in the speech.”

The complainant said that the gaps between the pieces of speech were under a second. He said that the fades were not obvious, especially given President Obama’s measured
way of speaking, and that any gap or fade was imperceptible. He said this compounded the inaccuracy and lack of impartiality of running the clips out of vision and out of order.

Susan Watts had said she anticipated that the use of fades, along with the changing footage of Kew in the background, would be sufficient to indicate to the viewer that this was not one single continuous quote. And her editor added:

“Susan cannot recall any discussion about the length of the fades between clips in the edit suite. Personally I would have only expected there to have been one if we felt there was a danger of us unfairly misrepresenting what was in the speech, or changing the meaning of what was said. There was no such danger and I am confident we did not. All the snippets were in the speech. They did reflect then, and they continue to reflect now, what the President thinks about the status of science, climate change, and renewable technologies.”

The Committee noted that when watching the item, it had not been aware of fades nor had it been aware of gaps used as a production technique to indicate disconnection between the three elements of the speech.

The Committee was concerned that presenting the extracts of the speech in the way that Newsnight had edited the material did run the risk of showing insufficient respect for the material. Any programme, especially news and current affairs, was expected to take appropriate care when editing not to mislead the audience. The Committee was concerned that in this case the programme had not provided sufficient information to the audience in the presentation of the speech for the viewer to have fully realised that the quote was made out of three separate extracts from the speech relating to different issues.

The Committee then considered whether this had been done knowingly to mislead the audience and whether the editing of the extracts in this manner had led to a failure to be duly accurate.

The Committee noted that the complainant had alleged that the pre-shooting of the piece had led to the distortion of the speech itself in that it had to be changed to fit the “very little to say on this subject” – the environment – into what the reporter had already decided would be her line.

The Committee noted that Susan Watts said she was not surprised by the relatively few references to science and the environment in the speech and she pointed out that the third substantial paragraph of the speech said: “each day brings further evidence that the ways we use energy strengthen our adversaries and threaten our planet”.

She added:

“The references that did appear marked a clear shift in approach from President Bush.

“There was also an expectation at the time that the President would make a major speech on the environment in the first weeks of presidency, so I expected the inauguration address to contain little detail. Indeed that environment policy speech came on 26th January.”

The Committee noted that earlier in the exchanges between the BBC and the complainant concerning the editing and use of a “montage” of clips from the speech, the BBC had referred to Ms Watts’s scriptline which said that the President’s meaning was perfectly clear. The complainant had responded:
“if what the President said ‘couldn’t be clearer’ then why was there any need for editing in the form of a ‘montage’?”

In response Ms Watts said the three paragraphs from which each of the extracts came would have been too long and unwieldy if she had run them in full, as part of a two and a half minute package. For those listening out for clues to the new President’s approach to science, climate change and energy policy the phrases she had chosen had, she thought, sufficed.

She added:

“My first script line:

‘President Obama couldn’t have been clearer today and for most scientists his vote of confidence will have come not a moment too soon.’

refers primarily to the first snippet - ‘we will restore science to its rightful place’ - which to my mind encapsulated the overriding theme of the item.”

The Committee concluded that it had some sympathy with the complainant’s view with regard to the presentation of the speech and the piece’s suggestion that the President’s statement on science had been clear. But the Committee was satisfied that given the purpose of the piece as stated by Jeremy Paxman in the introduction to the item:

“Three of our editors now look at his in-tray.”

the presentation of President Obama’s statements, albeit in a different order, had been duly accurate in that the words transmitted had been in the speech and that they had accurately set out the President’s change in policy with regard to science.

The Committee was also satisfied that there was no evidence to suggest that the programme had “knowingly” misled viewers by this use of the clips. The Committee was satisfied that while longer pauses or clearer fades would have helped the audience to be aware that the extracts were separate pieces of the speech it was not necessary to achieve due accuracy. The Committee was also satisfied that the programme had shown that a distinction between the extracts had been in its consideration when putting the piece together. The Committee noted that while there may have been a dispute about the length of pause between the extracts, the programme had used a changing background to convey the different elements of the speech.

The Committee concluded that the presentation of the speech with regard to the use of the extracts had not been in breach of editorial standards as it had not misled the audience as to the content of the President’s speech and had been duly accurate.

The Committee then considered the complainant’s other concern that the programme had used production techniques such as the choice and presentation of the extracts, and the voice out of vision, to manipulate “sparse and ambiguous ... references to climate change” in order to lead the viewer to think that the environment had been a core and important part of the President’s speech when this had not been the case, and that other matters, such as health-care and the economy, were the basis for the comment. He suggested that the programme was in breach of the accuracy and impartiality guidelines.

The Committee noted that the programme-makers dismissed this suggestion and pointed out that the report (which was less than three minutes long) was not only about climate change, but also the human genome project, religious influence on science policy under President Bush including creationism, stem cell research, energy policy and global leadership.
The Committee also noted that, although the piece was titled “The Environment”, it covered a much wider range of scientific endeavour and attitude than the title suggested.

The Committee noted what the reporter, Susan Watts, had said in her response:

“Climate change is the key issue to have informed the relationship between the world of science and former President Bush, and the best illustration of changing expectations under incoming President Obama.

“Big political speeches of this nature will necessarily include key phrases with specific meaning only to some in the audience. Single phrases, no matter how brief, can carry much weight. It is one of the roles of the specialist journalist to know enough to spot such phrases, and highlight them.

“The three snippets we chose from Obama’s inauguration speech were just such phrases.

‘we will restore science to its rightful place’
‘roll back the spectre of a warming planet’
‘we will harness the sun and the winds and the soil to fuel our cars and run our factories’

“We chose these as significant snippets, meaningful to scientists, engineers and commentators listening out for clues to Obama’s approach, how it might differ from that of his predecessor and hints of what to expect in his ‘First 100 days’.”

The Committee was satisfied that, having considered the piece as a whole, there had not been a breach of the guidelines as, fundamentally, there had been a policy change on science and the environment between the Bush and Obama presidencies and the piece had reflected that.

The Committee considered what was said by the President and thought it was necessary to consider punctuation to be clear as to what the President was actually referring to. The Committee noted for example the full context of the first extract used in the piece:

“We will restore science to its rightful place, and wield technology's wonders to raise healthcare's quality and lower its cost.” (our emphasis)

The Committee concluded that the use of the comma clearly separated one phrase from another and was enough to show there had been a disjunction between the reference to science as a whole and the use of science technology in healthcare.

The Committee looked at another extract used by the programme in its full context:

“With old friends and former foes, we will work tirelessly to lessen the nuclear threat, and roll back the spectre of a warming planet.” (our emphasis)

It agreed that it was not inaccurate or a breach of the impartiality guideline for this phrase to be used without the preceding part of the sentence. The comma, again, separated the two thoughts.

The script had given some impression, the Committee thought, that President Obama had spoken at length about science although actually the speech had been almost exclusively about foreign policy and the economy. But the Committee's careful examination of the speech text led them to conclude that the piece had not breached the accuracy and impartiality guidelines as it had, correctly, highlighted the references about the environment and the change of policy in science in the speech. The Committee was satisfied, given the content of the programme as a whole and its own analysis of the
speech, that the impression had not been created that the environment was more significant in the speech than it actually was.

The Committee did not uphold the appeal.

Finding: Not Upheld
Songs of Praise, BBC One, 7 June 2009

1. Background

Songs of Praise is a regular Sunday programme of Christian music and worship. This programme featured presenter Maxwell Hutchinson meeting Ralph McTell and Bruce Kent to discover what makes Trafalgar Square such an icon of British history, culture and freedom of speech in the very heart of London.

2. The complaint

Stage 1

The appellant called BBC Information on 7 June 2009 stating that the programme had breached the BBC’s guidelines on impartiality. He was quoted as having said:

“the programme turned into a political broadcast on behalf of the CND … I think it is disgusting the BBC should turn their only religious programme on TV into a political propaganda. The programme brings Christianity itself into disrepute.”

BBC Information replied on 13 June 2009 explaining the purpose of the programme and Bruce Kent’s background as someone involved in the international peace movement and a former Monsignor in the Roman Catholic Church. The reply noted how Bruce Kent discussed his involvement in Christian CND and how he saw Christianity as being a very obvious part of how life should be lived. The reply noted that Mr Kent’s views were his own and not the BBC’s. The reply also stated that it did not agree with the appellant that the programme promoted the CND. It also said that:

“in the context of the broadcast it’s clear how the CND protests fit in with the history of Trafalgar Square.”

The appellant responded on 17 June 2009. The appellant stated he believed Mr Kent’s political opinions are not an appropriate topic for a programme concerned with the singing of Christian hymns. The appellant also stated that comments from Bruce Kent in the programme were “blatantly political … and manifestly untrue.”

The appellant also stated:

“I fail to understand what … Mr Kent and company, which never had the slightest effect on government policy, have to do with making Trafalgar Square an icon of British history and culture … and I wonder also why a religious programme should be so concerned with historical and cultural icons. Trafalgar Square is certainly not a religious icon.”

BBC Information responded on 15 July 2009 with a response from the executive producer of Songs of Praise. The reply reiterated the point that all views expressed by interviewees were the personal beliefs of the individual and not representative of the views of the BBC. It also stated that all contributors were selected for editorial and not political reasons.

With regard to the choice of Bruce Kent, the executive producer said:

“Bruce Kent is a retired Catholic priest with firm connections to the location, Trafalgar Square. Furthermore, the CND is not, nor has it ever been, a political party.

“As regards the location it is worth noting that this was the second of two programmes filmed in Trafalgar Square. The first focussed on the Church of St Martins in the Field, and this second programme upon the historical significance of
Editorial Standards Findings/ Appeals to the Trust and other editorial issues considered by the Editorial Standards Committee

January 2010 issued March 2010

the famous landmark. As pointed out by the Professor of Theology in the programme, Ben Quash, the Square owes its very roots to the Christian institutions that were there at its beginnings. The church became the centre around which the Square grew.”

Stage 2

The appellant wrote to the Editorial Complaints Unit (ECU), the second stage of the BBC’s complaints procedure, on 31 July 2009 stating that his points of complaint had not been addressed. He wrote:

“Never before in my experience have controversial and provocative remarks of the type made by Mr Kent been permitted to spoil the proceedings [Songs of Praise]...

He also stated:

“Neither political, nor theological, nor philosophical controversy, if I may say so, is welcome on Songs of Praise. We have certainly never been treated to it before.”

The appellant noted that he accepted that there was some justification for centring a programme around Trafalgar Square, but found there was nothing to justify providing a platform for Bruce Kent to promote his views. The appellant also noted that whether CND was a political party or not was irrelevant as “the question of disarming unilaterally is a political issue”.

The ECU supplied its substantive response on 10 September 2009. The ECU did not uphold the complaint. The ECU found that with regard to audience expectations a review of episodes of the last year suggested that interviews exploring issues connected to the location of the episode were a very regular feature. The ECU noted that in Sunderland the team explored faith in difficult economic environments; in Belfast a man was interviewed in his efforts to address sectarianism; and in Liverpool it looked at faith and football.

The ECU noted that while the appellant believed that political, theological and philosophical controversy was not welcome on the programme, the programme had not “shied away from matters beyond the singing of hymns”. The ECU noted that Songs of Praise had considered whether it was possible to be a Christian and an entrepreneur; the role of Christianity within the arts; and the question of Christianity and the environment.

The ECU found that it did not believe that regular viewers would have been unduly surprised to see a former priest speaking of his activism and the actions which he believed his faith compelled him to take. The ECU also noted that the content of the programme was clearly flagged at its opening.

In relation to impartiality the ECU was satisfied that Bruce Kent’s views were clearly expressed as his own. The ECU noted that the BBC’s guidelines require that in such cases opinion is clearly distinguished from fact and that Mr Kent had made the fact that these were his views quite clear. The ECU also questioned the extent to which the discussion concerned “controversial” matters in need of particularly careful handling. The ECU noted that topicality was a key element of this element of the BBC’s guidelines. The finding noted that while nuclear disarmament had been a significant controversial issue in the past, the issue did not have “quite the contemporary resonance” at this time as it did in the era covered in the interview with Bruce Kent – the interview focusing on his past actions and the contemporaneous context for them.

Stage 3 - Appeal to the Editorial Standards Committee (ESC)

The appellant in his letter of appeal to the ESC dated 18 September 2009 reiterated some of his earlier comments in his response to the ECU’s finding. He also responded to the ECU’s argument that the programme had covered other controversial issues in the
previous year e.g. Sunderland and Belfast. He looked at each issue in turn and stated that the programmes:

“did not immerse themselves in any way in the controversial issues themselves.”

The appellant also stated:

“No other public figure on Songs of Praise has ever been colossally controversial. Nor have any of them ever made such colossally controversial and provocative statements as Mr Kent’s grossly offensive accusation that we in Britain manufacture our nuclear weapons in order to destroy other people.”

The appellant also stated that the presenter Maxwell Hutchinson revealed his own opinions on the CND. The appellant noted what Mr Hutchinson had said:

“Throughout the 1980s, CND marches united people from all walks of life, who sought to rid the world of the very real threat of nuclear conflict.”

The appellant also claimed that the presenter “rides roughshod over the views of the majority of British people that Britain’s nuclear disarmament would have greatly exacerbated the threat of nuclear conflict and that in fact our deterrent contributed to preventing nuclear conflict.”

The appellant also rejected the ECU’s finding that the question of unilateral nuclear disarmament was no longer a controversial and contemporary issue.

3. Applicable editorial standards

Section 3 – Accuracy

The BBC’s commitment to accuracy is a core editorial value and fundamental to our reputation. Our output must be well sourced, based on sound evidence, thoroughly tested and presented in clear, precise language. We should be honest and open about what we don’t know and avoid unfounded speculation.

For the BBC accuracy is more important than speed and it is often more than a question of getting the facts right. All the relevant facts and information should be weighed to get at the truth. If an issue is controversial, relevant opinions as well as facts may need to be considered.

We aim to achieve accuracy by:

- the accurate gathering of material using first hand sources wherever possible.
- checking and cross checking the facts.
- validating the authenticity of documentary evidence and digital material.
- corroborating claims and allegations made by contributors wherever possible.

Misleading Audiences

We should not distort known facts, present invented material as fact, or knowingly do anything to mislead our audiences. We may need to label material to avoid doing so.

Section 4 – Impartiality and Diversity of Opinion

Introduction
Impartiality lies at the heart of the BBC’s commitment to its audiences. It applies across all of our services and output, whatever the format, from radio news bulletins via our web sites to our commercial magazines and includes a commitment to reflecting a diversity of opinion.

In practice, our commitment to impartiality means:

- we exercise our editorial freedom to produce content about any subject, at any point on the spectrum of debate as long as there are good editorial reasons for doing so.
- we can explore or report on a specific aspect of an issue or provide an opportunity for a single view to be expressed, but in doing so we do not misrepresent opposing views. They may also require a right of reply.
- we must ensure we avoid bias or an imbalance of views on controversial subjects.
- the approach to, and tone of, BBC stories must always reflect our editorial values. Presenters, reporters and correspondents are the public face and voice of the BBC, they can have a significant impact on the perceptions of our impartiality.
- our journalists and presenters, including those in news and current affairs, may provide professional judgments but may not express personal opinions on matters of public policy or political or industrial controversy. Our audiences should not be able to tell from BBC programmes or other BBC output the personal views of our journalists and presenters on such matters.
- we must rigorously test contributors expressing contentious views during an interview whilst giving them a fair chance to set out their full response to our questions.

**Achieving impartiality**

Impartiality must be adequate and appropriate to our output. Our approach to achieving it will therefore vary according to the nature of the subject, the type of output, the likely audience expectation and the extent to which the content and approach is signposted to our audiences.

Impartiality is described in the Agreement accompanying the BBC’s Charter as “due impartiality”. It requires us to be fair and open minded when examining the evidence and weighing all the material facts, as well as being objective and even handed in our approach to a subject. It does not require the representation of every argument or facet of every argument on every occasion or an equal division of time for each view.

News, in whatever form, must be presented with due impartiality.

**Controversial subjects**

In the United Kingdom controversial subjects are issues of significance for the whole of the country, such as elections, or highly contentious new legislation on the eve of a crucial Commons vote, or a UK wide public sector strike.

In the nations and regions of the UK, controversial subjects are those which have considerable impact on the nation or region. They include political or industrial issues or events which are the subject of intense debate or relate to a policy under discussion or already decided by local government.
In the global context, some controversial subjects such as national elections or referendums will obviously have varying degrees of global significance but will be of great sensitivity in that country or region in which they are taking place. We should always remember that much of the BBC's output is now available in most countries across the world.

We must ensure a wide range of significant views and perspectives are given due weight in the period during which a controversial subject is active.

**Personal views and authored programmes and websites**

We have a tradition of allowing a wide range of individuals, groups or organisations to offer a personal view or opinion, express a belief, or advance a contentious argument in our programmes or on our websites. Personal views can range from the outright expression of highly partial views by a campaigner, to the authored view of a specialist or professional including an academic, scientist, or BBC correspondent, to those expressed through contributions from our audiences. Each can add to the public understanding and debate, especially when they allow our audience to hear fresh and original perspectives on well known issues.

Content reflecting personal views, or authored by an individual, group or organisation, or contributed by our audiences, particularly when dealing with controversial subjects, should be clearly signposted to audiences in advance.

Personal view and authored programmes and websites have a valuable part to play in our output. However when covering controversial subjects dealing with matters of public policy or political or industrial controversy we should:

- retain a respect for factual accuracy.
- fairly represent opposing viewpoints when appropriate.
- provide an opportunity to respond when appropriate for example in a pre-arranged discussion programme.
- ensure that a sufficiently broad range of views and perspectives is included in output of a similar type and weight and in an appropriate time frame.

4. **The Committee’s decision**

The Committee considered the complaint against the relevant editorial standards, as set out in the BBC’s editorial guidelines. The guidelines are a statement of the BBC’s values and standards.

In reaching its decision, the committee took full account of all the available evidence, including (but not limited to) the Editorial Adviser’s report and the subsequent submissions from the complainant and the Head of the Editorial Complaints Unit.

This appeal raised issues requiring consideration of the editorial guidelines relating to accuracy, and impartiality.

The Committee when coming to its decision divided its finding into three parts:

- The Introduction
- Bruce Kent's contribution
- The Presenter (Maxwell Hutchinson)
The Introduction

The Committee noted that the editorial guidelines on accuracy say that BBC output must be well sourced, based on sound evidence, thoroughly tested and presented in clear, precise language. The BBC should be honest about what it does not know and avoid unfounded speculation.

The guidelines also provide that the BBC should not distort known facts, present invented material as fact, or knowingly do anything to mislead audiences. It also requires the BBC to check and cross check the facts.

The appellant complained that to describe the former general secretary and chairman of the Campaign for Nuclear Disarmament (CND), Bruce Kent, as a “peace campaigner” was inaccurate and “grossly subjective”.

The Committee noted that the description had come in the introduction to the programme broadcast from Trafalgar Square in London. The introduction stated:

“I’ll be exploring the square’s reputation as a place of democratic protest as I meet veteran peace campaigner Bruce Kent.”

The appellant believed the description was inaccurate because Mr Kent had never “bothered to campaign for the abolition of Russia’s nuclear arsenal ... and has never explained how rendering us defenceless would further the cause of peace”.

The Committee noted the context of the opening remarks and the content of the actual interview which was shown later in the programme. It believed that the use of the phrase in the introduction did not carry any political significance. The Committee considered that it was perfectly reasonable for the programme to describe Bruce Kent as a peace campaigner, given that a peace campaigner is someone who campaigns for peace, regardless of the methods as to how peace might be obtained. The Committee noted that there was no endorsement of his views in the introduction which had described Mr Kent’s activities accurately.

The Committee was therefore satisfied the description had met the guidelines on accuracy.

This element of the complaint was not upheld.

The Committee also noted the appellant’s belief that the the description was “grossly subjective” and assessed this point against the guidelines on impartiality.

The Committee noted that the guidelines on impartiality require that it must be adequate and appropriate to the BBC’s output. The approach to achieving it will vary according to the nature of the subject, the type of output, the likely audience expectation and the extent to which the content and approach is signposted to audiences.

The Committee noted that the appellant had laid out in his appeal why he believed that unilateral disarmament had been the wrong approach to ensure peace and argued how events had borne this out. He therefore believed that to call Mr Kent a peace campaigner was not an impartial description.

The Committee when coming to its finding noted that impartiality was required to be adequate and appropriate and would vary according to the type of output. The Committee was satisfied that the description of Bruce Kent had been accurate given that he had campaigned for peace. The issue as to whether or not the CND had been successful or was pursing the right policy to achieve peace was not for the Committee to decide. The fact that Mr Kent had been active in peace campaigning was irrefutable and did not need
further qualification or representation of a different point of view to balance what was factually accurate.

This element of the complaint was not upheld.

Bruce Kent’s contribution

The Committee noted that the appellant, in support of his argument, had complained that Bruce Kent’s interview with the presenter Maxwell Hutchinson had no place on the Songs of Praise programme. He believed that it was unfair “for people who sit down in good faith to listen to beautiful hymns to be subjected to a political ambush”. It was his belief that “neither political nor theological nor philosophical controversy is welcome on Songs of Praise”, and had not happened previously.

The Committee noted that the Editorial Complaints Unit (ECU) at stage 2 of the BBC’s complaints process had referred to the BBC’s Editorial Guidelines regarding audience expectation, found in the Harm and Offence section of the BBC’s guidelines. The Committee considered that the use of this guideline was inappropriate for this appeal as the issues being raised in the appeal concerned editorial standards on accuracy and impartiality. The Committee noted that for the Harm and Offence guideline to be engaged it would require the programme to have risked offending the audience by broadcasting challenging material such as offensive language, humiliation, sex, violence and/or discriminatory treatment. The Committee was satisfied that the complainant had not raised any of these issues in his appeal and therefore dismissed consideration of the complaint against issues relating to Harm and Offence.

The Committee agreed therefore to consider Bruce Kent’s contribution against the BBC’s Editorial Guidelines on achieving impartiality and on personal views. The Committee also agreed to consider the complainant’s concern with the earlier judgement by the ECU that found that the subject of nuclear disarmament was not a matter of current controversy as defined by the BBC’s Editorial Guidelines.

In coming to its decision on these issues the Committee noted that a number of other editions of Songs of Praise from the same series had featured a range of themes and interviewees. Among them there had been programmes on faith in difficult environments, faith and sectarianism, faith and football, Christianity and entrepreneurship, the arts and the environment. The Committee also noted that politicians, such as Dr Ian Paisley on St Patrick’s Day and Prime Minister Gordon Brown on the theme of courage, had contributed to the programme in the last year.

The Committee also noted how the introduction of the programme had set out its purpose:

“In the heart of London lies one of the world’s most popular tourist attractions. It stands as a reminder of our history, our heroes, and our culture.

“It’s a place where we celebrate as a nation. And a place where we feel free to stand up for what we believe in. It’s two and a half acres of pure Britishness. Welcome to Trafalgar Square.”

The Committee also considered the response from the programme’s executive producer who had told them:

“The programme has never shied away from interviewing a wide range of Christian voices including public figures like Bruce Kent. As the flagship religious series on
the BBC, the programme aims to reflect the diversity of the Christian faith through its choice of music, locations, presenters, contributors and congregations.”

The Committee concluded that the theme of the programme had been clearly set out at the outset - and that by including Trafalgar Square's past as a focus for national protest, it was unsurprising that the CND rallies - among the biggest seen there - would be included. The Committee was also satisfied that the choice of Bruce Kent as a contributor was editorially justified given that he was a well known individual who had been actively involved in such rallies and whose strong Christian beliefs were a cornerstone of his peace campaigning.

The Committee then reviewed Mr Kent's contributions in the programme. They noted that he had said:

“I think the whole business of Our Father, of loving your enemies, of turning the other cheek, is part of it, and to me it was completely irrational that we'd spend all this money on preparing to destroy other people.”

And:

“I don’t see how you can be a Christian and not be an internationalist. We are all God’s children. I don’t see how you can be a Christian and threaten to incinerate a hundred thousand people elsewhere. They're all part of your family. So to me being a Christian meant working for a just and peaceful world. I believe that today as much as I’ve ever believed it.”

The Committee's finding endorsed the ECU's decision, that the two statements at issue were made in the context of the history of CND and how it had been a part of the history of Trafalgar Square. The Committee was satisfied that the interview did not provide Mr Kent with an opportunity to campaign or proselytise for his particular views on the disarmament issue. The Committee noted the comments had not entered into the more recent territory of the replacement of the Trident system or the current nuclear controversies. The interview had looked at Mr Kent's historic stance and explained how he believed it to be at the core of his beliefs. In this context the Committee noted a further comment made by Mr Kent:

“But it's not just protest, it's standing up for a different version of the world. I'm not just protesting, I’m offering as well. And it's essentially Christ-like. Christ got very unpopular, if you remember, when he started off, in Nazareth, and I think that Christ challenged people all the time about their values.”

The Committee took note of the guideline on personal view and authored programmes which states:

“We have a tradition of allowing a wide range of individuals, groups or organisations to offer a personal view or opinion, express a belief, or advance a contentious argument in our programmes or on our websites. Personal views can range from the outright expression of highly partial views by a campaigner, to the authored view of a specialist or professional including an academic, scientist, or BBC correspondent, to those expressed through contributions from our audiences. Each can add to the public understanding and debate, especially when they allow our audience to hear fresh and original perspectives on well known issues.”

The Committee concluded that Bruce Kent's contribution had been a personal view which expressed his reasoning for the way his faith informed his life, and that, given that the nature of the programme was to "reflect the diversity of Christianity", there was no
requirement for the programme to provide an alternative viewpoint unless the issue being discussed concerned a controversial subject as defined in the BBC's Editorial Guidelines.

As such, the Committee noted that the ECU believed that while the issue of disarmament was still live, it did not have the same contemporary resonance as it had done in the era covered in the interview with Mr. Kent. Importantly, the Committee noted that the interview focused on Mr. Kent's past actions, while allowing him to reflect on how these actions were based on his understanding of the Christian faith.

In assessing this against the requirements of the section on controversial subjects, the Committee did not agree with the appellant that the Editorial Complaints Unit had misinterpreted the meaning of those guidelines. The Committee was satisfied that while it recognised that issues of defence and disarmament were significant political issues, the actual issue of disarmament was not the subject of intense debate at this time. Nor did the programme draw itself into the larger debates concerning Trident and the issue of nuclear proliferation in other areas of the world.

The Committee therefore concluded that the subject did not fall within the area of controversial subjects as defined by the editorial guidelines and, as such, did not require an opposing view to be presented within the programme. The Committee was satisfied that the piece was looking at historic events within the context of Christian belief and that by doing so the programme had presented Mr. Kent's contribution with due impartiality and in a way that was adequate and appropriate to the output.

The Committee did not uphold these elements of the appeal.

The Presenter (Maxwell Hutchinson)

The appellant believed that the programme's presenter Maxwell Hutchinson had been acting as a "disciple" of Mr. Kent in the way he had conducted this section of the programme. He cited a line in Mr. Hutchinson's commentary:

"Throughout the 1980s, CND marches united people from all walks of life, who sought to rid the world of the very real threat of nuclear conflict."

For the appellant, this statement, taken together with what he believed was a failure to put questions to Mr. Kent which would have indicated that many Christians did not share his viewpoint, was a breach of the BBC guidelines.

The Committee noted the particular guidelines that were pertinent to this element of the appeal:

- Presenters, reporters and correspondents are the public face and voice of the BBC, they can have a significant impact on the perceptions of our impartiality. Our journalists and presenters, including those in news and current affairs, may provide professional judgments but may not express personal opinions on matters of public policy or political or industrial controversy.
- Our audiences should not be able to tell from BBC programmes or other BBC output the personal views of our journalists and presenters on such matters.

The Committee then reviewed the relevant extracts between the presenter and Mr. Kent. The Committee noted what was said:

Maxwell Hutchinson (MH):

Other demonstrations in the square have been for peace. Back in the 1930s Dick Sheppard the vicar of St Martin in the Fields who had been a pacifist since the
Great War founded the Peace Pledge Union, and in more recent times Bruce Kent, a Roman Catholic priest, led the CND campaigns to ban the bomb. When did you first become involved in protesting in Trafalgar Square?

Bruce Kent (BK):

Well I can tell you exactly, October 1980, the UN Disarmament Week and we had this incredible demonstration in this square. We had 80,000 and for me it was staggering. I stood on this plinth watching great flags come down Cockspur Street, and it was almost for me like a whole sailing ship armada was coming down with these banners for trade unions and churches.

MH:

Throughout the 1980s, CND marches united people from all walks of life, who sought to rid the world of the very real threat of nuclear conflict.

BK:

Christian CND was one of the most active groups. How many members I don’t know. The total membership was over one hundred thousand at one point, so I’d say there were twenty or thirty thousand Christians involved with it. So it was quite (an) important power I think the whole business of Our Father, of loving your enemies, of turning the other cheek, is part of it, and to me it was completely irrational that we’d spend all this money on preparing to destroy other people.

[BK continues under footage of demonstrations]

But it’s not just protest, it’s standing up for a different version of the world. I’m not just protesting, I’m offering as well. And it’s essentially Christ-like. Christ got very unpopular, if you remember, when he started off, in Nazareth, and I think that Christ challenged people all the time about their values.

[News footage ends]

MH:

And when you first came here, what warmed you to this as a location?

BK:

Well I’m a Londoner, and we used to come down here very often. So to me it’s my parents coming down to the Thames or feeding the blooming pigeons or something – it was the central place we came to – so it has a very personal connection for me. It’s central – tube stations all around it. Lots of room, it looks quite nice – and it’s got a plinth – I used to be able to climb up on it. Have to be pushed up there now – but there’s a plinth you can get up and talk to people from. From the plinth you looked down to Westminster. In fact one of the problems with a big demonstration was to persuade people not to rush down Westminster and do something about it.

MH:

So you had to try and stop them?

BK:

Calm down! Stay where you are. I don’t see how you can be a Christian and not be an internationalist. We are all God’s children. I don’t see how you can be a Christian and threaten to incinerate a hundred thousand people elsewhere.
They’re all part of your family. So to me being a Christian meant working for a just and peaceful world. I believe that today as much as I’ve ever believed it.

The Committee concluded that the presenter had not in any way endorsed Mr Kent’s statements. The reference to CND marches uniting a cross-section of people to campaign to rid the world of nuclear conflict, was factually correct. The presenter’s reference had not suggested that the campaigns were successful or had advocated CND methods. As such, the Committee was satisfied that the presenter’s comments were statements of fact. The Committee also noted that the purpose of the interview and the style of questions to Mr Kent were to elicit from him an explanation as to how his faith had influenced his conduct in public life. This, the Committee believed, had been achieved without the requirement of questioning Mr Kent further or there being a need to seek alternative views on the issue of unilateral disarmament. The Committee was therefore satisfied that the presenter had not expressed a personal view in his interview with Mr Kent nor would the audience as a whole be able to draw from the interview a view of the presenter’s personal opinions.

The Committee did not uphold this element of the complaint.

**Finding: Not upheld**
Panorama: What Next for Craig?, BBC One, 12 November 2007

1. The Programme

1. This edition of Panorama reported on new scientific research into treatment of children with Attention Deficit Hyperactivity Disorder (ADHD). The programme focused in particular on whether the long term application of stimulant drugs such as Ritalin is an appropriate form of treatment. The programme included an interview with one of the co-authors of the research, Professor Pelham, and featured two case studies of children with ADHD, Craig and Yasmin.

2. The complaint

2. A considerable volume of correspondence was generated in respect of this complaint. This note only summarises the main points relating to the part of the complaint concerning complaints handling by the ECU and BBC management.

ECU

3. The complainant wrote to the ECU escalating his complaint to the BBC’s second stage process on 4 February 2009.
4. The complainant and the ECU exchanged extensive correspondence during February and March 2008.
5. In the course of these correspondences the complainant sent various documents showing that there was considerable support for the use of stimulants in the treatment of ADHD and discussing the Multimodal Treatment Study of Children with ADHD (MTA).
6. The complainant also referred to a previous Panorama programme about the treatment of ADHD, called Kids on Pills broadcast in April 2000. The Broadcasting Standards Commission had partially upheld a complaint about the programme on the grounds that the editing of an interview to exclude the view that many health experts regard the drug Ritalin as effective in the management and treatment of ADHD had been unfair to the interviewee (though that view had been expressed by other interviewees elsewhere in the programme).
7. On 15 April 2008, after the complainant agreed with the ECU a stay of their investigation, the complainant wrote to the ECU enclosing two documents, the first set out in detail his concerns about the programme (“Submissions”) and the second gave his views on the meaning of the programme (“Meaning of the Broadcast”).
8. There followed a lengthy exchange of correspondence between the ECU and the complainant between April and December 2008 in which the ECU apologised for the delay in responding to the complaint.
9. The ECU issued its finding on 29 January 2009. The ECU set out how it had investigated the complaint, which included obtaining an independent report on the meaning of the MTA study and interviewing Professor Jenson and Professor Pelham (two of the authors of the study) and Professor Taylor (regarded as an expert in ADHD).
10. The ECU stated that it had considered the complaint against the BBC Editorial Guidelines relating to accuracy and children. It did not consider the complaint against the other guidelines referred to by the complainant – harm and offence, impartiality and accountability – as the ECU did not believe they applied in this case.
11. The ECU decision did not accept the complainant’s suggestion that the programme gave the impression that the use of stimulant drugs “resulted in” serious behavioural and psychiatric problems. The ECU argued that it was ADHD itself which resulted in
serious behavioural problems. However, the ECU accepted that the programme tended to give the impression that new research suggested that use of stimulant drugs to treat children with ADHD was misconceived. The ECU found that according to research that it had carried out, it was not correct to suggest that the MTA study demonstrated that it was inappropriate to continue drug treatment for more than three years. In fact, the researchers found no evidence to suggest that any one form of treatment produced better outcomes than others after three years.

12. The ECU noted in its finding that Professor Pelham now acknowledged that it was possible all treatments, including stimulant drugs, worked; Professor Jensen believed it would be incorrect to say or infer that drug treatment did not make a difference; and that Professor Fraser and Dr Mensah (the authors of the independent report commissioned by the ECU) confirmed that the MTA study showed that the symptoms of ADHD improved in all treatment groups at 36 months and that medication and behavioural therapy both contributed to the management of children with ADHD.

13. The ECU also noted that this information would have been available to Panorama before broadcast. The unit noted that Professor Swanson, lead author of the MTA paper looking at the possible side effects of medication, had told the programme that the MTA findings did not alone suggest that medication should be stopped after a specific time but instead suggested an empirical test based on a “drug holiday” to guide clinicians and families in choosing the best course of action.

14. The ECU therefore concluded that it would partly uphold the complaint. The programme gave an inaccurate impression that the undoubted clinical implication of the MTA study was that children with ADHD should not be treated with medication in the long term, where “the long term” was more than 36 months. The ECU, however, did not believe that its finding affected the “legitimacy of the general approach taken by Panorama in drawing attention to the MTA results” specifically that the previously-observed superiority of medication had disappeared by 36 months, or in seeking to explore the implications of this for the treatment of ADHD in children.

15. The ECU was also satisfied that there was no reason to conclude that the interviewees in the programme, Professor Pelham and Dr Timimi (a clinical psychiatrist), were unqualified to comment on the study and the treatment of ADHD.

16. In relation to the guidelines on children the ECU noted that the programme had obtained appropriate parental consent from the two children who participated in the programme; Yasmin’s situation was positively portrayed; and Craig’s portrayal was such as to foster a sympathetic understanding of his condition. The ECU also noted that Craig and his family had been featured previously and that his parents were well placed to judge the appropriateness of his participation with regard to his welfare.

17. The complainant wrote to the Chairman of the BBC Trust on 4 February 2009 asking for the whole complaint to be considered by the Trust together with the question of consequences arising from the ECU finding.

18. The complainant wrote again on 10 February following receipt of a reply from the BBC Trust sent on 6 February outlining the process of appealing to the Trust, enclosing a large number of documents supporting his complaint. He also made various points including:

1. The ECU had either not addressed or mis-stated many complaints in the complainant’s Submission document of 15 April 2008;

2. The ECU had not correctly ascertained the meaning of the broadcast;

3. The report commissioned by the ECU by Professor Fraser and Dr Mensah, on which the ECU relied, had gone too far in suggesting that the MTA study showed that the initial benefits of being on medication were lost after three years; and
4. The ECU had failed to address the issue of balance and fairness in the choice of interviewees.

19. Following a further exchange of correspondence in February 2009, the complainant provided a summary of his appeal on 27 February 2009 in which he said that the programme was inaccurate/misleading and biased/partial in various ways. The complainant also reiterated his complaint that the complaints handling process had been inadequate.

20. On 23 April the complainant wrote to confirm that he was appealing against the ECU’s decision on the legitimacy of the general approach of Panorama to draw attention to the MTA results. The complainant believed the ECU had not explained how this approach was legitimate when the MTA study and its significance had been misrepresented by the broadcast.

21. The complainant also stated that he considered Professor Fraser and Dr Mensah’s report to be inaccurate and incomplete, which had led to the ECU not appreciating the extent and seriousness of the inaccuracy of the programme.

22. In further correspondence with the BBC Trust the complainant in an email dated 3 June complained about the handling of his complaint by the ECU. He also continued to request various items of information for disclosure. The complainant also drew attention to the delay by the ECU concluding its procedures following its finding on the complaint.

23. On 6 August the ECU issued its outcome following its partial uphold against the programme.

24. On 14 August the BBC Trust confirmed that the ESC would consider the adequacy of the ECU and BBC management’s response to the ECU’s findings.

25. On 24 August the complainant wrote to the Head of Editorial Standards, BBC Trust, complaining that his complaint had not been handled fairly, promptly or transparently by the BBC or the BBC Trust.

26. On 30 November 2009 the complainant raised a further issue concerning the ECU’s handling of his complaint. He referred to the role of the Head of Editorial Complaints, specifically in relation to the defence of the earlier Panorama programme Kids on Pills before the Broadcast Standards Commission (see 6 above). He maintained that there was a conflict of interest between the functions of the Head of Editorial Complaints in defending the BBC on regulatory complaints and investigating the issues raised by the complainant “independently and impartially”.

BBC Management

27. On 29 April 2008 the complainant wrote to the Director of BBC News, asking to see the materials provided to the ECU in relation to the complaint in order to ensure that the complaints process was transparent and fair.

28. The Director of BBC News responded on 30 April 2008 declining to disclose the material requested by the complainant. As the complaint was already being investigated by the ECU, any question of disclosure was a matter for them.

29. The complainant responded the same day suggesting that a new programme be made to redress the imbalance caused by What Next For Craig? The complainant did not receive a response and raises the conduct of BBC management in his dealings with them as a further complaint.

3. Applicable editorial standards

Introduction
The BBC is committed to delivering the highest editorial and ethical standards in the provision of its programmes and services both in the UK and around the world. We seek to balance our rights to freedom of expression and information with our responsibilities, for example, to respect privacy and protect children.

**Section 1 – BBC’s Editorial Values**

**Accountability**
We are accountable to our audiences and will deal fairly and openly with them. Their continuing trust in the BBC is a crucial part of our contract with them. We will be open in admitting mistakes and encourage a culture of willingness to learn from them.

**Section 17 – Accountability**

**Introduction**
The BBC is accountable to its audiences. Their continuing trust in the BBC is a crucial part of our contract with them. We will act in good faith by dealing fairly and openly with them.

We are open in admitting mistakes when they are made and encourage a culture of willingness to learn from them.

We will use the BBC’s online presence to provide proper reporting to the public on complaints we have received, and actions we have taken.

**Feedback & complaints**
Audiences are at the heart of everything the BBC does. Audience feedback is invaluable to us and helps improve programme quality.

Our commitment to our audiences is to ensure that complaints and enquiries are dealt with quickly, courteously and with respect.

The first point of contact for a complaint should be BBC Information, although people can contact the programme directly if they prefer. We are committed to responding to complaints within ten working days of their first receipt and to keeping complainants informed of progress.

A licence fee payer may be unhappy with the response from BBC Information or a programme department. If the complaint concerns a breach of the editorial standards set out in the Editorial Guidelines or relates to a particular broadcast, programme or specific web content they can appeal to the Editorial Complaints Unit to investigate the issue independently.

The BBC has a **Code of Practice** for complaints handling which sets out these procedures in more detail.

**4. The Committee’s decision**

1. The ESC considered this part of the complaint in relation to the Accountability guideline and determined that this guideline does apply to this complaint. Accordingly the committee further considered whether there had been a breach of the Accountability guideline as far as the ECU and BBC Management were concerned.

**ECU**
2. The Committee considered all the evidence put before it by the complainant. It was clear from the volume and content of the correspondence that the complainant was in constant dialogue with the ECU and that communications with him were polite and open. The ECU had at all times dealt with the complainant courteously and with respect.

3. The Committee recognised that this was a very complex issue with a large body of evidence and supporting documentation, and found no delay in the way in which the complaint was handled up until August 2008. Indeed in June 2008, the complainant had encouraged the ECU “to take the necessary time” and again in August 2008 when delays were explained to him, he asked that they “please take your time.”

4. However, the Committee’s view was that, after August 2008, the complaint was not dealt with as quickly as it should have been, and for this the committee apologised. This was an extremely complicated complaint, that the complainant himself recognised would take time, but in the Committee’s view it took the ECU longer to conclude the complaint than it should have done.

5. The Committee was also of the view that the time that lapsed between the ECU making their decision (January 2009) and publishing a finding of that decision (August 2009) was too long.

6. The Committee turned to the decision by the Head of Editorial Complaints not to require a broadcast apology. This was entirely a matter for the Head of Editorial Complaints. The Committee took into consideration the account given by the Head of Editorial Complaints about the factors influencing his decision in this respect. The Committee concluded that that decision was made in good faith on the basis of information received from the programme team in accordance with the complaints process. Nevertheless that decision took too long.

7. Whilst the Committee did not agree with the ECU’s conclusions on some aspects of the complaint, there was no evidence that the ECU had failed to deal fairly and openly with the complainant. Throughout their investigation (other than in respect of the speed with which their decision was made and published – 4-6 above), the ECU had conducted themselves entirely in accordance with the complaints process.

8. The Committee also considered whether there was a conflict of interest as far as the Head of Editorial Complaints was concerned. In considering this issue the Committee looked at the role of the Head of Editorial Complaints when he investigates complaints for determination by an external regulator or the BBC. The Committee concluded that his function is investigative rather than defensive.

9. Despite the complainant’s arguments to the contrary, the Committee did not accept that there was a conflict of interest. The function of the Head of Editorial Complaints had accurately been recorded in correspondence with the complainant. Whether the complaint is proceeding through the processes of the external regulator or through the BBC’s own internal processes, the ECU’s investigation is always carried out impartially and independently of the programme makers. When the investigation is complete, the Head of Editorial Complaints’ position based on that investigation (whether or not the programme is found to be in breach of the Editorial Guidelines or other applicable standards) is represented to either the external regulator or the ESC as appropriate. No conflict arises.

10. The complaint against the ECU was upheld only in respect of delay.

**BBC Management**

11. The complaint against BBC management was made in relation to their conduct at a time when the ECU was already investigating the complaint in accordance with the BBC’s complaints process. The BBC’s complaints process deals with licence fee payers complaints as expeditiously and efficiently as possible. Once the ECU is involved it is for the ECU to deal with the complainant and all requests he might have about access...
to documentation and other materials in accordance with the requirements of the Editorial Complaints process or possible outcomes if the complaint is upheld. It was the committee’s view that the Director of News acted appropriately in her dealings with the complainant.

12. Although the Committee expressed regret that the Director of News or her office did not realise that the complainant expected a response to his e-mail of 30 April 2008, the Committee were of the view that it was not unreasonable for her to assume that the complainant would realise that possible remedies would not be addressed until after the complaint had been resolved.

13. Accordingly, the complaint against BBC management was not upheld.

5. Outcome

14. The ESC will send an apology to the complainant on behalf of the BBC in respect of the ECU’s delay in finalising and publishing a decision about his complaint.
Rejected appeals

Appeals rejected by the ESC as being out of remit or because the complaint had not raised a matter of substance and there was no reasonable prospect of success.

General Anti-Serbian Bias

The complainant appealed to the Committee to overturn a decision of the Head of Editorial Standards not to proceed with his appeal, which suggested that the BBC in general and BBC News online in particular are biased against Serbia.

The Committee’s decision

The Committee noted that the complainant had raised this complaint in an email to the BBC Trust on 3 October 2009. In this email the complainant stated that BBC News had not fully addressed all of his concerns on the issue of general bias nor had it started to investigate his broader complaint of the BBC’s unfair reporting of Serbia and the former Yugoslavia, which he believed went back as far as 1990. The Committee also noted that in a reply dated 9 November 2009 the Head of Editorial Standards had turned down the complainant’s request for an appeal on general bias on the basis that having considered all of the correspondence on the matter and having noted the responses of BBC News there was not a case to answer for the BBC Executive as the complainant had not provided evidence to demonstrate a general trend of BBC bias. As such, the Head of Editorial Standards did not believe the appeal had a reasonable prospect of success and declined to put the complaint forward on appeal.

The Committee also noted that it had considered an appeal by the complainant at its 5 November 2009 meeting which concerned a BBC News online report on Radovan Karadžić and the origin of the phrase “ethnic cleansing”. The Committee noted that the complaint had not been upheld and that the article had met the required editorial standards of accuracy and impartiality.

The Committee also noted the large number of complaints raised by the complainant to BBC News none of which had led to any being upheld by the BBC Executive (although there had been changes in wording to online articles as a result of exchanges between the complainant and the online team). The Committee was satisfied that the complainant had not put forward sufficient evidence of systemic bias by BBC News to warrant the BBC Trust to instigate a wider review of the coverage of Serbia. The Committee noted that the complainant believed that bias went back to 1990, but was satisfied with the BBC Trust’s Head of Editorial Standards’ view that there was no requirement for BBC News to review content outside of the time a complaint should be lodged. The Committee concluded therefore that the complaint did not stand a reasonable prospect of success and that it would be inappropriate and disproportionate for the Committee to request a review of the reporting of Serbia of the last 20 years based on the evidence that the complainant had provided.

The Committee therefore decided that the decision not to proceed with this appeal was correct.
QI, BBC Two, 2 January 2009

The complainant requested that the Committee review the Head of Editorial Standards decision to not proceed with her request for an appeal which suggested that comments made on the programme QI regarding the elderly were offensive.

The Committee’s decision

The Committee noted what was said on the programme that caused the complainant to be offended:

Alan Davies (AD):
There's a thing called a flashpoint in which, now I don't know
where I learned this - it might have been in a film or it might have been in a really
terrifying fire safety talk that we were given at primary school. One thing I really
remember about that is when you strike a match, strike it away from you because
otherwise the head will come off and set alight to you, particularly if you are a
granny. (Studio laughter) The guy told us a story about someone's grandma who
had burned to death.

Dom Joly (DJ):
Because urine is flammable if it stays on clothing (more studio laughter). This is
true, this is true, there's something in urine if it stays on your clothes long enough
becomes flammable, so grandmothers who are not well maintained, it's true ...
(continued studio laughter throughout)

AD:
Are particularly vulnerable to a flying head of a match...

DJ:
Are particularly vulnerable to an arsonist who is looking for...

Clive Anderson: That's a measure of how mean people are, they won't even pee
on you if you're on fire.

And:

DJ:
I would have thought at a Christmas event, if a fire eater was thinking "I haven't
shown my family this skill" and there was a urine soaked granny (studio laughter)
who had been brought out of the home just for a day for Christmas, that would
probably not be the time to say, so what are you up to now, Bruno?

The Committee also noted that in response to the complaint at stage 1 of the BBC's
complaints process BBC Information had stated that QI tried hard to “good natured, kind
hearted and broad minded”. BBC Information also replied that the comments were not
intended to be “hurtful or vicious” or malicious and apologised for the offence causes. The
response also include a comment that the programme's producers would be extra vigilant
regarding causing offence of the kind described in the complaint

The Committee then considered what was said by the Editorial Complaints Unit (ECU) at
stage 2 of the BBC's complaints process in response to the complaint. The Committee
noted that the ECU explained that the programme was aimed at an adult audience and
had a well-established “reputation for quick witted repartee and banter” and that guests
often made “disparaging or unflattering comments...with a sense of mischief rather than
malice”. The Committee also noted that the ECU considered the comments to be “far-fetched” and “clearly not intended to be taken seriously”. The ECU also accepted that “comedy, by its nature, may not appeal to all members of the audience” and that while the comments could have caused offence to some viewers, “the humour was in keeping with the general expectation of the audience”.

The Committee concluded that while the joke played on the issue of incontinence in the elderly, the joke in itself, within the context of an entertainment programme, did not perpetuate prejudice against the elderly.

The Committee also noted that that the comments were not directed at an individual or at the elderly in general.

The Committee was also satisfied that given the programme’s post-watershed broadcast, the audience’s expectation of it would have been for the humour to have been more adult in content. And, given this was a long-running series with well established audience expectations, the Committee was satisfied that the complaint had not made a case for the BBC Executive to answer and therefore had no prospect of success.

**The Committee was satisfied that this did not raise a matter of substance and concluded that it was not appropriate to take this matter on appeal.**