



Editorial Complaints Unit

Mr P Dorfman

Email: Paul.Dorfman@wbs.ac.uk

12 January 2012

Dear Mr Dorfman

Thank you for your email of 9 January regarding the edition of **Bang Goes the Theory** which was broadcast on 3 October 2011. I'm sorry you're dissatisfied with the BBC's response to your complaint. We'll now set our own investigation in motion which will include a review of the correspondence so far, a discussion with the programme-makers and any other enquiries that might be appropriate.

As you may know, the remit of the Editorial Complaints Unit is to investigate cases where there may have been a serious breach of the standards expressed in the BBC's Editorial Guidelines (<http://www.bbc.co.uk/guidelines/editorialguidelines/>). It is therefore our usual practice to set out the main points of complaint at this stage, in order to ensure that we have a full understanding of the issues and have identified the most relevant sections of the guidelines. I have therefore attempted to summarise the principal elements of your complaint, although I will consider all the previous correspondence and all the points you have raised in the course of my investigation.

1. The programme gave an inaccurate and misleading impression of the potential risk to human health from exposure to ionising radiation. The programme said that it set out to "*find out the truth about the effects of radiation*" but failed to carry out a full and complete examination of the available evidence for the known and estimated death toll from Chernobyl and Fukushima. The result was a programme that was "*highly partisan*" and a scientifically limited representation of what is known about this issue, including the health risks associated with low level exposure to ionising radiation.
2. The programme failed to report the scale of the post-Chernobyl thyroid cancer incidence. This gave a misleading impression of the scale of as yet unobserved deaths which may occur as a result of nuclear accidents.
3. The definitive figure of 122 deaths from Chernobyl was misleading because it omitted any reference to the range of scientifically credible interpretations for

the (late-effect or secondary) impacts on human health, including an increased risk of conditions such as childhood leukaemia.

4. The claim by Professor Gerry Thomas that there would be no death toll from Fukushima was inaccurate and misleading. The programme did not explain that this was just one of a number of equally supportable scientific predictions. This led to a lack of due impartiality.
5. The conclusion of the programme that *“Figures like these certainly suggest that radiation from accidents like Chernobyl is not as worrying as a lot of the media coverage would have us believe”* lacked the necessary due impartiality because the programme did not reflect an appropriate range of views on a controversial subject.

You have referred to the BBC’s Editorial Guidelines and so I assume you are familiar with their content. However, I think it is worth highlighting the specific guidelines which appear to be most relevant to your complaint. The guidelines on Accuracy include the following principles:

3.2.1 We must do all we can to ensure due accuracy in all our output.

3.2.2 All BBC output, as appropriate to its subject and nature, must be well sourced, based on sound evidence, thoroughly tested and presented in clear, precise language. We should be honest and open about what we don’t know and avoid unfounded speculation. Claims, allegations, material facts and other content that cannot be corroborated should normally be attributed.

3.2.3 The BBC must not knowingly and materially mislead its audiences. We should not distort known facts, present invented material as fact or otherwise undermine our audiences’ trust in our content.

The Impartiality guidelines begin as follows:

4.1 Impartiality lies at the heart of public service and is the core of the BBC’s commitment to its audiences. It applies to all our output and services - television, radio, online, and in our international services and commercial magazines. We must be inclusive, considering the broad perspective and ensuring the existence of a range of views is appropriately reflected.

The Agreement accompanying the BBC Charter requires us to do all we can to ensure controversial subjects are treated with due impartiality in our news and other output dealing with matters of public policy or political or industrial controversy. But we go further than that, applying due impartiality to all subjects. However, its requirements will vary.

The term “due” means that the impartiality must be adequate and appropriate to the output, taking account of the subject and nature of the content, the likely audience expectation and any signposting that may influence that expectation.

Due impartiality is often more than a simple matter of “balance” between opposing viewpoints. Equally, it does not require absolute neutrality on every issue or detachment from fundamental democratic principles.

The practices which set out the framework for considered editorial judgements include a section on Breadth and Diversity of Opinion which says:

4.4.1 Across our output as a whole, we must be inclusive, reflecting a breadth and diversity of opinion. We must be fair and open-minded when examining the evidence and weighing material facts. We must give due weight to the many and diverse areas of an argument.

Breadth and diversity of opinion may require not just a political and cultural range, but, on occasions, reflection of the variations between urban and rural, older and younger, poorer and wealthier, the innovative and the status quo, etc. It may involve exploration of perspectives in different communities, interest groups and geographic areas.

4.4.2 Impartiality does not necessarily require the range of perspectives or opinions to be covered in equal proportions either across our output as a whole, or within a single programme, web page or item. Instead, we should seek to achieve “due weight”. For example, minority views should not necessarily be given equal weight to the prevailing consensus.

Nevertheless, the omission of an important perspective, in a particular context, may jeopardise perceptions of the BBC’s impartiality. Decisions over whether to include or omit perspectives should be reasonable and carefully reached, with consistently applied editorial judgement across an appropriate range of output.

There is a section on Controversial Subjects which says:

4.4.5 We must apply due impartiality to all our subject matter. However, there are particular requirements for “controversial subjects”, whenever they occur in any output, including drama, entertainment and sport.

A “controversial subjects” may be a matter of public policy or political or industrial controversy. It may also be a controversy within religion, science, finance, culture, ethics and other matters entirely.

4.4.6 In determining whether subjects are controversial, we should take account of:

- the level of public and political contention and debate*
- how topical the subjects are*
- sensitivity in terms of relevant audiences’ beliefs and culture*
- whether the subjects are matters of intense debate or importance in a particular nation, region or discrete area likely to comprise at least a significant part of the audience*
- a reasonable view on whether the subjects are serious*

- *the distinction between matters grounded in fact and those which are a matter of opinion.*

4.4.7 When dealing with “controversial subjects”, we must ensure a wide range of significant views and perspectives are given due weight and prominence, particularly when the controversy is active. Opinion should be clearly distinguished from fact.

Finally, I will also bear in mind the section which refers specifically to the requirements for news, current affairs and factual output:

4.4.12 News in whatever form must be treated with due impartiality, giving due weight to events, opinion and main strands of argument. The approach and tone of news stories must always reflect our editorial values, including our commitment to impartiality.

4.4.14 We should not automatically assume that contributors from other organisations (such as academics, journalists, researchers and representatives of charities) are unbiased and we may need to make it clear to the audience when contributors are associated with a particular viewpoint, if it is not apparent from their contribution or from the context in which their contribution is made.

If you have any comments on this summary of your complaint and the relevant guidelines, please let me have them by 26 January, so that I can take them into consideration in the course of my investigation. If there are any issues of concern which I have not covered I would be grateful if you could let me know within the above timeframe because we can only consider new points of complaint made at a later stage under exceptional circumstances. I will aim to let you know the outcome of my investigation by 1 March.

Yours sincerely



Colin Tregear
Complaints Director