

We request and recommend a review of Section 5.1

'5.1: Introduction

'For the purposes of the Editorial Guidelines and unless stated otherwise, a child is someone under the age of 16 years. Young people are those aged 16 and 17 . It should be noted that these are not legal definitions.'

You note that these are not legal definitions but you have given no explanation or justification for setting the age of a 'child' as up to 16.

This is outdated. We urge you to reconsider and to accept that for the purposes of BBC Editorial Guidelines, a child is someone aged under 18.

The phrase 'young people' is misleading and open to interpretation. A 'young person' may be under or over 18. There are two alternate words that do not have this ambiguity: 'minors' and 'adolescents'. However we urge you to remove all ambiguity and default to consider all those under 18 to be children for the purposes of the guidelines.

The UN [Convention on the Rights of the Child](#) defines a child as 'a person below the age of 18, unless the relevant laws recognise an earlier age of majority'.

Note the caveat, and note that the relevant laws in the UK do *not* recognise an earlier age of majority.

Please read the [latest government guidance](#) published in December 2023. **'In this guidance, a child is defined as anyone who has not yet reached their 18th birthday'**

Please read [this](#) guidance from the NSPCC. It explains the definition of a child in all four nations of the UK.

For example - England:

'In England, a child is defined as anyone who has not yet reached their 18th birthday. Child protection guidance points out that even if a child has reached 16 years of age and is:

living independently

in further education

a member of the armed forces

in hospital; or

in custody in the secure estate

they are still legally children and should be given the same protection and entitlements as any other child (Department for Education, 2023)'

The latest government guidance and the United Nations have chosen 18 as the cut off. The closest legislation to the BBC Editorial Guidelines is the Children and Young Persons Act 1933, with the difference that it has selected 16 rather than 14 as the cut off.

Before concretising is in guidelines for the next five years, the BBC should be able to justify its decision to move away from international and domestic recommendations. It should also seek to publish the safeguarding document that explains the decision. We suspect it will prove impossible to justify - or even to establish how and why this decision was originally taken.

This is a very serious blurring of boundaries that the BBC now has the opportunity to rectify.

We are also specifically interested in media content visible to children (under 18-year-olds) concerning *gender* and '*gender identities*'.

Children/minors/adolescents are particularly vulnerable to misleading or loaded content on this issue. BBC Editorial Policy should consider this one of its determining factors in its age delineations, due to the influential nature of gender-affirming output and the scale of harm and potential harm.

We refer you to **Section 3.4.9** of the draft guidelines noting the specific significance of health journalism:

'This is particularly true in reporting health stories that may cause individuals to alter their behaviour in ways that could be harmful. The emotional impact of pictures and personal testimony should be considered, particularly on perceptions of risk.'

Therefore we request that you to look at the Cass Review with specific reference to treating under 18s as 'children' rather than 'young people'.

The Review noted that transitioning and vulnerable children, adolescents and young people aged 17 and up need similar protections as children aged 17 and under. It consistently references 18 as the age for medical interventions, and makes recommendations of additional services for young adults (over 18s) aged up to 25, because of the timeline of brain maturation. NHS England has always set 18 as a cut off age for 'transition' surgery.

Note: we are aware the General Medical Council uses 'children' to refer to 'younger children who do not have the maturity and understanding to make important decisions for themselves' and 'young people' for 'older or more experienced children who are more likely to be able to make these decisions for themselves'. This is a safeguarding failure. The findings of the Cass Review show us that relying on the maturity and experience of under-18 year olds as a

guide is subjective and unreliable at best, and irresponsible at worst. It's important to observe that even the GMC still understands under-18s to be children, as it perhaps unwittingly describes them as 'children' in its own glossary.

In sum, given the United Nations definition, UK legislation and guidance, and the particular safeguarding needs of health journalism and health media content focused on children, we request that you rewrite the relevant section of **Draft Guideline 5:1** and replace it with:

'For the purposes of the Editorial Guidelines and unless stated otherwise, a child is someone under the age of 18'.

Seen in Journalism submission to BBC Editorial Guidelines Draft Consultation

We request a review and rewrite of two sections

5.4.27 and 5.4.40

which refer to *gender identity*.

'Language 5.4.27

- **'The use of any offensive language, whether written or spoken, and offensive gestures, must be editorially justified, and signposted if appropriate, to ensure it meets audience expectations, wherever it appears.**
- **'Language is most likely to cause offence when it is used gratuitously and without editorial purpose, and when it includes: terms of sexual and sexist abuse or abuse referring to sexuality or *gender identity*'**

'Portrayal 5.4.50

- **'In some instances, references to disability, age, sex, sexual orientation, *gender identification*, faith, race, etc may be relevant to portrayal. However, careless or offensive stereotypical assumptions should be avoided and people should only be described in such terms when editorially justified'**

Please note from the Draft Guidelines:

- **'When content makers are determining whether subjects are controversial, in the UK or internationally, they should take account of the level of public and political contention and debate.'**

By any measure, according to this, the term *gender identity*, and belief in it, is a highly contested issue. The BBC's own [news guidelines](#) affirm this:

- **'The distinction between sex and gender is at the core of many of the contested areas around trans. Indeed, the distinction itself is not universally accepted. We need to take care to use the appropriate term in the context of a particular story'**
- **'There is a lack of consensus about the nature of gender dysphoria'**

The theory that everyone has a gender identity is not scientifically supported: in fact there is convincing evidence that they do not, and that it is in an indefinable concept. People suffer from dysphoria, but it does not change a person's sex: and it is medically/scientifically impossible for any person to have an opposite sex brain. BBC news guidelines (linked above) affirm that gender is based on stereotypes.

Given this ambiguity, the use of vague terms like 'abuse' 'offence' and 'assumption' is dangerous. They could imply that accurately describing a person's sex rather than complying with their belief in *gender identity* is

abusive or offensive.

It is also important to note that the use of the term '*gender identity*' in the Draft Editorial Guidelines contravenes almost every section of the Guidelines' work on accuracy.

- **'The BBC guidelines must hold themselves to a higher standard of accuracy and impartiality..it means not taking sides.'**
- **'Views and facts must not be misrepresented.'**
- **'Views .. less supported by evidence do not need to be given similar prominence or weight to those with more support'**
- **'Where BBC content highlights issues on which others campaign, care must be taken to avoid endorsing those campaigns, or allowing the BBC to be seen as campaigning to change public policy'**
- **'The BBC should not be seen to be promoting or revealing opinions of its own. A key way to do this is in being fact and evidence based'**
- **'Serious factual errors should be acknowledged and mistakes corrected'**
- **'Achieving due impartiality requires awareness that unintended biases can result from the use of loaded language'**
- **'Reporting should not use language and tone which appear to accept consensus or received wisdom as fact or self evident.'**

In section 5.4.43 you use the appropriate term 'gender reassignment':

- **5.4.43 Material may constitute hate speech if it is likely to encourage criminal activity or lead to disorder. It includes all forms of expression which spread, incite, promote or justify hatred based on intolerance on the grounds of disability, ethnicity, sex, *gender reassignment*, nationality, race, religion or sexual orientation.**

Note that 'gender reassignment' under the Equality Act 2010 includes anyone who 'proposes to undergo' a process of reassignment and is fully inclusive.

Therefore we request and recommend that you use the EA protected characteristic term 'gender reassignment' and remove the unsubstantiated, scientifically unsupported and loaded term 'gender identity' from the Draft Editorial Guidelines.

This will prevent any ambiguity and restore precision, clarity and consistency with the draft guidelines on accuracy and impartiality.

Seen in Journalism submission to BBC Editorial Guidelines on suicide

5.4.57 Suicide, attempted suicide, self-harm and eating disorders should be portrayed or reflected with sensitivity. Factual reporting and fictional portrayal of suicide, attempted suicide, self-harm and eating disorders have the potential to normalise such actions and make them appear reasonable to vulnerable people. Material which normalises, encourages or romanticises these behaviours should be avoided. Signposting and content warnings should be considered, as should whether to provide a link to a relevant BBC Action Line.

We recommend the addition of a warning against journalists ascribing an assumed or imagined motive to suicidal acts. Assigning motive can encourage copycat behaviour in vulnerable people, and a single addition to the guidelines can help prevent this. The BBC should revisit the suicide guidelines with reference to Louis Appleby, the Suicide Commissioner, who says:

'Another reminder of the serious risk to young people when we

- make claims about suicide they may identify with
- ignore all evidence on discussing suicide publicly
- omit to mention the many supports available.

Whatever the motive, this is reckless & indefensible'

<https://x.com/ProfLAppleby/status/1868026239652610178>

Our underlying concern is how the BBC ensures it is aware of the nature and scale of AI biases, of the measures taken to mitigate these, and how it as an organisation approaches the pitfalls.

It is vital that safeguards are written into the Editorial Guidelines to ensure that the numerous potential sources of bias are avoided.

LLMs are trained on vast datasets from a variety of sources, including unreliable/non-authoritative sources such as Wikipedia and social media, and naturally reflect the opinions and perspectives present in human language and current mores, which can result in models reproducing these biases.

For example: most global mainstream media has been captured for the last ten years by a belief in gender identity, leading to an identity affirmation bias. The UK and, more slowly, the world, is emerging from an affirmative to a more questioning position: in addition, the gender affirmative position runs counter to certain necessary and empirical truths (you can't change sex, can't be born in the wrong body and so on). However an LLM trained on those affirmative sources will replicate the errors. The same will be true on the shifting sands of other controversies.

There is also algorithmic bias stemming from how the algorithm processes and prioritises certain patterns or associations - a challenge that might not be immediately apparent or easy to test. The Editorial Guidelines need to take account of this and recommend approaches such as developing the BBC's own methods for detecting and auditing bias in training data and the generated content.

This includes human evaluators - the 'human hand' - and automated tools to review the outputs for bias across various dimensions, such as race, sex, gender, political alignment, and so on.

However, as well as the training data, such processes themselves may also of course be biased with respect to gender identity belief: to the extent that 'gender critical' or sex realist positions are effectively censored by individuals who consider gender affirmation to be of primary importance.

This is a particular risk with US models and sources, given the lack of recognition of gender critical views there, in policy, media and under the law.

If sources like Wikipedia and the texts of law statutes are prioritised as authorities, the problem is compounded since they are, of course, a reproduction of essentially political rather than scientific knowledge. AI models can be fine-tuned on specialised, curated datasets that are designed to reduce

bias. For example, fine-tuning a model on texts that represent diverse viewpoints and counter-stereotypes can help balance the model's output.

Another example: it is easy to obtain a value judgement about any individual - Was Enoch Powell racist? but when the outputs are tested - eg by challenging the reply 'Powell believed in hierarchy of races' - the responses include poor citations and hallucinated quotations. This doesn't mean the output is wrong - in this case, it isn't - but it does mean the output can't be considered reliable without further investigation. The AI might strongly defend the analysis but be completely unable to provide any actual evidence.

Therefore we urge you to include in the Editorial Guidelines a requirement that adjustments are made in processing that will emphasise factual accuracy. This may seem like an obvious recommendation but in our own field of interest we have seen accuracy abandoned in favour of a political, counter-factual position in every media style guide and almost all output. It is fanciful to imagine that this could never happen with any other issue.

This points to the primacy of Human-in-the-Loop (HITL) Models where AI-generated content is reviewed by a human editor or fact-checker - particularly important in politically sensitive contexts where the potential for bias and misinformation can be significant.

We recommend that BBC Editorial Guidelines clearly require:

- bias mitigation frameworks
- an overarching policy governing which use cases of LLMs are legitimate and which staff these apply to
- protocols governing the specific ways these these tools can be used, including safeguards to check and validate outputs, and test value statements
- training to ensure all staff involved in content creation are equipped with the tools and knowledge to understand and critically and ethically assess AI-generated content
- compliance records of all sources flagged and verification checks made
- audience-visible tagging of AI-generated content (as part of its misinformation targets)

Our recommendations apply whether the BBC develops its own LLMs (for example - for purposes of political research) or as a potential consumer of AI generated content

**Seen in Journalism submission to BBC Draft Guidelines
Consultation on management of historical online content**

13.2.4 Content that has been published with the expectation of remaining permanently available must only be removed in exceptional circumstances. The online archive, particularly news content, should not normally be amended and must only be removed or hidden in exceptional circumstances. (S

13.4.6 While respecting that archive content is a record of history, consideration must be given to whether it is appropriate to use it unedited or whether this would breach the Editorial Guidelines or the law. It may be appropriate to indicate when archive content has b

Editorial content may have become inaccurate or out of date and where appropriate it should be made clear to audiences that it is archive.

13.4.24 At the time that editorial content is published online, there should be a strategy for its management over time. It should be considered whether content needs to be updated or, if not, how it is to be treated.

13.4.25 To avoid materially misleading users, it should normally be clear when the content they are accessing was first published and, where relevant, when it was last updated significantly. Amendments, to both time limited and permanently available content, should be clearly signposted.

We welcome the changes made here on historical revision and maintenance on online pages.

However due to our close observation of the BBC's coverage of sex and gender, we recommend additional guidelines.

There is a risk that pages which contain out of date and therefore dangerous medical information can remain online and accessible with no warning to readers (this may apply to pages covering other medical issues as well as medical transition).

We know that this is already happening. Here are some examples.

<https://www.bbc.co.uk/news/health-51034461>

<https://www.bbc.co.uk/news/uk-56764393>

<https://www.bbc.co.uk/programmes/m00027mp> ('the blocker is a physically reversible intervention')

As you can see, there is no indication that the advice and information published with the imprimatur of the BBC is not to be trusted. This may encourage parents and children to imagine that, for example, there are no serious adverse effects to puberty suppression.

The fact that the pages were last updated some time ago is no guide: the reader will assume that without an update, the advice and information remain sound.

We give the example of an out of date fact check: 'What are puberty blockers?'

Readers will trust the last fact check produced and the first search return. With tight resources, the BBC is not producing the fact checks it should (particularly on sex and gender, but this is a general problem).

Therefore we recommend and request a guideline advising that all pages, which contain out of date medical and psychosocial advice, carry an extremely visible standard warning at the top of each page, and if possible, a link to updated material.

This enables the historical record to stand while alerting readers to its unreliable nature.

The BBC has a reputation of the utmost trust and this has a price. It means ensuring the historical online record can also be trusted. It must stop relying on the 'historical record' excuse to refuse to put warnings on some dangerous content.

