Analysis of complaints

From 1 October 2016 to 31 March 2017 the Unit reached findings on 142 complaints concerning 122 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

	No of Complaints	No of Items
Harm to individual/organisation	7	7
Bad example (adults)	1	1
Bad example (children)	2	2
Political bias	4	4
Other bias	41	35
Factual inaccuracy	40	36
Offence to public taste	21	11
Offensive language	5	5
Sexual conduct	3	3
Violence	1	1
Sensitivity and portrayal	7	7
Racism	5	5
Commercial concerns	2	2
Standards of interviewing/presentation	3	3
Total	142	122

In the period 1 October 2016 - 31 March 2017, 14 complaints were upheld (3 of them partly) - 10% of the total. Of the items investigated in the period, complaints were upheld against 13 items (10.5% of the total). Two complaints, about two 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 (27 in this period) which require longer or more complex investigation. During the period 1 April - 30 September 2017, 86.5% of replies were sent within their target time.

Summaries of upheld/resolved complaints

11 surprising facts that show how Scottish football has changed over the last 30 years, bbc.co.uk

Complaint

The article said five Scottish Premier League clubs had survived administration while two (Gretna and Rangers) *"were liquidated"*. A reader complained that this conveyed the impression that the liquidation process applied to the club, as distinct from the company which had owned it, and that changes made to the article following his complaint had not corrected this impression.

Outcome

In response to the complaint, the passage in question was changed to read *"Two entered liquidation proceedings: Gretna and Rangers"*. This was subsequently further changed to *"Two entered liquidation proceedings: Gretna and Rangers FC PLC"*. The first change perpetuated the impression that the liquidation procedure applied to the club, while the second referred to a legal entity which entered liquidation proceedings and which (whether those proceedings had been completed or merely *"entered"*) might well have been understood by readers as encompassing the team on the field as well as the business entity. In fact, the business, history and assets of The Rangers Football Club PLC, which went into administration in 2012, had been sold as a going concern by the administrators before any relevant company entered administration.

Upheld

Further action

BBC Scotland management has reminded staff of the importance, in its reporting, of clearly differentiating between Rangers FC as a footballing entity and the various legal entities which have recently had operating control over its business interests.

Countryfile, BBC One, 5 June 2016

Complaint

The programme included an item on the Invermark Estate in Scotland. A viewer complained that it gave the impression that the estate was managed in the interests of wildlife, whereas it was managed primarily for grouse-shooting, and conveyed a one-sided view of the impact of such management on other wildlife.

Outcome

The item made clear that the estate was managed primarily (though not exclusively) for shooting, and it was legitimate to reflect the gamekeeper's view on its benefits for birds such as pipets, plovers and curlews. However, it failed to acknowledge the view that the overall impact on other species was negative.

Partly upheld

Further action

The substance of this finding will be borne in mind when the series returns to the subject of grouse estate management.

Laurence Reed, Radio Cornwall, 10 May 2016

Complaint

The programme included a phone-in about CORMAC, the company owned by Cornwall Council which maintains Cornwall's roads. CORMAC and the Council complained of a number of comments in the course of the phone-in which they said were factually inaccurate and unfair to them and should not have been broadcast. In particular, they objected to comments which suggested that CORMAC had benefited from insider trading in the award of contracts; that CORMAC had profited by making additional visits to the site of road repairs which could have been completed at the first visit; and that the Board of CORMAC included a disproportionate number of former Councillors. They also complained that the presenter, Laurence Reed, had not maintained due impartiality.

Outcome

In the view of the Executive Complaints Unit, Laurence Reed had not expressed an opinion on any controversial matter (and so had not exceeded the bounds of due impartiality), while the comments the complainants objected to were not made in terms, or in a context, which would have led listeners to take them as statements of fact. However, they did amount to the kind of criticism to which CORMAC and the Council should have had a timely opportunity to respond, and it was unfair to them that such an opportunity was not provided.

Partly upheld

Further action

It was agreed that Laurence Reed would broadcast an apology to the complainants in his programme of 16 January, including an apology on behalf of the BBC for the lengthy delay in resolving the complaint, in the following terms:

> *In May 2016 we broadcast a phone-in about CORMAC, the company owned by Cornwall Council which maintains Cornwall's roads. The phone-in included a number of comments which CORMAC and the Council regard as factually inaccurate and unfair to them. Although we believe it was justifiable to broadcast them, they amounted to the kind of criticism which CORMAC and the Council should have had a timely opportunity to respond to. We acknowledge that we should have given CORMAC and the Council such an opportunity, and that our failure to do so breached BBC editorial standards. Radio Cornwall would like to apologise for the unfairness to them which this caused, and the BBC would like to apologise for the lengthy delay in resolving their complaint.*

Look North, BBC One (North East), 18 May 2016

Complaint

The programme included an item on the treatment of animals by chiropractic, which (according to the introduction) it was becoming more common for vets to recommend. A representative of the Good Thinking Society complained that the item gave an unwarrantedly positive impression of a therapy for which there was no good scientific evidence, and did not make clear that animals may only receive such treatment under particular circumstances.

Outcome

The item did not reflect the existence of a degree of controversy surrounding chiropractic treatment of animals, including criticisms that it is not supported by meaningful evidence and has never been subject to a controlled clinical trial. It also failed to make clear that such treatment may only be administered under the direction of a vet.

Upheld

Further action

Programme-makers have been reminded of the need to take into account the extent to which the claimed benefit of an alternative therapy is supported by scientific evidence and to reflect this in any coverage by including the views of more mainstream practitioners.

News (6am, 7am, 8am), Radio 4, 15 November 2016

Complaint

These bulletins included reports on a leaked memo, originating from Deloittes, which predicted difficulties for the Civil Service in managing Brexit, and described it as *"prepared for the Cabinet Office"* (or variants of that phrase). A listener complained that this gave an impression which was unsubstantiated at the time and subsequently shown to be misleading.

Outcome

The phrases in question (which reflected a statement in the original newspaper report of the leak) gave the impression that the memo had been in some sense commissioned by the Government. This had not been verified at the time, and Deloittes later said the memo was *"intended primarily for internal audiences* [and] *not commissioned by the Cabinet Office, nor any other government department"*.

Upheld

Further action

The team accepts the importance of verifying the exact status of a leak, especially when the initial claims for its standing have been made by others, rather than the BBC.

Olympic Tennis, BBC Red Button, 9 August 2016

Complaint

Commenting on an apparent trend for couples in the crowd to share a kiss if they saw themselves caught on camera, one of the commentators said *"Let's hope they don't to go on to two blokes sat next to each other"*. A viewer complained that this was offensively homophobic and, although the reply from the BBC acknowledged that the unscripted comment was ill-judged, there was no assurance that steps had been taken to prevent a recurrence.

Outcome

The Editor of the strand had made clear to the commentator and programme team that the comment was unacceptable, though unfortunately this information had not been conveyed to the complainant at the time. In the light of this and the acknowledgement of fault, the ECU considered that the issue of complaint had been resolved.

Resolved

Paxman In Brussels: Who Really Rules Us, BBC One, 19 May 2016

Complaint

A viewer complained that the programme gave a misleading impression of the 1975 referendum, in a sense which tended to support a Eurosceptic narrative in the 2016 referendum campaign, with comments by Jeremy Paxman such as *"Was national sovereignty an issue? Not in the slightest!"* and *"People were effectively lied to".*

Outcome

In context, the reference to national sovereignty appeared to be a remark about Jeremy Paxman's own reasons for voting as he had done in 1975, not an observation about whether or not the issue had figured in the referendum campaign. However, his interjection *"People were effectively lied to"* followed a statement from a contributor that *"the British public were misled, not just by Harold Wilson but by Edward Heath and by a lot of other politicians who knew perfectly well the directions of travel but weren't prepared to tell everybody them"*, and appeared to endorse a view of the 1975 campaign which is in fact contested.

Partly upheld

Further action

The finding was discussed with the Executive Producer responsible for overseeing this independently-produced programme.

Reporting Scotland, BBC One Scotland, 24 August 2016

Complaint

The programme included a report on the state of the public finances in Scotland. A viewer complained that the presenter's introduction, which included the sentence *"The Scottish Government is spending nearly £15 billion more than it's bringing in in tax"*, gave a misleading impression.

Outcome

The sentence complained of gave the impression that the report which followed was about revenue raised and spending incurred by the Scottish Government, whereas it about combined figures for the Scottish and UK governments. Though the report itself was duly accurate, it did not offset this misleading impression.

Upheld

Further action

The management of BBC Scotland reminded programme teams of the importance of ensuring due accuracy when scripting headlines to accompany news stories.

RSPCA should be stripped of prosecution role, say MPs, bbc.co.uk

Complaint

The article was occasioned by the EFRA Select Committee report on the welfare of domestic animals in England. A reader complained that the headline was inaccurate, the report having in fact recommended that the RSPCA *"withdraw from acting as a prosecutor of first resort where there are statutory bodies with a duty to carry out this role"* but also that it *"should retain the ability to bring a private prosecution where it reasonably feels that there is no statutory alternative"*.

Outcome

The Select Committee report also recommended that the Government *"look at amending current legislation to make the RSPCA a Specialist Reporting Authority"*, on the Scottish model. As Specialist Reporting Authorities in Scotland have no power to bring prosecutions themselves, the News Online team had taken this recommendation to mean that the RSPCA should lose its role in bringing private prosecutions. However, there is no provision in Scottish law for private prosecutions in animal welfare matters, whereas there is a specific provision for this in English law, and the Select Committee did not recommend that the provision should be removed. The headline therefore reflected an inaccurate understanding of the Select Committee's recommendations.

Upheld

Further action

The article was emended in the light of the finding, as was another report on the same topic. The Online team has been reminded of the need to check that it has summarised complex issues accurately.

Starting school in the UK: a refugee's story, bbc.co.uk/BBC Three

Complaint

The item was presented as an account by "Marvin", an Eritrean boy, of his experiences in Eritrea and as a refugee. A reader complained that it was inaccurate, particularly in respect of the claim that his home village had been burned to the ground by government troops.

Outcome

It emerged from the ECU's investigation that the author of the item had unwittingly conflated Marvin's account with that of a young refugee from Sudan, and it was the Sudanese refugee who had spoken of his home village being burned by government troops. The item was inaccurate in that respect.

Upheld

Further action

The text of the article has been amended, and a note has been added to reflect the change.

Super-hard metal 'four times tougher than titanium', bbc.co.uk

Complaint

The article reported the publication of a paper about a new alloy with potential applications in the field of medical implants. A reader complained that the headline was misleading because it treated hardness and toughness as interchangeable qualities when they are in fact distinct.

Outcome

The paper in question focused on the hardness of the alloy, mentioning toughness only to make clear that it was not the quality under consideration. While hardness and toughness may be interchangeable in many contexts, the result of confusing them in this scientific context was misleading.

Further action

The headline was changed to read New alloy 'four times harder than titanium', and a reference to toughness was removed from the text of the article.

The Hairy Bikers Chicken and Egg, BBC Two, 4 October 2016

Complaint

The programme explored the cuisine of Israel. A viewer complained that it included images of an inaccurate map of Israel.

Outcome

The map, which was shown on two occasions, included Gaza and the Golan Heights within the boundaries of Israel and the West Bank within the boundaries of Jordan. In the context of a programme which referred to the region's history of conflict as well as its cuisine, this was not duly accurate.

Upheld

Further action

The programme was appropriately edited before being re-broadcast.

The Joy of Data, BBC Four, 20 July 2016

Complaint

A viewer complained that the programme erroneously credited the American scientist Claude Shannon with the invention of Pulse Code Modulation (PCM), which had in fact been invented by the British scientist Alec Reeves.

Outcome

The programme correctly identified Shannon's paper *"A Mathematical Theory of Communication"*, which envisaged a wide range of applications for PCM, as setting out the theoretical framework for the digital revolution. In doing so, however, it gave the impression that the idea of PCM itself had originated with Shannon. It had in fact been originated and patented several years previously by the British scientist Alec Reeves.

Upheld

Further action

The programme will be appropriately edited before any re-broadcast.

Today, Radio 4, 10 August 2016

Complaint

The programme included a discussion about a claim by Tom Watson MP that some of the new members of the Labour Party were Trotskyite entryists, with contributions from the musician Billy Bragg and Professor Alex Callinicos of King's College London. A listener complained that no mention was made of the fact that Professor Callinicos occupies a senior position in a Trotskyite organisation (the Socialist Workers Party).

Outcome

The Socialist Workers Party has recently been cited as a far-Left group which has mobilised support for Jeremy Corbyn, and there is some substantiation for that view in its own literature. As the Today team subsequently recognised, this made Professor Callinicos' affiliation to the party relevant to his comments on Tom Watson's claim.

Upheld

Further action

Members of the Today team have been reminded of the need to make the political affiliations of contributors clear to listeners when such information is likely to affect their understanding of the issue under discussion.

Today, Radio 4, 30 January 2017

Complaint

A listener complained that Frank Gaffney, an American interviewee who defended President Trump's Executive Order restricting entry from a number of countries, was introduced in a way which failed to make clear his association with anti-Muslim conspiracy theories and other extreme views.

Outcome

In response to the complaint, the Today team had acknowledged that information about Mr Gaffney's views would have helped listeners to evaluate his remarks. In the view of the ECU, this sufficed to resolve the issue of complaint.

Resolved

Zlatan Ibrahimovic: What the striker can bring to Manchester United, bbc.co.uk

Complaint

The item quoted an expert on football finance as saying that Ibrahimovic's shirt sales alone would almost offset the cost of failing to qualify for the Champions League. A reader complained that it was preposterous to suggest that increased shirt sales were likely to generate income for Manchester United on such a scale.

Outcome

As the expert subsequently acknowledged, his comments did not take account of the contract between Manchester United and Adidas, under which the club only receives royalties after shirt sales have reached a certain level, the amount of income then depending on whether the shirt had been sold by the club itself or by an independent retailer. Consequently, the impression of the level of income for the club likely to be generated by the sale of Ibrahimovic shirts was inaccurate.

Upheld

Further action

The Editor of the BBC Sport website has reminded staff to check independent expert opinion against other sources where possible, to avoid future inaccuracies.