



Editorial Complaints Unit

Mr P Drew

Email: peter.drew87@hotmail.co.uk

Ref: CT/1200138

19 April 2012

Dear Mr Drew

9/11: Conspiracy Road Trip, BBC3, 8 September 2011

Thank you for your email of 21 March in response to my summary of your complaint dated 20 March. I have now completed my investigation into the concerns you have raised about the above programme. In the course of that investigation, I have watched the programme, given the programme-makers an opportunity to respond to the points you have raised and carried out some additional research. This has included reading the official reports into the events of 9/11 and studying much of the evidence put forward by organisations which dispute the official version of events. I will respond separately to your complaint about **The Conspiracy Files: 9/11 Ten Years On** in due course.

I propose to deal with each point you have raised about this programme in turn.

- 1. The programme did not include a contribution from Richard Clarke, the US Chief Counter Terrorism Advisor at the time of 9/11 in relation to the role of the CIA. Mr Clarke has said that the CIA took a deliberate decision to withhold intelligence from the FBI. The omission of this information led to a lack of due impartiality and gave viewers a misleading impression about the CIA's complicity in the 9/11 attacks.**

I appreciate that you believe there were serious omissions in this programme which led to a programme which was "biased in favour of the official 9/11 story". However, the remit of the Editorial Complaints Unit is to consider whether the content of a programme as broadcast led to a serious breach of the standards set out in the BBC's Editorial Guidelines.

The guidelines on Impartiality¹ make it clear that programmes can take a particular approach to a subject without necessarily falling foul of the requirement for due impartiality. The guidelines refer to "*due impartiality*" where "*the term 'due' means that the impartiality must be adequate and appropriate to the output, taking account of the subject and nature of the content, the likely audience expectation and any signposting that may influence that expectation*". I think this makes it clear that the necessary due impartiality for a programme has to take into account what the programme is about and the approach the programme takes to the subject matter. It follows that due impartiality does not require a consideration of issues which are not relevant to the subject matter of a programme or to the approach that

¹ <http://www.bbc.co.uk/guidelines/editorialguidelines/page/guidelines-impartiality-introduction/>

the programme takes. I therefore think it is important to bear in mind what this programme was about (and what it was not about) and to judge your complaint accordingly.

Viewers would have been aware from the outset that the presenter, Andrew Maxwell, had a clear view about what he thought happened on 9/11 and who was responsible. As you may recall, he began by saying:

Unbelievably there are many people who doubt the conclusions of the original investigation and want to believe the American Government was in some way responsible for this tragic event. I'm taking five of them to America on an extraordinary journey to see if I can change their minds. It'll be a tough mission. These guys appear to be convinced conspiracy theorists.

He went on to add:

Personally I'm as certain as certain can be that the attacks were ordered by Osama bin Laden.

The programme then introduced the five people on the road trip and explained the reasons why they do not believe the official version of what happened on 9/11. Mr Maxwell recognised that many ordinary people share their scepticism:

Even though an independent commission concluded it was the work of Al Qaeda, my five, and allegedly up to a third of Brits and Americans just don't believe it.

He went on to explain that each of the five would be given an opportunity to put forward their theories about what happened on 9/11:

Over the next week each of my fellow travellers is going to challenge me on a conspiracy theory they believe proves the official version wrong.

It seems to me that the premise of this programme was therefore clearly established at the start and the audience would have been in little doubt that Mr Maxwell's aim was to challenge the views of the five and persuade them round to his way of thinking. As he put it "*Will I end up changing their minds?*" In my view, it was reasonable for Mr Maxwell to express his views on the various conspiracy theories, and his view of those who hold such theories, just as it was reasonable for the programme to include the contrasting views of the five people on the road trip. Viewers would have understood that the premise of the programme was to see whether Mr Marshall was able to change their minds and would have judged the content accordingly.

You have said that the programme should have made reference to role of agencies such as the CIA and included contributions from those, such as Richard Clarke, who believe that the CIA withheld intelligence from the FBI. However, the programme was not an attempt to analyse each and every theory about 9/11, nor was it a typical investigative-style documentary weighing the evidence for and against various theories. None of the five people on the road trip raised concerns about the role of the intelligence agencies and so I cannot conclude that there was a requirement to include the kind of contributions to which you have referred.

- 2. The programme did not take a balanced and impartial view in considering what happened on 9/11. The presenter said he knew what had happened and dismissed those in the programme who are sceptical of the official version of events.**

As I explained in my response to Point 1, this programme did not take a traditional approach to examining the events of 9/11. The presenter, Andrew Maxwell, set out to see if he could change the minds of five people who do not believe various aspects of the official version of events. Viewers would have been aware that Mr Maxwell supports the official version but that the five people on the road trip all have doubts or concerns and believe there are other explanations for what happened. It seems to me that the audience would therefore have judged the contributions of the presenter and the contributors accordingly, fully aware of their particular point of view. I cannot agree that this approach led to a lack of due impartiality. The programme gave each of the five contributors the opportunity to set out their theories and included their response to Mr Maxwell's attempts to change their mind.

3. The programme did not include the “bombshell admission by NIST... that Building 7 had in fact fallen at FREE FALL SPEED for at least 2.25 seconds”. The omission of this information was crucial because the only way a building can collapse at free fall speed is through controlled demolition.

The programme did not consider the collapse of WTC7 and so I cannot conclude that there was a requirement to consider this point. None of the five on the road trip raised this as a concern and so it was not necessary to include the information that the report by the National Institute of Standards and Technology (NIST) concluded that the north face of the building collapsed at “gravitational acceleration” for part of the period in which it collapsed.²

I note that you have said a previous BBC programme made “an incorrect claim that WTC Building 7 did not collapse in free fall”. I assume you are referring to **The Conspiracy Files: 9/11** which was first broadcast in February 2007. You have said that the two programmes broadcast in 2011 (**9/11: Conspiracy Road Trip** and **The Conspiracy Files: 9/11 Ten Years On**) should have corrected that “error”. I should point out that the remit of the ECU only extends to considering whether there was a serious breach of editorial standards in particular programmes. I am not in a position to consider whether this programme should have included a correction of an “error” in a previous programme broadcast five years earlier.

In conclusion, I do not have grounds to uphold your complaint. However, I would be happy to consider any points you might wish to make on my finding. I would be grateful if you could let me have any comments within ten working days of this letter. I should also let you know that you can also ask the Editorial Standards Committee of the BBC Trust to review my finding. Correspondence for the Committee should be addressed to Lucy Tristram, 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 four weeks of the date of this letter, or of any further substantive correspondence between us, and expects complainants to limit the details of their appeal to no more than one thousand words.

Yours sincerely



Colin Tregear
Complaints Director

² http://www.nist.gov/customcf/get_pdf.cfm?pub_id=861610 (NCSTAR 1A)