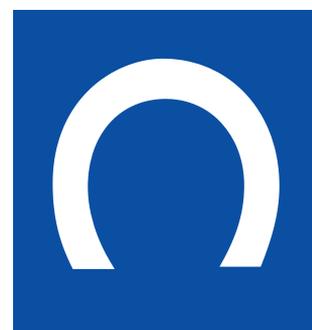


April to June 2002  
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# Programme Complaints: Appeals to the Governors



The Board of Governors is responsible for overseeing the running of the BBC, to ensure that the BBC serves the public interest. We do this in a range of ways, such as setting key objectives and approving strategy and policy. Most importantly for this bulletin, we are responsible for monitoring the effectiveness of complaints handling by the BBC, including hearing appeals from complainants who are not happy with the responses they have received from management to serious programme complaints.

The Governors' Programme Complaints Committee (GPCC) is a sub-committee of five members drawn from the full Board of Governors. For a full account of our remit, please see the last page of this bulletin.

# Foreword by the Chairman of the Governors' Programme Complaints Committee

It is important that people who make a serious complaint to BBC management, and are not happy with the response they receive, have the right to appeal to the Governors' Programme Complaints Committee (GPCC) for an independent review of their complaint.

The GPCC meets once a month. Between April and June 2002, we took 11 appeals in total. Five of those concerned matters of taste and decency, three concerned matters of accuracy and/or impartiality, and three concerned complaints which the Head of Programme Complaints had judged did not suggest a serious breach of the BBC Producers' Guidelines, and did not therefore warrant investigation under the remit of the Programme Complaints Unit. The GPCC upheld one appeal in part, and asked the BBC to take action to guard against the mistake happening again. The remaining appeals were not upheld.

The GPCC gives careful consideration to all appeals. Our review includes talking in some detail to those responsible for the decisions and the programmes which have led to the complaint – whether that is the programme executives or the channel controller.

In coming to our decisions, we also need to keep in touch with audience expectations, especially in relation to standards of taste and decency in BBC programmes. There are few absolutes in this area, and it is often difficult to judge what is acceptable or unacceptable because different audiences have such different views.

So our discussions are informed, for example, by relevant industry research on audience attitudes. Over the past few months, members of the Committee have also attended discussion groups with members of the public, so we can listen to people's views on where they think the BBC should draw the line. Opportunities like this, and a review of audience expectations on taste and decency by the full Board of Governors in October, will continue to inform our discussions.



Sir Robert Smith  
Chairman of the Governors' Programme Complaints Committee

# Summary of appeals

## Matters of taste and decency

### **Friends for Christmas Dinner**

BBC Two, 10pm, 19 December 2001

This appeal related to use of the f-word on two occasions by the presenter Keith Floyd in *Friends for Christmas Dinner*.

Writing to the Head of Programme Complaints, the complainant maintained that:

- the use of strong language was gratuitous and offensive
- the pre-transmission warning was not sufficient
- as the programme was the last in a trilogy of programmes billed as 'Food Night', and as the preceding two programmes did not include swearing, there was no expectation that *Friends for Christmas Dinner* would contain offensive language

The Head of Programme Complaints did not uphold the complaint on the basis that:

- the programme was broadcast well after the 9pm watershed
- it was preceded by a pre-transmission warning
- in the second instance, the atmosphere around the dinner table was jocular and relaxed, which reduced the offensive potential of the remark
- the BBC's telephone log of audience complaints did not indicate that the offence was widely shared

The complainant appealed to the GPCC.

### *The Committee's discussion*

Having viewed the programme, the Committee gave serious and extensive consideration to the issues raised by the complaint in discussion with the programme executives, and subsequently with the Controller of BBC Two.

The Controller of BBC Two explained that the decision to include the two instances of strong language had been referred to her, as required under the BBC Producers' Guidelines. She maintained that these two instances were justified because they came at moments of high tension within the programme, when Keith Floyd's professional reputation was on the line – when he realised that his published recipes were incorrect and that the contributors' food was better than his own. Given the significance of these instances, she felt it was acceptable to include them.

The Controller of BBC Two also outlined her key considerations when judging the possible offence caused. In general terms, she explained that BBC Two is a channel where the audience profile, for example in terms of age, meant viewers were less likely to be offended. She also maintained that the scheduling of the programme well after the watershed, and Keith Floyd's "notorious" reputation, were significant factors in establishing audience expectations.

The Controller of BBC Two said she regarded the volume of calls to BBC Information as an important indicator of audience reactions. She noted that the other two food programmes in this trilogy had generated complaints, while *Friends for Christmas Dinner* had not.

In relation to the pre-transmission warning, the Controller of BBC Two explained that it had been in line with an industry-wide code for such announcements.

### *The Committee's decision*

The Committee recognised that the use of the f-word was offensive to many people and its use could only be justified after careful consideration against the requirements of the BBC Producers' Guidelines. In its view, this decision-making process had been appropriately observed in this case. It also judged that, on balance, the use of the two instances of strong language had been justified in the context of the programme, as outlined by the Controller of BBC Two.

In terms of broader audience expectations, the Committee also considered that the material in the programme was reasonably consistent with audience expectations of BBC Two's output later in the evening. In addition, it recognised the significance of the industry-wide research in this area ('Deleting the expletives'), conducted jointly by the Broadcasting Standards Council with the BBC, Independent Television Commission and Advertising Standards Authority. This research made it clear that there were no absolutes in this area and that attitudes were shifting in relation to strong language.

On this basis, the Committee did not uphold the appeal in relation to the programme content.

The Committee did recognise, however, the particular importance of providing clear signposting to audiences where programmes contained material of this sort. In the Committee's view, the pre-transmission warning was inadequate and imprecise. It believed that the phrasing could have led the audience to expect arguments ("strong words") rather than offensive language, while its tone was light-hearted. The Committee therefore upheld the complaint that the pre-transmission warning was not sufficient.

The appeal was upheld in part.

### *Further action*

The Director of Television to be informed of the Committee's discussion and decision, and directed to advise the Committee of the further action taken to ensure that pre-transmission announcements are appropriate in terms of both language and tone.

## **Friday Night with Jonathan Ross**

BBC One, 10.35pm, 15 March 2002

This appeal related to comments by Jonathan Ross about the Queen and the Queen Mother, with reference to a vibrator being launched by the chain of shops, Ann Summers.

Writing to the Head of Programme Complaints, the complainant maintained that:

- the comments were foul mouthed, unacceptable and highly offensive
- it was inappropriate to use pictures of the Queen and the Queen Mother to illustrate these comments
- Jonathan Ross should be "removed from our screens"

The Head of Programme Complaints did not uphold the complaint on the grounds that:

- judgements about what is acceptable depend on a personal response. The series producer had taken account of the reactions of the studio audience to help judge whether the jokes had overstepped the mark. In this case, audience reaction indicated that the joke did not cause offence

- Jonathan Ross is established as a presenter whose humour is “schoolboyishly naughty,” rather than satirical or malicious
- the BBC’s telephone log of audience complaints did not indicate that the complainant’s reactions were widely shared
- although the humour was close to the edge, it did not exceed the limits of acceptability for late-evening comedy

The complainant appealed to the GPCC.

### *The Committee’s discussion*

Having viewed the programme, the Committee gave serious and extensive consideration to the issues raised by the complainant in discussion with the programme executive, and subsequently with the Controller of BBC One.

In response to the Committee’s questions, the Controller of BBC One maintained that the comments made by Jonathan Ross were well within the bounds of audience expectations of this presenter and this programme. In particular, she said that Jonathan Ross’s mischievous tone and style made a significant difference to how acceptable his humour was.

The Controller of BBC One supported the use of studio audience reactions as a barometer. She also noted that there were only three complaints on the BBC’s telephone log about the comments in question, which indicated that they had caused very little offence.

The Committee questioned whether a pre-transmission warning would have been appropriate for *Friday Night with Jonathan Ross*. The Controller of BBC One maintained, however, that audience expectations were sufficiently well established by the scheduling and Jonathan Ross’s reputation, while overuse of warnings would weaken their impact overall.

### *The Committee’s decision*

The Committee recognised that, given public sensibilities concerning the Royal Family, significant components of a general audience may have found these comments, and the tone of the programme overall, offensive.

The Committee also recognised, however, that the BBC Producers’ Guidelines makes provision for comedy catering for divergent audience tastes and expectations. The Committee judged that audience expectations for this programme would have been appropriately established by Jonathan Ross’ reputation and by the time slot, and that the comments in question were consistent with the overall quality of the programme.

The appeal was not upheld.

### *Further action*

The Director of Television to be made aware of the considerations of the Committee.

## **A History of Alternative Comedy**

BBC Two, 9pm, 6 April 2002

This appeal relates to the references made by the comedian Frank Skinner to anal sex in the above programme.

Writing to the Head of Programme Complaints, the complainant said that:

- she was dismayed by comments by Frank Skinner that if his act had persuaded just one couple to try anal sex then he had done well
- the programme was crude, vulgar and unfunny and, as such, was an inappropriate use of the licence fee

The Head of Programme Complaints did not uphold the complaint on the basis that:

- the documentary showed the evolution of alternative humour. It had tracked the development of many of its exponents, who went on to become the stars of present-day mainstream British comedy. It was legitimate therefore to show clips of their early stand-up comedy routines, which were often far less restrained than the material for which they subsequently became well-known on television
- in particular, it was legitimate for the documentary to look at how alternative comedy tackled taboo subjects, as part of its commitment to explicitness
- with reference to Frank Skinner's contribution, the clips showed his stage routine in which he had warned women not to rely on the advice of men who were advocating the practice, so it was not easy to determine his full attitude
- Frank Skinner's subsequent reference to being glad if he had encouraged one couple to try it, was his explanation of why he had been called "an evangelist" for anal sex
- the reference came in a programme that had already included fairly raw language and unambiguously-worded references to bodily parts and functions, and the audience would not have been taken by surprise

The complainant appealed to the GPCC.

### *The Committee's decision*

The Committee considered that one of the key themes of this compilation programme was to explore how the traditional boundaries of comedy had been pushed back by the advent of alternative comedy. This included the treatment by alternative comedians of sex and sexual taboos. This was an appropriate theme given the subject of the programme, and the comments by Frank Skinner were consistent with this theme.

More broadly, the Committee considered that the programme was in line with the BBC Producers' Guidelines which allow, for example, for programming to question existing assumptions about taste, and to challenge the audience in surprising ways.

The Committee understood that the complainant had started recording the programme at 10pm. It considered, however, that the audience overall would have found these comments, which occurred over an hour into transmission, appropriate within the established context of the programme.

The appeal was not upheld.

## **Dan Cruickshank and the Lost Treasure of Kabul**

BBC Two, 7.10pm, 4 May 2002

### **Apollo 13**

BBC One, 5.50pm, 21 April 2002

The initial complaint related to the opening sequence of *Dan Cruickshank and the Lost Treasure of Kabul* in the *Omnibus* strand. The documentary followed the architectural historian Dan Cruickshank to Afghanistan to discover which artefacts had been destroyed and which had survived the centuries of conflict in this war-torn country.

Writing to the Head of Programme Complaints, the complainant maintained that:

- the opening scenes of the programme were horrific, graphic and unnecessary. The scenes included a turkey having its throat cut, bombs devastating buildings and a blindfolded man evidently about to be executed
- featuring Afghanistan in any programme before the 9pm watershed was questionable because the footage was frequently disturbing
- the BBC has a duty to foster peaceful and compassionate attitudes amongst the public

The complainant went on to say that “a spate of visually and audibly offensive material is surreptitiously being fed to British families and their children by the BBC”. She cited the showing of the film *Apollo 13* as an example of this phenomenon, complaining that it was not suitable for family viewing before the watershed because it contained strong language and sexual innuendo.

The complainant concluded that both the documentary and the film represented a serious breach of the BBC Producers’ Guidelines.

In his response, the Head of Programme Complaints noted that the 9pm watershed was not a sharp dividing line, but that programmes tend to get more sophisticated – and less suitable for young children – as the evening went on. He did not uphold the complaints on the basis that:

- in relation to the Dan Cruickshank documentary, the opening scenes were designed to convey the realities of Afghanistan as a war-torn country. The scenes were, by their nature, disturbing, but not sufficiently disturbing to justify their not being shown. The Head of Programme Complaints maintained that the shots were at a distance, and did not consider that the scenes were stronger than everyday news pictures. In the case of the turkey, it was clear from the preceding shot what was going to happen, so viewers had the option of turning away
- in relation to *Apollo 13*, the language was not so strong that it should only be shown after the watershed. In particular, the use of language was dramatically justified as the crew were under extreme stress. He also judged that the sexual references would go right over the heads of younger children

The complainant appealed to the GPCC.

### *The Committee’s decision*

#### *Dan Cruickshank and the Lost Treasure of Kabul*

The Committee first discussed the shots showing the turkey being killed. The Committee recognised that the shots would have caused offence to some people, and regretted that offence. It considered overall, however, that the montage of shots provided an authentic picture of street life, and were appropriate in establishing the atmosphere of life in Afghanistan.

The Committee also discussed the role of the opening sequence in reflecting more broadly the harsh and violent conditions of life in Afghanistan. It considered that the scenes of warfare were equivalent to those that would be shown on the main news programmes before the watershed. Given the topic of the programme, it found that the opening sequence gave an appropriate flavour of the violence and destruction of the past twenty years which had led to the damage and destruction of works of art.

#### *Apollo 13*

Having viewed the film, the Committee considered the instances of strong language in the film against the requirements of the BBC Producers’ Guidelines.

The Committee noted that strong language had been restricted to a small number of instances of high tension in the film, and was not used extensively throughout the film.

In relation to the sexual innuendo in the opening sequence of the film, the Committee noted the requirement under the BBC Producers' Guidelines that judgements about such material should be sensitive to the audience. The Committee considered, however, that younger children would not have understood the sexual suggestiveness of the sequence.

The Committee also noted that British Board of Film Classification (BBFC) rating for the film was PG, as stated in the *Radio Times* (not a 12 rating). The guidance was therefore that the film was suitable for unaccompanied children of any age, and should not disturb a child aged around eight or older, although parents were advised to consider whether the content may upset younger or more sensitive children.

The Committee considered that, in this instance, the BBFC guidance was appropriate in supporting the decision to schedule the film at this time, although the BBC should not rely exclusively on BBFC guidance for scheduling decisions.

The appeal was not upheld.

## **Clarissa and the Countryman: Terriers**

BBC Two, 7.30pm, 4 January 2002

This appeal related to the first programme in the second series of *Clarissa and the Countryman*. The series' brief was to reflect rural pastimes and traditions, and the focus of the first programme was the use of terrier dogs in country pursuits. It included scenes of ratting, glatting (catching conger eels with dogs) and racing.

Writing to the Head of Programme Complaints, the complainant maintained that:

- the scenes of ratting were unsuitable for broadcast before the watershed
- the evident "pleasure" of the presenter Clarissa Dickson Wright in the scenes of ratting was inappropriate

The Head of Programme Complaints did not uphold the complaint on the basis that:

- the programme showed only brief shots of the terriers, without close ups, which were acceptable for broadcast at 7.30pm
- the programme brief was to depict a range of country pursuits, and it was unsurprising that those who participate express their enjoyment of them. While the pursuit itself may be distasteful to some people, Clarissa Dickson Wright's reactions were appropriate and reflected her "larger than life" personality

The complainant appealed to the GPCC.

### *The Committee's decision*

Having viewed the programme, the Committee discussed its depiction of ratting. It observed that the scenes would be distasteful to some people, whatever their age, while others would find them acceptable viewing for both adults and children. It considered it appropriate, therefore, that viewers were given clear indications about the content of the programme. The pre-transmission announcement said:

"Not afraid to be controversial now – *Clarissa and the Countryman* – back to share their personal passion for rural pursuits. Tonight they take tenacious terriers rat hunting, and there are scenes of the dogs with the rats that some people may find upsetting."

In addition, ratting was referred to several times in the first part of the programme and, in particular, in the search along the riverside, before the first rat was spotted and killed.

The Committee judged that this signposting provided an appropriate context for scenes which were, in themselves, acceptable for transmission before the watershed.

In relation to the complaint about the reactions of Clarissa Dickson Wright, the Committee found that the terms of the complaint did not accurately reflect the content of the programme. In particular, that Clarissa Dickson Wright could not, as asserted, be heard emitting “ecstatic screams and cries of ‘fun!’”.

The presenter could, in fact, be heard expressing satisfaction primarily when rats had been smoked out. The Committee considered that her reactions were appropriate to the scenes being depicted, and that the exclamations made by the participants overall were not gratuitous or gloating.

The appeal was not upheld.

## Matters of fairness and accuracy

### **On Your Farm**

BBC Radio 4, 6.35am, 3 February 2002

This appeal related to comments made by Sir Julian Rose when recounting his early experiences of using organic farming methods.

The initial letter of complaint to Greg Dyke was handled by BBC Information, and a subsequent complaint was made to the Head of Programme Complaints that:

- in general, “the entire BBC output appears to me to be aimed at denigrating ... ‘conventional’ farmers...and propounding the supposed benefits of ‘organic’ farming”
- in relation to this edition of *On Your Farm*, the presenter failed to challenge the “statement” made by Sir Julian that the neighbouring, conventional farm had sprayed an oat crop 30 times whereas he had not sprayed his crops at all
- the failure to challenge this “patent lie” made it clear where the presenters sympathies lay, and was symptomatic of the BBC’s “ongoing misguided support of the biggest confidence trick [organic farming] which has ever been perpetrated on an ignorant public”

The Head of Programme Complaints did not uphold the complaint on the basis that:

- the comment was made in the context of an conversational anecdote, rather than a “statement” as described by the complainant. The comment was intended to illustrate the opposition and questioning which Sir Julian faced, and that the audience would not take the comment at face value
- *On Your Farm* was well-established as a programme which gives a descriptive and illuminating insight into farmers’ experiences. It was appropriate that Sir Julian Rose, as a committed organic farmer, was given relatively free rein to express his opinions in this way. The series provided balance over time with the range of views expressed: in this series, 80% of the farmers interviewed had used conventional methods

The complainant appealed to the GPCC.

#### *The Committee’s decision*

Having listened to the programme, the Committee was satisfied that the comment by Sir Julian Rose was clearly a flippant illustration within an anecdote about starting up in organic farming.

The Committee also considered that the format of *On Your Farm* was well established as a programme which provided an insight into the lives of farmers, and audiences would not expect the programme to be framed as a factual, news or documentary programme in terms of accuracy and impartiality. The Committee found that it was appropriate, therefore, that the anecdote was not challenged by the presenter.

In terms of balance overall, the Committee noted that this edition was featured in a series in which over 80% of farmers interviewed used conventional methods.

The appeal was not upheld.

## **Newsnight**

BBC Two, 10.30pm, 8 January 2002

This appeal relates to a *Newsnight* item reflecting the concerns of farmers who believe that badgers are responsible for the spread of bovine TB.

In writing to the Head of Programme Complaints, the complainant maintained that the film (one of a series of reports entitled *Another Country*) was biased, and in particular that the National Federation of Badger Groups was given insufficient time in the report to refute unsubstantiated claims made by the farmers interviewed.

The complainant also maintained that the report allowed the “repetition of the unproven and irrational concentration upon the badgers being responsible for the spread of bovine TB”; that the views of farmers who do not think there is a link was not represented; and that the report failed to reflect other aspects of the debate, for example the movement of cattle from TB “hot spots” to markets in TB-free areas.

The Head of Programme Complaints did not uphold this complaint on the basis that:

- this was one in a series of reports entitled *Another Country*, with the brief to explore the division between rural and urban Britain from the point of view of those in the countryside. The purpose of the report was to describe the situation and attitudes, and not to examine whether they were justified. In this case the report reflected the concerns of the farmers who saw themselves as “helpless victims” afflicted by BSE, foot-and-mouth, and now the spread of bovine TB. They felt their problems were made worse by policies decided in the city
- this approach was familiar to the *Newsnight* audience, who would therefore have made allowances for the limited role of the reporter and the lack of challenge to the assertions made by the farmers. Nevertheless, the introduction and the report itself did contain challenges to the assertion that badgers are linked with the spread of bovine TB

The complainant appealed to the GPCC.

### ***The Committee’s decision***

Having seen the item, the Committee explored the issues raised by the complaint with the Editor of *Newsnight* and the Executive Producer, BBC Current Affairs.

The Editor explained that the item was framed as an “observational film” which was designed to convey the feelings and perspectives of the people who are subjects of the film. So the film had, for example, a narrator rather than a reporter so the views of the farmers were conveyed in an unmediated way, without the challenges that would be appropriate in a traditional journalistic report.

Nevertheless, the report had included the views of those who disagreed with the farmers, and challenged the assertion that badgers can be linked to the spread of bovine TB.

The Committee considered that the film had been a reasonably balanced item. It judged that the views of those who challenge the link between badgers and the spread of bovine TB were well in evidence, and that the audience would have been left with the impression that this link was unproven.

The appeal was not upheld.

## **Panorama: MMR: Every Parent's Choice**

BBC One, 10.15pm, 3 February 2002

This appeal related to *Panorama's* investigation into the allegation by Dr Andrew Wakefield that the MMR vaccine could cause autism and bowel disease.

Writing to the Head of Programme Complaints, the complainant maintained that:

- the BBC coverage sensationalised the issue
- *Panorama* failed to acknowledge the role of sensational and misleading media reporting in generating public anxiety, which had a key role in the fall in vaccination rates and its impact on Government policy
- as a public body the BBC had a responsibility to encourage people to have the MMR vaccine, which is supported by expert medical opinion

The Head of Programme Complaints did not uphold the complaint on the basis that:

- *Panorama* properly examined what appeared to be a serious problem with one aspect of Government policy, and that it was appropriate to do so
- in particular *Panorama* devoted some time to demonstrating that the hypothesis linking the MMR vaccine with autism was not proven, and confronted the chief proponent, Dr Andrew Wakefield, with serious questions about his claims
- although *Panorama* included examples of children with autism, the first case study in the programme was of a child with SSPE, a severe degenerative disease caused by contracting measles as a baby from another child who was not vaccinated
- in relation to the role of the media, that it was appropriate for *Panorama* to focus on the root cause of the controversy (ie the allegations made by Dr Andrew Wakefield) rather than secondary causes

The complainant appealed to the GPCC particularly on the grounds that *Panorama* failed to expose the role of the press in creating the controversy over the MMR vaccine.

### *The Committee's decision*

The Committee had viewed the programme and reviewed the relevant correspondence.

The Committee considered that the controversy surrounding the MMR vaccine was very much in the public mind at the time, and was a legitimate focus for investigation by *Panorama*. In its judgement, the programme had provided an independent, impartial and balanced report into the allegations themselves and into their impact on Government policy. In particular, the Committee did not consider that the complainant's assertion that the BBC had an obligation to support the Government's vaccination programme was consistent with the BBC's Charter requirements for impartial reporting.

The Committee discussed the specific complaint that *Panorama* failed to expose the role of the press in creating the controversy over the MMR vaccine. The Committee considered that the controversy was caused principally by the allegations made by Dr Andrew Wakefield, and that this was appropriately reflected in the framing of the programme. It understood the issue being raised, but did not find that this represented a significant omission given the central importance of the allegations themselves.

The complaint was not upheld.

# Matters relating to the remit of the BBC Programme Complaints Unit (PCU)

## BBC News coverage of the European Union

This appeal related to the decision by the Head of Programme Complaints not to entertain complaints from an individual complainant in relation to BBC News coverage of the European Union (EU).

The individual concerned had complained to the Head of Programme Complaints about various aspects of BBC News reporting on the EU, which he maintained:

- trivialised serious issues relating to the EU where they reflect badly on the EU
- failed to reflect aspects of a debate which reflect badly on the EU, and/or
- failed to reflect adequately aspects of anti-EU opinion

The Head of Programme Complaints considered that the complaints concerned matters of news judgement, or matters which lay within the normal editorial discretion of programme makers in deciding how to approach a particular topic on a particular occasion.

The Head of Programme Complaints concluded that the individual complaints did not therefore fall within the remit of the PCU, which is to investigate and find on "letters of complaint which give reason to believe that something broadcast by the BBC's licence fee-funded services may have fallen seriously short of the standards set out in the BBC Producers' Guidelines".

The Head of Programme Complaints also concluded that the complaints were expressions of a general and on-going concern which he was unable to satisfy. He therefore informed the complainant that he would not acknowledge or reply to further correspondence, and asked the complainant to direct any further complaints to BBC Information.

The complainant appealed to the GPCC.

### *The Committee's decision*

The Committee considered this appeal on the basis of a sample of complaints from the individual concerned about coverage of the EU in the following programmes:

- *PM*, BBC Radio 4, 28 February 2002
- *Today*, BBC Radio 4 and *The World Tonight*, BBC Radio 4, 21 February 2002
- BBC News coverage, 18-20 February 2002 – failure to cover a variety of issues relating to the EU in a "balanced and informative manner"
- *Today*, BBC Radio 4, 11 February 2002 – coverage of the controversy surrounding the Prime Minister's "support" for the sale of the Romanian-owned steel company, Sidex
- *Today*, BBC Radio 4, 1 February 2002

The Committee considered the correspondence received by the PCU from the complainant in relation to these complaints, and explored the issues raised by the appeal with the Head of Programme Complaints.

The Committee noted, firstly, that the complainant's broader concerns were already being addressed. In response to a previous appeal from this complainant, the Committee had already requested that the Director of BBC News brief them on the process by which BBC News maintains an oversight of the balance of coverage, and ensures that the full range of significant views and perspectives are heard over time in the coverage of Europe. The Committee had undertaken to respond to the complainant on the issue of balance overall on the basis of this briefing.

In relation to the individual complaints, the Committee did not consider that they raised issues of substance concerning the instances of news coverage identified, and it concluded that the complaints did not therefore fall within the remit of the PCU.

It also discussed the request by the Head of Programme Complaints that the complainant address all further complaints to BBC Information. It noted that BBC Information handled the overwhelming majority of complaints to the BBC and, in particular, provided regular reporting to BBC management of the substance of complaints received. In this context, the Committee considered it appropriate that the complainant should be requested to address further complaints to BBC Information.

The appeal was not upheld.

## **Olympic Grandstand**

BBC Two, 17 February 2002

This appeal related to the decision of the Head of Programme Complaints that a complaint did not fall within the remit of the Programme Complaints Unit (PCU).

The initial complaint concerned a comment by the *Olympic Grandstand* presenter, Steve Ryder, with reference to the British men's curling team. In commenting on the poor performance of the team, the complainant quoted Steve Ryder as saying, "Not so much a great British hope, more a great Scottish disappointment".

The complainant maintained that the comment was insulting and unacceptable to the Scots, and offensive in that other reports about failing "English" teams that followed did not make an equivalent distinction.

Head of Programme Complaints held that this complaint did not fall within the PCU remit, which is to deal with "letters of complaint which give reason to believe that something broadcast by the BBC's licence fee-funded services may have fallen seriously short of the standards set out in the BBC Producers' Guidelines".

The complainant appealed to the GPCC.

### ***The Committee's decision***

The Committee considered the correspondence between the complainant and the Head of Programme Complaints. In addition, it heard from the Head of Programme Complaints about the factors which he took account of in deciding whether to consider the complaint. These included whether the issues raised by a complaint were sufficiently serious to fall within the remit of the PCU, and to warrant the cost of a full investigation.

Having read a transcript of the remarks made by Steve Ryder and his co-presenter, the Committee also discussed the substance of the complaint. It considered that the remark identified by the complainant was a casual comment in banter that was appropriate in this context.

The Committee concluded that the complaint did not raise a sufficiently serious issue of editorial standards to fall within the remit of the PCU.

The appeal was not upheld.

## **Drivetime,**

BBC Radio Five Live, March 2002

The complainant appealed against the decision by the Head of Programme Complaints that his complaint did not fall within the remit of the Programme Complaints Unit (PCU), which undertakes to investigate complaints that suggest a serious and specific breach of the BBC Producers' Guidelines.

He had complained initially to *Drivetime*, and then to the Head of Programme Complaints that BBC Radio Five Live had inaccurately reported the case of a baby with Goldenhar syndrome. The reports had stated that the baby was the subject of a "Police Protection Order" when no such order exists.

### *The Committee's decision*

The Committee noted that the reporting in this case referred to Section 31 of the Children Act 1989 which provides for "care and protection orders" (also called "emergency protection orders") to be made by courts on application by a local authority, to place a child under the age of 17 under the care of that local authority.

Having reviewed the correspondence, the Committee considered that the important issue for the reporting was that the child had been placed under a protection order. It did not consider that the distinction between a "police protection order" and, for example, an "emergency protection order" was materially significant in this context. As a consequence, the original complaint did not require investigation under the remit of the PCU.

The appeal was not upheld.

### *Further action*

The Committee directed that the Controller, Editorial Policy be alerted to this complaint and advise the Committee of action taken to ensure that BBC News are aware of the provisions under the Children Act in relation to protection orders.

# Remit of the Governors' Programme Complaints Committee

The Governors' Programme Complaints Committee (GPCC) consists of five Governors of the BBC, to whom the full Board of Governors have delegated the power to consider appeals. The GPCC's conclusions are reported to the full Board.

It is the specific function of the GPCC to consider appeals against decisions and actions of the Programme Complaints Unit or of the Directors of BBC Divisions in dealing with serious editorial complaints.

The GPCC considers appeals in relation to complaints about programmes transmitted, or material carried, by the BBC's domestic public services on radio, television and online, and which allege:

- that the complainant has suffered unfair treatment in a transmitted item
- that the complainant's privacy has been unjustifiably infringed, either in a programme or item as transmitted or in the process of making the programme or item, or
- that there has otherwise been a failure adequately to observe the BBC's editorial guidelines

In order to give full consideration to an appeal, the GPCC will make any further enquiries of the complainant or those responsible for making the programme which it considers necessary to determine the appeal fairly. The GPCC will aim to reach a final decision on an appeal within 12 weeks of receiving the request.

The findings for all appeals are reported each quarter in this bulletin *Programme complaints: Appeals to the Governors*. It is also available on BBCi at [www.bbc.co.uk/info](http://www.bbc.co.uk/info).

To note: this remit is currently being revised to reflect the broader role of the Committee in monitoring the BBC's complaints-handling processes and performance.

For a copy of the full remit of the GPCC or for further copies of *Programme complaints: Appeals to the Governors*, please write to:

The Secretary to the Governors' Programme Complaints Committee  
BBC  
Room 3080  
Broadcasting House  
Portland Place  
London W1A 1AA

