

## FINDING BY THE EDITORIAL STANDARDS COMMITTEE

### Summary

#### FRONTLINE SCOTLAND BBC One Scotland, 1 April 2003

The programme concerned the case of John Porteous, recently convicted of paedophile offences at a children's home in the 1960s and 1970s. The programme examined "whether some of the children he cared for made up false allegations against him in order to claim compensation and asks whether historical child abuse cases leave anyone who has ever worked with children open to accusations."

The complaint was from one of the children John Porteous was convicted of offences against. The complainant made a number of detailed complaints.

The Committee noted that the issue was a legitimate area of focus for a BBC investigative documentary. However, while it believed the programme makers had acted in good faith, there were serious errors of judgement in the following areas:

- **Right of reply.** The Committee upheld this component of the complaint. It concluded the programme had not made sufficient attempts to give the complainant a fair opportunity to respond; and concluded that the on air explanation of the complainant's non-participation in the programme was inadequate.
- **Due accuracy and impartiality.** The Committee upheld this component of complaint. It noted that a key premise of the programme was that it would present evidence that the jury did not hear, which would cast doubt on the conviction. The Committee concluded that this 'new' evidence was not adequately researched or tested. It also concluded that some interviews were not edited fairly.

It did not uphold the following components of the complaint:

- **Treatment of other interviewees.** The Committee concluded that other contributors were treated appropriately during interviews.
- **Anonymity.** The Committee accepted that people who knew the complainant from his time in the children's home would have been able to identify him – but that his involvement in the case would already have been known to them. The Committee did not accept that the wider general public would have been able to identify the complainant.
- **Conflicts of interest.** The Committee found no evidence of any improper relationship between the programme makers and the children's home.

The Committee also noted that the complaint had been badly handled, but that the BBC's overall procedures had been transformed since this complaint was instigated. However, the BBC had been too keen to defend the programme in this instance.

## FRONTLINE SCOTLAND, BBC One Scotland, 1 April 2003

### 1. The programme

Frontline Scotland is a current affairs series produced by BBC Scotland, for transmission in Scotland. Twenty-six half-hour programmes are produced each year. The edition in question, "Secrets or Lies", was broadcast in April 2003.

The edition was billed as follows on the Frontline Scotland section of [www.bbc.co.uk](http://www.bbc.co.uk):

"Frontline Scotland returns with an investigation into the case of John Porteous."

"At the age of 69 he was imprisoned for paedophile offences at a Quarrier's children's home in the 1960s and 1970s."

"But was he the victim of a conspiracy?"

"Sam Poling examines whether some of the children he cared for made up false allegations against him in order to claim compensation and asks whether historical child abuse cases leave anyone who has ever worked with children open to accusations."

John Porteous was convicted in November 2002 in relation to offences committed thirty years earlier against children in his care at Quarriers Village in Renfrewshire. Quarriers was a self contained community established in the late nineteenth century to house disadvantaged children in small homes under the supervision of house mothers and house fathers. John Porteous and his wife Helen were houseparents in one of the homes in the 1970s.

### 2. The complaint

The complainant first complained to the BBC in January 2004, writing to the then Controller of BBC Scotland, indicating that he wished to make a formal complaint. In May 2004 the new Controller of BBC Scotland wrote rejecting his complaints.

Following this, and in response to a question from the complainant's MP, in July 2004 the BBC provided details of the BBC's Programme Complaints Unit (PCU) and Ofcom. The complainant complained to PCU in July. The Editorial Complaints Unit (the successor body to Programme Complaints Unit) rejected the complaints in November 2005.

The complainant appealed to the then Governors Programme Complaints Committee (GPCC) in December 2005.

The GPCC commissioned an independent adviser to investigate the complaint. The complainant and the programme team were both involved in this process: they were given an opportunity to provide information to the adviser, and subsequently to provide the Chair of the Committee with further comments.

