

Analysis of complaints

From 1 October 2017 to 31 March 2018 the Unit reached findings on 232 complaints concerning 209 items (normally a single broadcast or webpage, but sometimes a broadcast series or a set of related webpages). Topics of complaint were as follows:

Table 1
Topics of Complaint

	<u>No of Complaints</u>	<u>No of Items</u>
Harm to individual/organisation	20	20
Infringement of privacy	3	3
Bad example (adults)	4	4
Political bias	18	17
Other bias	52	43
Factual inaccuracy	74	66
Offence to public taste	20	19
Offensive language	4	4
Offence to religious feeling	1	1
Violence	3	3
Sensitivity and portrayal	2	2
Racism	8	7
Sexism	1	1
Standards of interviewing/presentation	19	16
Other	3	3
Total	232	209

In the period 1 October 2017 – 31 March 2018, 23 complaints were upheld (5 of them partly) – 10% of the total. Of the items investigated in the period, complaints were upheld against 19 items (9% of the total). 8 complaints, about 6 items, were resolved. The bulletin includes summaries of these cases.

Standards of service

The Unit's target is to deal with most complaints within 20 working days of receiving them. A target of 35 days applies to a minority of cases (18 in this period) which require longer or more complex investigation. During the period 1 October 2017 – 31 March 2018, 72.5% of replies were sent within their target time.

Summaries of upheld/resolved complaints

Victoria Derbyshire, BBC2/News Channel, 27 April 2017

Complaint

The programme included a report on support by students' unions for the BDS campaign, which advocates boycott, divestment and sanctions in relation to Israel. A viewer complained that the report falsely claimed that the Charity Commission was investigating students' unions in this connection, that it gave an inaccurate impression that the campaign targeted only Israeli organisations, that it did not identify the pro-Israel campaigning affiliations of two student interviewees (whereas a pro-BDS interviewee was identified as a member of his university's Palestine Society), and bias was apparent in the treatment of the supporters of BDS who appeared in the item and the subsequent studio discussion.

Outcome

The report said the Charity Commission was "*examining concerns about the involvement of a number of students' union charities in the BDS movement*". The Charity Commission confirmed to the ECU that this form of words was accurate. Though the report's reference to BDS targeting "*Israeli companies and institutions*" was not an exhaustive summary of the campaign's scope, the ECU did not consider it materially misleading to viewers, and nor did it regard the fact that some speakers were challenged more than others as evidence of bias. However, it agreed that the pro-Israeli affiliations of two contributors who spoke against BDS should have been made clear to viewers.

Partly upheld

Further action

The Editor of the programme has reminded producers and reporters of the need to give clear information about the allegiance of contributors to public campaigns where they are relevant to the audience's understanding of the issues under discussion.

Sunday Politics, BBC One, 30 April 2017

Complaint

Interviewing Alex Salmond, Andrew Neil put to him the claim that one Scottish child in five leaves primary school "*functionally illiterate*". A viewer complained that there was no basis for this claim.

Outcome

The figure derived from the sum of the two lower bands for reading attainment in the 2014 Scottish Survey for Literacy and Numeracy. That survey, however, contained no

reference to “*functional illiteracy*”, and no data which would have justified that form of words as a description of its findings.

Upheld

Further action

The Sunday Politics team has been reminded of the need to establish the evidential basis of claims that are quoted in its questions.

The World Tonight, Radio 4, 23 May 2017

Complaint

In an item which focused on resilience in Manchester in the aftermath of the Manchester Arena bombing, the presenter cited “*Jewish riots in the 1940s*” as an instance of friction between communities in Manchester. A listener complained that this was a misleading characterisation of the events in question.

Outcome

The presenter had in mind the events of August 1947 in Manchester, which (as she had intended to say) were anti-Jewish disturbances.

Upheld

Further action

While this was a slip of the tongue, the Editor has reminded the team of the need for precision on matters of historical importance.

The World Tonight, Radio 4, 27 June 2017

Complaint

A report on fire safety in tower blocks included an interview with a resident of Shepherds Court, a tower block in London where there had been a fire in August 2016. Another resident complained that the report had given a misleading impression of the building’s vulnerability to fire.

Outcome

The interviewee said the building had no fire doors, no sprinklers and no fire extinguishers. Although it was not stated that these constituted breaches of fire regulations, the terms of the interviewee’s statement and the reporter’s reaction to it were such as to give the impression that they were grounds for significant concern. As the complainant pointed out, however, the doors to each flat and to the stairwells

were in fact fire doors, and there are reasons why there is no regulatory requirement for sprinklers and fire extinguishers for such a building. The report gave a misleading impression in that respect.

Upheld

Further action

The Editor has emphasised to the team that it is important to question claims that may be misleading, particularly when they involve matters of current controversy.

PM, Radio 4, 8 June 2017

Complaint

In a report from Jerusalem, the reporter noted that 2017 was both the 50th anniversary of the Six-Day War and the 70th anniversary of UN Resolution 181, calling for separate Israeli and Palestinian states, which he said had been *“rejected by Palestinians and by most Jewish organisations”*. A listener complained that this gave a misleading impression of Jewish reactions at the time.

Outcome

Though some Jewish organisations had opposed the resolution, it was very strongly supported by others, including the Jewish Agency (which was much the largest and most influential representative group at the time). The impression of general Jewish rejection of the resolution was therefore misleading.

Upheld

Further action

The team has been reminded of the need to check that reported references to historical events are duly accurate.

5 Live Breakfast, Radio 5 Live, 12 September 2017

Complaint

The National Farmers' Union complained that the programme-makers had failed to keep an undertaking that an NFU speaker would be interviewed one-to-one on the topic of badger-culling, rather than engaged in a debate with another speaker, and that she had been asked to address questions which were outside her area of expertise, contrary to a prior agreement.

Outcome

There had been no prior agreement not to ask particular questions, and the speaker's answers did not suggest lack of expertise. However, the Editor had already acknowledged and apologised for the fact that the undertaking about a one-to-one interview had not been kept, and had taken the matter up with the programme team. In the view of the ECU, this sufficed to resolve the issue of complaint.

Resolved

News (6.00pm), BBC One, 14 September

Complaint

In the wake of the Bank of England's decision to raise interest rates, the presenter said the pound was at "*a one-year high*" against the euro and the dollar. A viewer complained that this was incorrect.

Outcome

The statement was correct in relation to the dollar but incorrect in relation to the euro.

Upheld

Further action

The production team recognises the pound moves separately against the two currencies and has been reminded to take greater care over distinguishing between them.

Michigan mother jailed for refusing to vaccinate her son, bbc.co.uk

Complaint

The article quoted the views of the (US) National Vaccine Information Centre. A reader complained that the article did not indicate that that it was an anti-vaccination organisation.

Outcome

In response to the original complaint, and before the matter was escalated to the ECU, a description of the organisation as "*vaccine-sceptic*" was added to the article. In the view of the ECU, this sufficed to resolve the issue of complaint.

Resolved

Thought for the Day, Radio 4, 22 December 2016

Complaint

The speaker was The Prince of Wales. A listener pointed to an error in a reference to a UN figure for the number of people displaced during the previous year which, in the listener's view, had not been adequately corrected.

Outcome

As the error was not such as to affect listeners' understanding of the talk, and as a correction had already been added to the relevant page of the Thought for the Day website, the ECU took the view that this correction, along with publication of a summary of the finding, sufficed to resolve the issue of complaint.

Resolved

Celebrity Money for Nothing, BBC One, 18 September 2017

Complaint

The programme features celebrity junk which is restored or made over into saleable items, the proceeds of sale being donated to the celebrities' chosen charities. In this edition, wood from old deck chairs was reconstituted as cheeseboards. A viewer complained that this was contrary to food safety regulations which stipulated that food should not come into contact with wood of unknown provenance.

Outcome

The viewer was correct about the relevant regulations. In response to the Stage 1 complaint, however, the programme-makers had acknowledged the error and amended the programme for any repeat. In the view of the ECU, this sufficed to resolve the issue of complaint.

Resolved

The midwife who saved intersex babies, bbc.co.uk

Complaint

This article about a Kenyan midwife originally included the statement that *"Although there are no reliable statistics on how many Kenyans are intersex, doctors believe the rate is the same as in other countries - about 1.7% of the population"*. In response to a complaint from a reader, this was changed to *"Although there are no reliable statistics on how many Kenyans are intersex, doctors believe the rate is the same as in other countries. Some estimates put this as high as 1.7% of the population but there is*

disagreement over what constitutes being intersex". The reader complained that this form of words, too, gave a misleading impression.

Outcome

In the context of the article, readers would have taken the figure to refer to intersex conditions which were apparent at birth. The 1.7% figure was composed mainly of developmental conditions likely to go undiagnosed at birth, and had caused controversy by including some conditions which are not universally recognised as intersex. Citing the figure, even as a maximum which was subject to disagreement, therefore perpetuated an exaggerated impression of the incidence of the conditions dealt with in the article.

Upheld

Further action

Staff will be reminded that, where necessary, figures should be put in their full context, particularly when they are disputed.

My Big Gay Jewish Conversion, BBC One, 9 August 2017

Complaint

The programme followed a gay man in his exploration of the possibility of converting to Judaism. A viewer complained that a map shown in connection with the man's visit to Israel gave a misleading impression of the status of the occupied territories.

Outcome

The map showed the occupied territories in a darker shade of yellow than Israel itself, but any distinction this might have conveyed was counteracted by a thick line running round the perimeter of Israel and the occupied territories (on the first appearance of the graphic), giving the misleading impression that they formed a single entity.

Upheld

Further action

The programme will be appropriately edited before it is again made available.

Newsnight, BBC Two, 22 August 2017

Complaint

The programme led on President Trump's announcement of a new strategy towards Afghanistan and included a discussion with two contributors about the implications for

Pakistan. A viewer complained that the critical view of Pakistan's role in the region expressed by both contributors resulted in bias.

Outcome

The Foreign Minister of Pakistan had accepted an invitation to contribute to the discussion, but withdrew at short notice. In his absence, and the absence of appropriate challenge from the presenter, the critical views expressed by both contributors resulted in a departure from due impartiality on a topic of some controversy.

Upheld

Further action

The programme team has been reminded of the need to review the presentation of a debate if a late cancellation affects its intended balance.

Six o'Clock News, Radio 4, 18 August 2017

Complaint

Reporting on an initiative to set up a new consultative council for British Muslims, the BBC's Religious Affairs Correspondent said "*The Muslim Council of Britain, an umbrella organisation for 500 Sunni Mosques and Schools, represent less than 5% of Britain 2.5 million Muslims*". A representative of the Muslim Council of Britain complained that there was no basis for a figure as low as 5%

Outcome

The Religious Affairs Correspondent had based the figure on an ICM poll supplemented by an allowance for outreach work subsequently conducted by the Council. However, the poll in question had not been framed with a view to measuring the extent of support for the Council, and other surveys more directly related to that question suggested that a much higher proportion of UK Muslims considered themselves to be represented by the Council.

Upheld

Further action

The correspondent has been reminded that the results of surveys depend on the specific questions asked and that both should therefore be reported with due accuracy.

Durham Police spit hood Twitter poll supports their use, [bbc.co.uk](https://www.bbc.co.uk)

Complaint

The article reported on a Twitter poll conducted by Durham Police in which 93% of the respondents supported the use of spit hoods. A visitor to the page complained that it gave undue credence to a statistically invalid exercise.

Outcome

The article was in breach of the Editorial Guidelines on reporting opinion polls in several respects, not least in failing to make clear that the exercise in question had no statistical validity.

Upheld

Further action

Staff will be reminded of the need to take account of BBC guidance on polls or surveys conducted on social media and similar forums.

Today, Radio 4, 4 January 2018

Complaint

The programme included an interview with Tony Blair by John Humphrys on the subject of Brexit. The complainant (along with a number of other listeners) said the conduct of the interview was biased and unduly aggressive, and in marked contrast to the later interview on the same topic with Norman Lamont. In addition, he said John Humphrys' statement that "*the Royal College of Nursing accepts that the reason there are fewer nurses now is not because of Brexit, it's because of the introduction of English language tests*" was wrong.

Outcome

The complaints about the conduct of the interview were not upheld. In the case of the Royal College of Nursing, however, John Humphrys was mistaken. Although the view he attributed to the College had been put forward by a number of health care professionals, the College itself had said the situation had been driven by factors which included Brexit and that the introduction of English tests, while not helping the situation, was unlikely to be the root cause.

Partly upheld

Further action

The programme has noted the fact that the RCN cites various factors in this case and will try to ensure these are reported accurately on any future occasion.

Sasha Twining, Radio Solent, 30 October 2017

Complaint

The programme included a phone-in prompted by Barry Sheerman MP's comment (on the previous day's **Sunday Politics**) that those who voted to remain in the European Union were the "*better educated people in our country*". A listener complained that the discussion was biased in favour of Brexit.

Outcome

Although the presenter's questions were attempts to engage listeners (as distinct from statements of her own view), the premise of the discussion led her to address predominantly those who might take issue with Mr Sheerman's comment, which is to say mainly Leave voters, resulting in a degree of imbalance on a controversial issue.

Upheld

Further action

The programme team have been reminded that the choice of the starting point of a discussion can affect the perception of its due impartiality.

Six o'Clock News, Radio 4, 25 October 2017

Complaint

The bulletin included a report on the independent review of energy costs commissioned by the Government from Professor Dieter Helm. A listener complained that the statement that domestic energy bills "*had doubled in the last decade*", which occurred in the headline and the body of the report, was wrong.

Outcome

Energy prices rose only slightly over the decade, while average domestic bills (which reflect variations in consumption) fell in real terms. The statement complained of was therefore materially misleading.

Upheld

Further action

The business team have been reminded of the need to be accurate in their use of statistics, even when a generalised statement about a particular trend is made.

Today, Radio 4, 11 January 2018

Complaint

The programme included an interview with Michael Gove on the Government's 25-year environment strategy. A listener in Scotland complained that the interview did not make clear that the new proposals would apply in England only.

Outcome

Most matters of environment policy have been devolved to the Scottish Parliament and the Welsh and Northern Irish Assemblies. As this was not made clear in the programme, listeners could have been given the misleading impression the proposals set out by Mr Gove would apply across the UK.

Upheld

Further action

The Today team have been reminded of the need to be clear how far the remit of policy-makers may extend under devolution.

Somalia's lost tapes revive musical memories, bbc.co.uk

Complaint

The article dealt with aspects of the history of Somalian music (in particular, the development of the traditional dhaanto form into a pop music genre). A visitor to the page complained that a number of errors which he had drawn to the author's attention via twitter remained uncorrected, despite the author's undertaking to correct them.

Outcome

Although some of the instances pointed out by the complainant were differences of emphasis rather than errors, an incorrect caption to a photograph and a misleading account of the history of dhaanto itself remained uncorrected.

Partly upheld

Further action

The article has been amended to remove an incorrectly captioned photo and clarify the evolution of dhaanto.

Staff at Kent abuse home were ‘never’ reported, tape reveals, bbc.co.uk

Complaint

The article reported remarks made by the late Revd Nicholas Stacey in a recording he made for a local historian in 2006, now lodged at the British Library. He had been head of Social Services at Kent County Council from 1974-85 and was quoted as saying that he had never reported allegations of child abuse to the police. The article linked this to established cases of abuse at Kendall House in Gravesend where girls were “*routinely drugged, locked up, and sexually abused*” and which, the article stated, Mr Stacey “*oversaw*”. A friend of Mr Stacey’s complained that that misleadingly suggested his connection with Kendall House was such that he would have been aware of the abuse and, by implication, conniving in it by doing nothing about it.

Outcome

The author of the article’s assessment of the connection between Mr Stacey and Kendall House rested on a confidential document which, in the view of the ECU, he had misinterpreted. While it was legitimate to report the attitude to the handling of abuse allegations displayed by Mr Stacey’s interview, there were no grounds for suggesting he was aware of, or complicit in, the abuse which had taken place at Kent House.

Upheld

Further action

The article, now headlined “*Social services abuse claims were ‘never’ reported, tape reveals*”, was amended to reflect the finding.

Newsnight, BBC Two, 25 January 2018

Complaint

During an interview with the founder of Momentum, Emily Maitlis mentioned the case of David Watson, a Labour activist who she said had been suspended from the party “*for his anti-Semitic views*” and “*for anti-Semitic remarks*”. Four viewers, including Mr Watson, complained that the references to anti-Semitism were misleading and prejudicial.

Outcome

Mr Watson had been suspended in May 2016 pending investigation of unspecified breaches of Labour Party rules. Although press reports at the time attributed the suspension to allegations of anti-Semitism, Mr Watson had not been notified of the nature of the alleged breaches and there was no indication that the investigation had concluded. To the extent that the references complained of gave the impression that allegations of anti-Semitism against Mr Watson had been found to be justified, they were misleading (though unlikely to prejudice an internal Labour Party investigation).

Upheld

Further action

Journalists have been reminded of the need to check the accuracy of any reported allegation carefully, and a correction and apology has been published on the Corrections & Clarifications page of bbc.co.uk.

BBC News (6pm), BBC One, 9 January 2018

Complaint

In an item on the NHS in Scotland, the reporter said over 100,000 people per week had waited more than four hours to be attended to in Scottish A&E departments. Three viewers complained that the figure was grossly inaccurate and called for a broadcast correction.

Outcome

The reporter had mistakenly used the annual figure (the correct weekly figure being 5,686). However, the mistake was acknowledged and corrected by BBC News on the Corrections & Clarifications page of bbc.co.uk, and by the reporter on her own twitter account. In the view of the ECU, this resolved the issue of complaint.

Resolved

5 Live Breakfast, Radio 5 Live, 3 January 2018

Complaint

The topic of the "Your Call" section of the programme was the condition of the NHS in light of the decision to cancel non-urgent surgery. A listener complained that a nurse who had contributed to the phone-in was a prominent Labour activist, and should have been identified as such.

Outcome

In response to the complaint, BBC News agreed that the contributor's political affiliation should have been made clear to listeners, and the Editor of the programme issued additional guidance to the team to guard against any repetition of such circumstances. The ECU took the view that this, together with publication of a summary of its finding, sufficed to resolve the issue of complaint.

Resolved

Tweets by Jonathan Vernon-Smith

Complaint

The journalist Matt Adams complained about "*a personal tirade*" against him, in the form of tweets by Jonathan Vernon-Smith, the presenter of the main morning programme on Three Counties Radio, following his review of the Harpenden Pantomime in the Herts Advertiser in which he had been critical of the performance of a broadcasting colleague of Mr Vernon-Smith's. Although the management of Three Counties Radio had acknowledged this was a misuse of a BBC twitter account, there had been no acknowledgement of offensiveness and no public apology, and some of the tweets in question were still accessible despite an assurance that they had been removed.

Outcome

Because the tweets were posted on a BBC account, their content was subject to the BBC's editorial standards. In the view of the Executive Complaints Unit, the tweets, which used terms such as "*vile*", "*nasty*", "*ageist*" and "*rude*", were certainly offensive, and entirely unwarranted by the temperate terms in which Mr Adams had couched his criticism (as well as being an inappropriate use of a BBC account to pursue a primarily personal concern). Although the original tweets had been removed by the time Mr Adams complained to the Unit, repetitions of some of them in the "tweets and comments" section of the site had unfortunately been overlooked, so material which certainly breached the BBC's editorial standards remained extant.

Upheld

Further action

Mr Vernon-Smith has been reminded of his responsibilities in relation to the use of social media, and an apology to Mr Adams has been posted on the Twitter account.