

## **Analysis of complaints**

From 1 October 2011 to 31 March 2012 the Unit reached findings on 176 complaints concerning 120 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**

	<b><u>No of Complaints</u></b>	<b><u>No of Items</u></b>
Harm to individual/organisation (victim complaint)	8	8
Political bias	2	2
Other bias	37	29
Factual inaccuracy	49	45
Offence to public taste	58	17
Sexual conduct	1	1
Sensitivity and portrayal	3	3
Racism	1	1
Offence to religious feeling	9	6
Bad example (children)	3	3
Commercial concerns	2	2
Other	3	3
<b>Total</b>	<b>176</b>	<b>120</b>

In the period 1 April to 30 September, 12 complaints were upheld (7 of them partly) 7% of the total. Of the items investigated in the period, complaints were upheld against 10 items (8.5% of the total). 3 complaints, about 3 items (one of which was also the subject of a partly upheld finding), were resolved. This report contains summaries of the findings in those cases, and of a case in which a complaint about four items broadcast by BBC Scotland was the subject of a provisional finding in the period covered by the previous report which was finalised after 1 October 2011.

## **Standards of service**

A target of 35 days applies to a minority of cases (13 in this period) which require longer or more complex investigation. During the period 1 October 31 March, 90.5% of replies were sent within their target time.

## **Summaries of upheld complaints**

**The Magicians, BBC1, 15 January 2011  
Complaint**

The programme included a trick which involved a large number of rabbits. A viewer complained that the rabbits had been handled and managed in a way which exposed them to risk and unnecessary stress, and which set a bad example for children in the audience.

### **Outcome**

Primary Association reviewed a recording, independently of each other. They both concluded that the management and handling of the rabbits appeared to fall short of best practice in a number of respects. Because of precautions taken by the programme-makers which would not have been apparent to the experts, the ECU concluded that it was unlikely that the rabbits had been seriously at hazard, but that, if children in the audience had taken what they saw as exemplary, rabbits might well be exposed to the risks identified by the experts.

### **Partly upheld**

### **Further action**

The production team were reminded of the need to avoid situations in which animals are handled in a way that might risk inappropriate imitative behaviour.

**Do We Really Need the Moon?, BBC2, 1 February 2011 & Why the Moon is getting further away from Earth, [bbc.co.uk](http://bbc.co.uk)**

The matter was discussed with the production team with a view to strengthening fact checking procedures in the future, and the programme will not be re-broadcast without appropriate editing.

### **Don't Get Done, Get Dom, BBC1, 11 May 2011**

#### **Complaint**

The programme featured a householder in Chard whose house was affected by damp (to an extent that required the removal of the living room floor), and attributed the problem to work done by Somerset County Council which had raised the level of the pavement adjoining the house, blocking some ventilation bricks.

complained that this was both unfair and inaccurate. The Council maintained that the main cause of the damp was water penetration from a poorly functioning downpipe, as had been explained to the programme team in a statement provided two weeks before transmission.

#### **Outcome**

Although the statement was provided considerably after the deadline set by the programme team, it was reasonable for the Council to expect that a response sent two weeks before transmission would be reflected in the programme. The fact that it was not was unfair to the Council, and the fact that the programme attributed responsibility exclusively to the Council despite being provided with an alternative explanation was inconsistent with BBC guidelines on accuracy, which require output to be *"well sourced, based on sound evidence [and] thoroughly tested"*.

#### **Upheld**

#### **Further action**

The programme-makers have been reminded that statements submitted from affected parties need to continue to be carefully considered, irrespective of whether these have met the programme's deadlines.

### **North West Tonight, BBC1 (North West), 1 June & 16 August 2011**

#### **Complaint**

The Principal of Liverpool Community College complained that a report in the 1 June programme wrongly stated (an error reinforced by further reference to the matter in the 16 August programme), that she had been misled about the nature of the item, that she had not had proper opportunity to respond, that the programme-makers had failed to honour their agreement to use a certain clip, and that the item had misleadingly suggested that the College had been the subject of a police investigation.

#### **Outcome**

The programme-makers had not misled the Principal, had given her proper opportunity to respond and had used the clip which had been agreed on. In relation to the reference to a

**Further action**

The editor discussed the finding with the programme team, highlighting the need to check all

The editorial team has been made fully aware of the need to ensure that remarks made in introducing news stories are consistent with the facts as laid out within the body of those stories. The team was also reminded of the importance of clear story construction to avoid misleading implications being drawn as a result of the way in which factual information is presented.

### **5 Live Breakfast, Radio 5 Live, 19 July 2011**

#### **Complaint**

In the course of an interview with a Labour MP, Nicky Campbell referred to Tom Baldwin (Ed ) as *“the journalist on The Times who, at the behest of Number 10, outed the name of Dr David Kelly”*. A listener complained that this was incorrect.

#### **Outcome**

Although there had been suggestions at the time that Mr Baldwin had played this role, information had emerged later which made clear that this was not the case, and the reference was mistaken.

#### **Upheld**

#### **Further action**

The programme editor discussed the finding with the presenter.

### **Horizon, BBC2, 14 September 2011**

#### **Complaint**

In the programme, Professor Jim Al-

A viewer complained that he gave an inaccurate account of the way the human body takes up non-radioactive iodine (which is used in the event of radiation exposure to lessen the possibility of developing thyroid cancer), and in a number of other respects conveyed an impression which was biased in favour of the nuclear industry.

#### **Outcome**

Professor Al-Kalili said *“Iodine tablets contain a stable form of iodine which your body takes up in preference to the radioactive form, so cancers don’t start”*. In fact, the body does not discriminate between radioactive and stable forms of iodine. There is a limit to the amount of iodine the body can absorb, and potassium iodide tablets work by raising the level of stable iodine so that proportionately less radioactive iodine is absorbed before the limit is reached. The programme was misleading in this respect, but it was not biased or otherwise inaccurate.

#### **Further action**

The Executive Producer reminded the production team of the need for absolute accuracy and precision in the reporting of scientific issues.

### **Bang Goes the Theory, BBC1, 3 October 2011**

#### **Complaint**

In the wake of the release of radiation at Fukushima, the programme included an item which aimed to put the number of deaths caused by exposure to radiation from nuclear accidents into perspective. Two viewers complained that the item seriously understated the likely death toll (in relation to both Chernobyl and Fukushima) and, by ignoring scientific opinion which favoured higher estimates, failed to treat the controversial subject of nuclear power generation with due impartiality.

**Outcome**

Although defensible as an estimate, the figure of 122 deaths attributable to radiation from Chernobyl was presented as definitive when there is general agreement that estimates in this area are uncertain. The programme was misleading in that respect, though not to a degree which might have amounted to bias in relation to the arguments about nuclear power.

**Partly upheld****Further action**

The production team were reminded of the essential difference between projected estimates and statements of scientific fact when addressing epidemiological data

**The One Show, BBC1, 24 October 2011****Complaint**

Three viewers complained that the programme was inaccurate in saying that the legal minimum depth of tread for car tyres was 3mm. One of them added that a demonstration of measuring tread using the rim of a 20p piece was misleading.

**Outcome**

Though many bodies recommend that tyres be replaced when the depth of tread is reduced to 3mm, the legal minimum is in fact 1.6mm. The programme published a correction on its greater safety, the ECU regarded this as sufficient to resolve the issue. The treatment of the 20p test, however, was misleading, as it could have given viewers the impression that measuring the tread at the edge of the tyre was sufficient (whereas the minimum tread requirement applies across the width of the tyre and round its whole circumference).

**Resolved/partly upheld****Further action**

The programme-makers broadcast a clarification of the requirements for measuring tread, during which the inaccuracy over the legal minimum depth was also corrected.

**Chris Evans, Radio 2, 25 November 2011****Complaint**

A listener complained that Chris Evans expressed a one-sided attitude to the protestors

**Outcome**

Chris Evans made critical comments about the protestors on a number of occasions during the programme. The producer reminded him of the requirements of due impartiality while the programme was on air, and he agreed to express no further opinions on the subject.

## **Weekend Wogan, Radio 2, 22 January 2012**

### **Complaint**

A listener complained that humorous references to the sinking of the Costa Concordia by Sir Terry Wogan were offensive and insensitive to those affected by the disaster, and called for a broadcast apology.

### **Outcome**

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report related to the disaster) were inappropriate. However, the programme-makers, in response to the complaint, had acknowledged that the remarks, taken together with the selection of the opening track, represented "*a major failure*", had apologised and had discussed how such mistakes could best be avoided in the future. In the view of the Editorial Complaints Unit, this sufficed to resolve the matter.

### **Resolved**