

Mark Thompson
Director General
BBC
Portland Place
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16 March 2011

Dear Mr Thompson

I watched the Andrew Marr Show on Sunday 13th and I was perturbed at the treatment of Gwilym Simcock by Andrew Marr. The standard of interviewing fell lamentably short of the BBC's normally high standards. It was clear from the Programme that Marr does not like jazz and was allowed by the producers to vent his prejudices on a programme that was watched by a great number of people who not only like jazz; who expect from the BBC something better than Marr's ill informed views and sloppy journalism.

The following extract does little justice to a leading light of the UK and international jazz scene or to the BBC's reputation for fairness and good quality journalism:

"Gwilym, you have had a huge success with your first album, a lot of people have been following you up and down the country for your concerts. But one thing about jazz [...] is that abroad out of this country, you get quite a lot of you know kind of twenty something people coming to jazz concerts. In this country without being unkind it tends to be, sort of, OLDER FAT BLOKES."
Would Marr treat opera singers in this way? Or for that matter Sir Simon Rattle?

Population and jazz distribution by age in 2008/09 in Great Britain

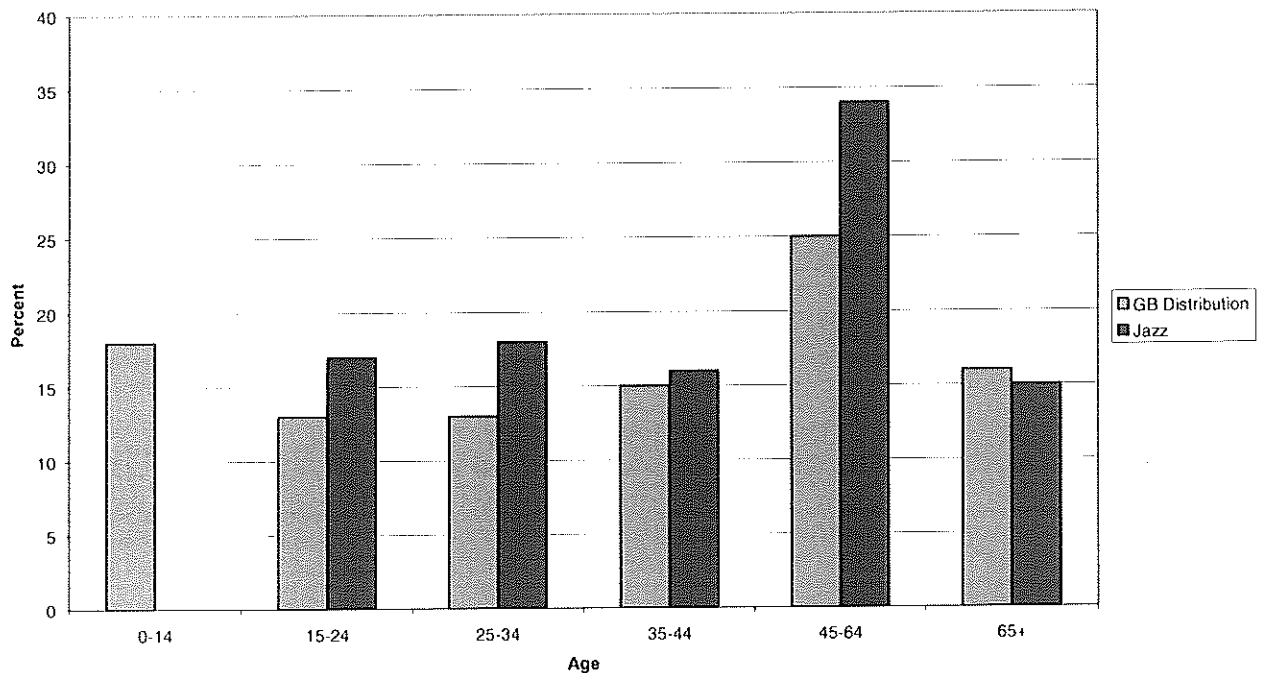


Table 8 Source: BMRB Target Group Index 2009 and National Statistics Office mid Year Population for the UK

The simple chart above compares the audience for jazz to the general distribution of the population. Even at cursory glance the audience for jazz is hardly "older fat blokes". 44% of the audiences are women and jazz has a higher attendance in the 15 -24 age range than classical music or opera.

Again what was appalling about this programme was the insouciance to the facts. Set out below is a brief biography of Gwilym Simcock:

"Gwilym Simcock, BBC Radio 3 Jazz Award winner and first ever BBC Radio 3 New Generations Jazz Artist, has been described as a 'jazzier' John Taylor, his style reminiscent of Keith Jarrett, his piano playing 'exceptional', 'brilliant', 'dazzling'. His 'harmonic sophistication and subtle dovetailing of musical traditions' make him stand out as one of the most gifted performers and imaginative composers working on the British scene. Able to move effortlessly through jazz and classical he can at times inhabit both worlds. The music is engaging, exciting, often unexpected, melodically enthralling, complex and wonderfully optimistic.

His magnificent 2008 premiere "Progressions" enthralled a sell-out Proms audience and many thousands more on BBC2 TV. His many commissions include work for Sacconi Strings and Acoustic Triangle, "Contours" for the Aronowitz Ensemble, "I Prefer the Gorgeous Freedom" a Norfolk and Norwich Festival commission for community choir and jazz quartet, and "Simple Tales" for Britten Sinfonia soloists. He composes regularly for the prestigious NDR Big Band in Germany as well as writing for his own solo, trio and quartet projects.

His most recent solo album "**Good Days at Schloss Elmau**" on the prestigious ACT label has been lauded as "dazzlingly fresh", "world class", "stupendous" "phenomenal" "a cause for huge celebration"

"No young musician outside the pop world has moved as fast into the upper reaches of his profession as Simcock". *Stuart Nicholson, Observer*"

Do you think it is right that a 30 year old who with in a short space of time who has achieved so much should be treated in such a cavalier manner? To add insult to injury Gwilym Simcock, a BBC Radio 3 New Generations Jazz Artiste and a composer of merit played a Stevie Wonder tune – probably on the instruction of the producer - rather than one of his own compositions.

I would like this matter investigated and guidelines enforced so that in future rigorous research is undertaken. Marr should also be told in no uncertain terms to keep his childish prejudices to himself.

Yours sincerely

Chris Hodgkins

Letters/Chris/RH230911

Richard Hutt
Complaints Director
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23 September 2011

Dear Mr Hutt

Many thanks for your letter of the 16th September 2011. Your efforts are greatly appreciated and thank you for your offer to ask the producer for further comments.

I shall take this matter up with the BBC Trust. The amusing conjecture is, if a renowned opera singer were being interviewed, you can bet a pinch of snuff to a pound of horse manure that Andrew Marr would not refer to opera singers as bellowing fat old bats who can barely waddle on stage.

Yours sincerely

Chris Hodgkins

Chris Hodgkins

London

Our ref: 1010748

20 January 2012

Dear Mr Hodgkins

The Editorial Standards Committee (ESC) has considered your request for an appeal to the BBC Trust and I enclose a copy of its decision taken from the ratified minutes of the ESC's meeting on 1 December 2011.

The Committee's decision is final and will be published in the next edition of the Editorial Standards Committee's bulletin of findings at www.bbc.co.uk/bbctrust, on 31 January 2012.

As with all findings published in the bulletin, apart from those relating to appeals from people directly involved in a programme, your name is not mentioned in the decision.

Yours sincerely



Lucy Tristram
Complaints Advisor, BBC Trust Unit

- **The Andrew Marr Show, BBC One, 13 March 2011**

The complainant appealed to the Editorial Standards Committee following the decision of the Head of Editorial Standards, BBC Trust, not to accept his complaint on appeal.

The complaint

The complaint concerns an interview with the jazz performer Gwilym Simcock on *The Andrew Marr Show*, in particular the presenter's introduction which said:

"Gwilym – you have had a huge success with your first album, a lot of people have been following you up and down the country for your concerts. But - one thing about jazz – I know Stephen Sondheim doesn't have jazz influences at all – is that – as I understand it, abroad, out of this country, you get quite a lot of twenty-something people watching, who come to jazz concerts. In this country, without being unkind, it tends to be older fat blokes."

Stage 1

The complainant wrote to the Director-General of the BBC objecting to Andrew Marr's interview with the jazz performer, Gwilym Simcock.

The complainant objected to Andrew Marr referring to jazz fans in the UK as "older fat blokes".

The complainant said this was inaccurate as women comprise 44% of the audience for jazz and, in the 15-24 age range, more people attend jazz concerts than classical music or opera.

The complainant also questioned why Gwilym Simcock played a Stevie Wonder piece rather than one of his own compositions. He said he felt that Gwilym Simcock was treated in "a cavalier manner".

The Director-General's reply included comments from the Editor of *The Andrew Marr Show*. The Editor explained that the programme is primarily a current affairs show and occasionally "there are very brief musical performances at the end of the programme aimed at lifting the tone". It was felt that giving Gwilym Simcock exposure on the show with an audience of 2 million people would help "boost both his profile and that of jazz music".

The Editor said that the interview was conducted in "a colourful, light-hearted way" and the comment about "older fat blokes" was prompted by a comment Mr Simcock himself made in an earlier press interview, which mentioned that he attracted a younger crowd when playing abroad.

The Editor went on to explain that it was a brief interview as the programme had a heavy news agenda that day covering the earthquake in Japan and unrest in Libya. The Editor did not believe Gwilym Simcock was treated in a "cavalier" manner as the intention "was briefly to introduce Gwilym to viewers and to give them a sense of his approach to music".

The Editor stated that Mr Simcock had agreed to play the Stevie Wonder track which appears on one of his albums and seemed entirely happy with the

performance and interview “telling one of our producers that he was delighted with how the morning went”.

The complainant responded saying that: the comment “old fat white blokes” was not conducive to raising the tone of the programme; the comment was inaccurate; and that Gwilym Simcock would not probably have chosen a Stevie Wonder tune in preference to his own material as he would earn royalties on his own material.

Stage 2

The Editorial Complaints Unit replied to the complainant at Stage 2 of the process. The ECU said it recognised that the complainant had found the comments offensive, but it pointed out that the programme-makers did not believe that Gwilym Simcock was offended in any way. The ECU reply said that it could understand how some viewers might have felt that Andrew Marr’s comment about “older fat blokes” relied on an outdated stereotype, but it was picking up on comments made by Mr Simcock about the differences between audiences here and abroad. On that basis, the ECU concluded that the discussion would not have exceeded audience expectations and, therefore, did not constitute a breach of the standards as expressed in the BBC’s guidelines.

The ECU took into account that the comment appeared to be a personal observation on Andrew Marr’s part and was mitigated to a certain extent by its humorous nature. The ECU concluded that the audience would not have been materially misled by the comment and there was no breach of the guidelines on Accuracy.

The complainant said that he did not believe the ECU’s letter addressed his original complaint. The ECU replied, explaining that the ECU’s remit was to investigate complaints within the context of the BBC’s Editorial Guidelines and some of the complainant’s comments did not raise any issues in relation to the guidelines.

The ECU said that the complaint did raise issues concerning offensiveness and accuracy and so was considered in the light of the Editorial Guidelines on Harm and Offence and those on Accuracy. The ECU’s previous letter of 30 August 2011 gave the reasons why the ECU did not consider that these guidelines had been breached.

The ECU asked if the complainant wanted the programme-makers to comment on those aspects of the complaint which did not involve the Editorial Guidelines, or if he wished to bring his concerns to the attention of the BBC Trust.

Appeal to the BBC Trust

The complainant wrote to the BBC Trust enclosing his previous correspondence. The complainant said he appreciated the ECU’s work but felt that it was a matter for the Trust.

The Trust’s Head of Editorial Standards wrote to the complainant explaining that the Trust does not adjudicate on every appeal that is brought to it, and part of her role is to check that appeals qualify for consideration by the Trust (or one of its complaints committees) under the Complaints Framework.

The Head of Editorial Standards said that she had read the relevant correspondence and watched the programme in question. She noted that this was a matter about

which the complainant felt very strongly; however, she did not think that the appeal should proceed to the Editorial Standards Committee.

The Head of Editorial Standards explained that, when dealing with a matter of offence or accuracy in a BBC programme, it is judged against the BBC's Editorial Guidelines. These guidelines set out the standards required of everyone making programmes for the BBC. Listeners and viewers expect high standards from the BBC and the guidelines on Accuracy and Harm and Offence incorporate these principles. The Head of Editorial Standards quoted the parts of the Accuracy and Harm and Offence guidelines that were applicable in this case.

The Head of Editorial Standards noted that the editor of *The Andrew Marr Show* had explained that the Gwilym Simcock segment was a short entertainment interlude in a current affairs programme. Regular viewers of the show would have appreciated that Andrew Marr's introduction of Gwilym Simcock was only a brief conversation and not an in-depth interview on the current state of British jazz. As such the majority of the audience would have acknowledged the light-hearted approach and not have expected a demographic breakdown of jazz audiences.

The Head of Editorial Standards said that this was a throwaway, light-hearted comment responded to by the interviewee in the same terms. In terms of due accuracy, therefore, she did not believe that the appeal had a reasonable prospect of success.

The Head of Editorial Standards noted that it had been explained that the comment about "older fat blokes" was a direct reference to Gwilym Simcock's own press interview. Andrew Marr did not use the adjective "white" in this comment. The Head of Editorial Standards said she could understand that some viewers may be offended by the use of stereotypes, but depending on the context it is not automatically offensive to use this kind of shorthand in references to certain groups. In this case, the humorous intent and Gwilym Simcock's reaction seem to have mitigated any potential offence.

Having considered the comments in relation to Generally Accepted Standards as outlined in the guidelines, the Head of Editorial Standards did not believe that this interview would have exceeded the majority of viewers' expectations. She said it was regrettable that the complainant felt the interview was of poor quality. However, she said that editorial and creative matters are the responsibility of the BBC Executive rather than the Trust according to the BBC's Charter, unless the Editorial Guidelines are engaged.

The Head of Editorial Standards added that the ECU had addressed the major part of the complaint in its replies, but she noted that the choice of music played by Mr Simcock did not fall within the remit of the guidelines. She said that, as Gwilym Simcock had already recorded the Stevie Wonder track on an album, it may have been considered a more accessible piece for non-jazz fans than one of his own compositions.

For these reasons, the Head of Editorial Standards did not consider that there was a reasonable prospect of success in referring the appeal to the ESC. She also did not believe it would be cost-effective or proportionate to take the matter further.

Lastly, the Head of Editorial Standards apologised for the confusion over the BBC's complaints procedure that had occurred during the complainant's correspondence with the BBC. She said that it would have been preferable if the complainant had been given the link to the website at an earlier stage of his complaint.

The complainant requested that the Trustees review the decision of the Head of Editorial Standards not to proceed with the appeal. He referred to the guidelines on Accuracy and reiterated his point that the audience for jazz comprises 44% women and that jazz has a higher attendance in the 15-24 age range than either classical music or opera. The complainant said the comment that the audience for jazz is older, fat blokes was not well sourced, not based on sound evidence, not thoroughly tested nor presented in clear, precise language.

The Committee's decision

The Committee was provided with the complainant's appeal to the Trust, the response from the Trust's Head of Editorial Standards, and the complainant's letter of appeal against the Head of Editorial Standards' decision. The Committee was also provided with the Stage 2 response from the Editorial Complaints Unit.

The Committee noted that the Head of Editorial Standards considered that the guidelines on Accuracy and Harm and Offence were applicable in this case.

With regard to Harm and Offence, the Committee noted that the Head of Editorial Standards had observed that the comment about "older fat blokes" was a direct reference to Gwilym Simcock's own press interview. Andrew Marr did not use the adjective "white" in this comment. The Committee agreed with the Head of Editorial Standards' view that the humorous intent and Gwilym Simcock's reaction seem to have mitigated any potential offence, and the interview would not have exceeded the majority of viewers' expectations.

With regard to Accuracy, the Committee agreed with the view expressed by the Head of Editorial Standards that the majority of the audience would have acknowledged the light-hearted approach and not have expected a demographic breakdown of jazz audiences. The Committee agreed that this was a throwaway, light-hearted comment responded to by the interviewee in the same terms.

With regard to the statistics put forward by the complainant which he said contradicted the comment that jazz audiences in this country tend to be "older fat blokes", the Committee agreed with the Head of Editorial Standards that the consideration was that of due accuracy. In the context of the item and given the light-hearted nature of the discussion there was not a reasonable prospect of success for an appeal on the grounds that the Accuracy guidelines had been breached.

The Committee agreed that the additional comments made by the complainant about the programme did not fall within the remit of the Guidelines and were therefore not a matter for the Committee to consider.

The Committee was therefore satisfied that the decision not to proceed with the appeal was correct.

Lucy Tristram
Complaints Advisor
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24 January 2012

Dear Ms Tristram

Your reference: 1010748

Thank you for your letter of 20th January 2012. A couple of points – and they are the same points I made in a letter to you on the 24th August 2011:

1. I am very happy to have my name on the Trust's findings; in any event I will be publishing them myself.
2. This is the response I expected. The BBC unlike any other public organisation has no Ombudsman. The BBC clearly regulates itself in any way it deems suitable to its own purpose. It is clearly time that the Government ensured that the BBC had an external organisation that is utterly impartial. I expect that on every occasion a complaint is made, like the cartoon which features the BBC in Private Eye, it is trebles all round. I quote Alex Ferguson from the Guardian on the BBC as "arrogant beyond belief" with an inability to apologise". From my dealing with the BBC from the likes of John Drummond onwards, "arrogance" is so embedded in the culture of the BBC that only an external public body charged with a 'watchdog' role over the BBC will suffice.

Yours sincerely

Chris Hodakins