



Editorial Complaints Unit

Mr R Stuart



Ref: CT/1400114

19 May 2014

Dear Mr Stuart

Panorama: Saving Syria's Children, BBC 1, 30 September 2013
News (10.00pm), BBC 1, 29 August 2013
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Thank you for your letter of 7 May and your comments on my provisional finding. I have now had an opportunity to consider the points you have made.

My understanding from reading your latest letter and all the previous correspondence is that your complaint is based on your impression that those featured in the hospital were actors and the sequences which were broadcast by the BBC were choreographed and fabricated. I note you referred to certain footage broadcast by **Panorama** (34 minutes into the programme) and said that "no reasonable person... can have any doubt whatsoever that the sequence is staged". You concluded "If the tableau scene is staged, all the rest is irretrievably damned".

I have watched all the rushes and, as I explained in my provisional finding, the material does not support your impression. I accept that you have not been able to see the full extent of what was filmed and so your assessment is inevitably based on less information than mine. However, for the sake of clarity, I should repeat that I do not believe you have provided any substantive evidence that demonstrates the footage was fabricated in the way you suggest. Your latest letter repeats many examples of what you believe are inconsistencies or discrepancies but I do not believe that any of the examples you have cited amount to evidence that the material was faked or undermine the credibility of what was shown.

I therefore do not believe there are grounds to amend my provisional finding but I would like to respond to the further points you have made where I can add something of substance to my provisional finding.

1. Date of the alleged attack and the Demotix photographs

It is my opinion that at least some of the individuals photographed by Mr Alfaj at the Bab al-Hawa hospital were also filmed by the BBC at the hospital in Syria. I think that is clear from a study of the relevant material. I am aware that Mr Pannell has previously offered a different view but I do not believe that undermines the credibility of the material filmed by the BBC at the Hand in Hand for Syria hospital or can be regarded as evidence that the victims were not genuine.

The rushes filmed by the BBC show an interview with Dr Hallam while it is still daylight in which she says *“We have diverted the very serious cases to Turkey after stabilisation at the hospital here”*. There is footage of hospital staff discussing the transfer of patients to hospitals in Turkey also in daylight and shots of an ambulance waiting outside the hospital at the same time. That would appear to indicate that some of the victims were transported from the hospital before it got dark. There is later footage once it got dark of Dr Hallam talking to Dr Ahsan in which she said *“so first two ambulances are going”*. That might appear to contradict her previous comment that some ambulances had already left but I don't believe this single comment (even though it appears to be at odds with her previous statement) can be regarded as proof that none of the injured were transported earlier in the day. I therefore cannot agree that the daytime photographs of victims at Bab al-Hawa are inconsistent with the material filmed by the BBC or can be regarded as evidence that the BBC material was faked.

As for the date on which the Demotix photographs were uploaded, I can only repeat that if you obtain any evidence which proves the photos were published before 26 August please bring it to my attention.

2. Discrepancies in the date of the alleged attack within “Saving Syria’s Children”

I have reviewed the programme with the various date references you have identified in mind. I also put your point to Mr Pannell and asked him for an explanation. As a result, I can confirm that there do not appear to be any inconsistencies which call into question the date on which the attack on the school took place or when victims were treated at the Hand in Hand for Syria hospital.

As you will recall, the programme followed the two British doctors over a period of time to get a sense of the humanitarian situation in Syria from their perspective. Mr Pannell described this at the start of the programme as follows:

I've been reporting from Syria for two years. By travelling with the doctors I'm hoping to see the humanitarian crisis through their eyes – but we can only film their work in rebel held areas.

In the course of the programme, the doctors were variously filmed in a refugee camp, delivering food aid to villages, visiting a frontline clinic run by Hand in Hand for Syria and treating victims of the attack on the school. The programme did not purport to present a neat, chronological timeline where every event shown followed the one that had been shown previously.

Mr Pannell has confirmed that his *“journey”* began on 23 August 2103. The visit to the frontline clinic occurred on the morning of 26 August (not 23 August as you have assumed)

and when Mr Pannell said “*Four days later we see the area being pounded by the Syrian air force*” he was referring to a return trip he made to the area on 30 August without the two doctors. When he said at 17.48 “*The next morning, we moved to a village...*” the footage showed children at the refugee camp and Mr Pannell was referring back to the previous sequence from the camp which was featured at the start of the programme (filmed on 23 August). The “*next morning*” was therefore 24 August. I accept that you may have found this confusing but I hope I have been able to explain why there was no discrepancy in the timeline of what Mr Pannell and Mr Conway filmed and when.

3. Discrepancies in the accounts of the first victim/s to arrive at the hospital

I do not believe there is much I can usefully add to the comments in my provisional finding. The rushes show a baby was the first of the injured to arrive at the hospital for treatment. You have cited an interview given by Dr Ahsan to ABC Radio to support your complaint but this is the only version which appears to contradict the evidence of the rushes. I cannot agree that this single inconsistency in an interview given some time after the events in question can be regarded as persuasive evidence that the BBC footage was faked or fabricated.

I should also clarify my position on my references to third party material. I think it is reasonable to take note of footage filmed by others, as well as subsequent media reports, but I have not relied upon it in reaching my finding. I would certainly be reluctant to rely on one particular third party report over another (as you appear to have done with Dr Ahsan’s radio interview). It is more difficult for me to establish the credibility and accuracy of material and information provided by a third party and so I would tend to give it less weight than the rushes filmed at the time by the BBC and passed to me by the programme-makers.

4. Discrepancies in the accounts of the baby’s and the father’s injuries

It appears that we will have to disagree on the significance of the injuries sustained by the baby boy first treated by Dr Ahsan. I have viewed the rushes and remain of the view that the child sustained injuries to its face and the description given by **Panorama** was duly accurate.

I did not respond to your point about Dr Ahsan’s advice (“*This baby needs to be picked up*”) because I do not believe it is relevant to my assessment of the merits of your complaint. I am not qualified to say whether or not her advice was “reckless and inappropriate”; I can only say that it is what she said at the time and this was accurately reported by **Panorama**.

The description of the father’s behaviour in the online article was duly accurate and consistent with the evidence of the rushes. As I have said previously, I have been able to view all the material which features the father rather than the very limited footage which appeared in the programme.

5. Anas Said Ali

The rushes do not support your allegation that the condition or appearance of this teenager changed.

6. Woman in the black dress

In your original letter of complaint to the Editorial Complaints Unit (17 March) you said there was only one woman in a black dress: “it is clear that these shots feature the same

individual”. If I understand you correctly, you now say your complaint is that there were two separate women shown wearing the same dress.

I explained in my provisional finding how the sequences shown in **Panorama** can be explained by the way it was edited. I am not clear why it matters whether a woman who appeared in separate third party footage was the same woman or a different woman to the one who appeared on the BBC.

7. Political affiliations of Dr Rola Hallam and her charity Hand in Hand for Syria

Viewers would have been able to assess Dr Hallam’s view on the basis of comments she made which were included in the programme (see the transcript included in my provisional finding).

I can confirm that I do not believe it was necessary to include the political views of Dr Hallam’s father (whatever they may be) in the BBC coverage in order to achieve due accuracy or due impartiality.

8. Damage visible in the “playground”

I can confirm that I do not believe it is necessary to seek independent analysis of the damage caused by the device which hit the school. The extent of the damage was accurately described by the BBC and was clearly visible to viewers.

9. Editing of Dr Hallam’s words

I apologise if I misunderstood your previous comments on this point. I think, however, that my provisional finding offered a clear explanation of how the audio was edited (and why) and provided a full transcript of the original interview. You may be right that the editing resulted in a very minor change to the image that appeared on screen at the point a certain word was spoken. However, as the screengrabs you have provided illustrate, the change is of no significance or consequence and would have had no effect on the audience’s understanding of what was being said or what was happening at the time.

I can confirm however, for the sake of completeness, that this is what the camera was recording at the point Dr Hallam finished the phrase “*some sort of..*”.



In conclusion, therefore, there are no grounds for me to change my provisional finding. You should consider this letter and my provisional finding of 23 April as my final response to the concerns you have raised.

I should explain, however, that it is open to you to ask the Editorial Standards Committee of the BBC Trust to review my decision. The Trust represents the third and final stage of the BBC's complaints process.¹ Correspondence for the Committee should be addressed to Christina Roski, Complaints Advisor, BBC Trust Unit, 180 Great Portland Street, London W1W 5QZ or you can send an email to trust.editorial@bbc.co.uk. The Trust normally expects to receive an appeal within 20 working days of the date of this letter. It expects complainants to limit the details of their appeal to no more than one thousand words (although all previous correspondence in relation to the complaint will be forwarded to the Trust Unit as a matter of course).

Yours sincerely

A handwritten signature in black ink, appearing to be 'CT', with a horizontal line extending to the right.

Colin Tregear
Complaints Director

¹ http://www.bbc.co.uk/bbctrust/our_work/complaints_and_appeals/