

RESPONSE TO BBC EDITORIAL GUIDELINES CONSULTATION



INTRODUCTION

Campaign Against Antisemitism (“CAA”) makes the following submission to the BBC with regard to the Draft Guidelines (“the Guidelines”).

CAA is a registered charity dedicated to exposing and countering antisemitism through education and zero-tolerance enforcement of the law.

We have undertaken a thorough review of the proposed draft of the Guidelines, and we have brought our experience of dealing with the BBC in various capacities to bear on our response to the consultation.

Rather than answer the three consultation questions in turn, we have extracted portions of the Guidelines relevant to our work and experience and provided information relevant to the questions in our analysis of each extract.

We are happy to provide further information to the BBC if this would be helpful.

RESPONSE TO THE CONSULTATION

1. At s1.6 (ACCOUNTABILITY), it is stated:

“The Charter sets out the BBC’s duty to be transparent and accountable. The BBC must publish an Annual Report and Accounts which must include information showing how appropriate editorial standards have been set, reviewed and met. It must also include information about how the BBC has served the nations and regions of the UK and whether there have been significant changes to any Public Services. The BBC must also report on how complaints have been handled and what has been learned from them.”

[Emphasis added]

2. The Guidelines offer no detail on whether the complaints report will be publicly available, what information it will contain, and how frequently it will be produced.

3. Secondly, is the BBC required to include any of the lessons learned in the coming years in any subsequent revision of the Guidelines? There is a risk that the compilation of a complaints report may be futile if no affirmative action to rectify these mistakes is taken and recommendations are not made binding.

4. Also in s1.6, it is stated:

“Additionally, the BBC Board will hold the BBC Executive to account to ensure editorial standards are maintained. It will commission thematic reviews in key areas of public debate and these findings will be published.”

5. Our concerns in paragraphs 2 and 3 above also apply here: will these findings be published and will the lessons learned and any recommendations be binding on the BBC Executive? Moreover, it is unclear what accountability for the BBC Executive looks like. The BBC should define accountability in order to instil confidence and ensure transparency from an early stage.

6. We turn now to s1.7 (COMPLAINTS), which we refer to as a whole.

7. CAA regularly submits complaints to the BBC, and the number of these complaints has regrettably increased since the 7th October 2023 Hamas attacks. Complaints have been submitted in response to a variety of output from the BBC, such as news reporting, TV and film, extending even to BBC journalists and employees. Our satisfaction with the response to these complaints is exceptionally low. We are not alone. Polling that we conducted of the Jewish community in 2021 revealed that over half of British Jews are dissatisfied with how the BBC handles complaints with regards to antisemitism, and two thirds of British Jews consider the BBC’s coverage

to be unfavourable.¹ Unpublished polling data show that these views have not improved in the years since.

8. In particular, we are concerned about how the guidelines in s1.7 are applied in practice. Firstly, the time-limit of 30 days from removal from BBC media platforms in which anyone has to bring a complaint regarding material that the BBC has published is too short. From a CAA perspective, we deal with many complaints on a daily basis, from concerned members of the public and our supporters. It is not always possible nor viable to deal with a complaint within a 30-day timeframe, as we must assess whether a complaint is appropriate in addition to preparing any complaint. There is a risk that, in the absence of a longer period, such as 60 days, complainants may submit less considered complaints.
9. Furthermore, we have submitted a multitude of complaints to the BBC relating to content that clearly breaches the International (IHRA) Definition of Antisemitism (“the Definition”), which have been rebuffed. We have repeatedly called upon the BBC to adopt this Definition or, failing that, to have regard to it, to the exclusion of competing definitions, when assessing complaints. The Definition has been adopted by the British Government and is the only definition of antisemitism that is accepted by Jewish communities across the world. Without a clear definition, the BBC cannot objectively identify antisemitism when it arises.
10. Moving on to s2 (IMPARTIALITY), we note paragraph 2.2.8, where it is stated:

“The BBC’s output should take account of the different political cultures and structures across the UK and the distinct views of some communities and sections of society. It should recognise when main strands of argument differ, especially in the Nations and English Regions, giving them due weight and prominence in UK-wide output.”
11. We would like to highlight this paragraph in light of the Asserson Report, which exposed clear disparities in BBC reporting on the Israel-Hamas conflict between 7th October 2023 and 7th February 2024.² These disparities include:
 - BBC Breakfast, News at Ten and Newsnight all showed moderate or strong pro-Palestinian/anti-Israeli sentiment in more than 90% of broadcasts.

¹ See <https://antisemitism.org/wp-content/uploads/2022/03/Antisemitism-Barometer-2021-2.pdf>

² See <https://asserson.co.uk/assersonreport/>

- Across BBC English-language web articles, sympathy for Palestinians was close to twice as high as for Israelis, with a favorability rating for Palestinians ranging from 62% to 66%.

This shows that “due weight” has not been given in this particular area of reporting, and this is especially concerning due to the range of mainstream views regarding the Israel-Hamas conflict across the UK. This range of mainstream views should lead to greater balance, not a larger disparity, in BBC output. Our polling shows that 87% of British Jews believe that media bias against Israel fuels antisemitism, therefore, we believe that the BBC has a duty to provide balance not only in accordance with its own charter but also because of the impact of partiality on minority communities.

12. Additionally, we would like to highlight paragraph 2.2.9, where it is stated:

“Audiences expect artists, writers and entertainers to have freedom to explore subjects from a particular perspective and to create content that reflects their own distinctive voice. It must be clear to audiences where personal views are being expressed.”

13. The implication of this guideline is that artists have essentially unbridled freedom to express any views as long as it is clear that the views are personal to the artist, writer or entertainer. This does not appear to us to be a sufficient restriction to protect the BBC, its content and its viewers from extreme views that may cause harm or bring the BBC into disrepute. Clearly, this area has given rise to controversy involving BBC talent on numerous occasions. We do not believe that the answer is to simply direct stars to make clear that they do not speak for the BBC, with no further limitation on their conduct while in receipt of licence-fee funds.
14. The proposed Guidelines appear to lack a standard of apology. By way of example, the BBC’s misreporting on the explosion at the Al-Ahli Hospital on 17th October 2023 had a considerable influence on international politics and, of particular concern to us, on British Jews. It subsequently became clear that the BBC had incorrectly reported what had taken place. We strongly feel that where such prominence is placed on a story, if that reporting turns out to have been false, equal prominence should be attached to the apology or retraction. Not only does this reinforce the BBC’s standards of accuracy and impartiality, but it also builds trust between the BBC and the public – something that is clearly lacking between the BBC and British Jewry. It was notable, for example, when the BBC’s International Editor, Jeremy Bowen, was asked about his reporting on this incident months after the truth emerged, and he refused to apologise. This conduct would quite obviously be unacceptable in most

other industries, and quite obviously undermines the public's trust in the BBC's output and its system of accountability.

15. Finally, with regard to s2, we now turn to paragraph 2.4.14 (PUBLIC EXPRESSIONS OF OPINION), where it is stated:

“All individuals for whom impartiality in their role is paramount will need to assess risk and take personal responsibility in terms of what constitutes the ‘public’ expression of an opinion, for instance, within closed social media groups, private meetings (online or in person) or other circumstances they may consider, normally, to be confidential. Any individual in a role requiring impartiality who is intending to express opinions publicly on matters of current public policy, politics or any controversial issue, or taking part in political activity, must inform their line manager in advance, who should consult Chief Adviser Politics if there is a risk to impartiality, or the perception of impartiality.”

16. While any employer is entitled to a level of discretion as to what conduct risks bringing the organisation into disrepute, a blanket guideline that excludes seemingly non-public correspondence from the purview of these Guidelines is an insufficient restriction. By way of example, we received a complaint recently from a Jewish member of the public, who informed us that a BBC journalist (not acting in their capacity as a journalist) has been harassing her in her personal life because, as she perceives it, she is an Israeli national, and blaming her for deaths in Gaza. She has requested our assistance. Clearly, it is reasonable in these circumstances to expect that the journalist's employer may have an interest in their conduct. Yet under these Guidelines we may have no recourse to raise the issue with the BBC, as this may not qualify as a “public expression of opinion”.

17. The level of accountability would appear to be very low if the standard is “personal accountability” and personal “assessment of risk”. We believe that it would better protect members of the public as well as the BBC's own reputation if contentious and potentially abusive conduct employees falls firmly within the Guidelines regardless of the medium through which it is expressed or whether it is public or private.

18. We turn to s12 (WAR, TERROR AND EXTREME VIOLENCE, DISASTER). Within this section at paragraph 12.3.8, it is stated:

“Any proposal to approach an organisation (or an individual member of an organisation) designated a ‘terrorist group’ by the UK Home Secretary under the Terrorism Acts, and any proposal to approach individuals or organisations responsible for extreme violence in pursuit of political or ideological objectives,

to participate in BBC output whether in the UK or internationally must be referred in advance to Director Editorial Policy and Standards.”

19. We believe that this section provides a perfect opportunity to include a requirement within the Guidelines that all BBC reporting and material refers to any group proscribed in the UK under the Terrorism Act 2000 as a “terrorist organisation” or “terrorists”. The BBC’s record in this area has been confusingly inconsistent, with some groups being described accurately as terrorists and others not. Making this change would increase accuracy and also impartiality, as any decision not to call a proscribed group a terrorist organisation is not neutral but represents an affirmative decision to take a side.
20. Our final area of concern relates to s14 (RELIGIOUS CONTENT). At paragraph 14.3.1 it is stated:

“Content makers have editorial freedom for output to include expressions of faith and to explore matters of faith. The requirement that religious views and beliefs should not be subject to abusive treatment is not intended to preclude reasonable debate or challenge. While religion and religious views and beliefs may be criticised, it should be ensured that there is appropriate context and that critical views are open to challenge.”
21. While this area also lacks specificity, we wish to use this opportunity to suggest again that the Definition is used more widely within the BBC and including when it comes to the word ‘Zionist’. We urge the BBC to recognise that very often the word ‘Zionist’ is used as a pejorative euphemism for ‘Jew’.
22. We are grateful for the opportunity to review the Guidelines and provide our feedback. We hope you take our suggestions under consideration.