

**Journeys into Journalism
with MediaWise on the *SS Robin***

FIRST IN SERIES

'Leaks, Lies & Tip Offs'

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talks with Mike Jempson, Director, The MediaWise Trust

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I have always been fascinated by the various ways in which we as journalists obtain our information. And I have to admit that in recent years, especially because of my work reporting the world of Westminster and Whitehall, I have become quite an anorak on the mysteries of leaking, whether it is a confidential document or a real secret, which gets out into the public domain through a genuine whistleblower putting his or her job on the line, or more likely perhaps because of a pseudo leak, the deliberate and calculated disclosure often by a political spin doctor in the hope of gaining party advantage. Hence the title of my new book: *Trading Information: leaks, lies and tip-offs*.

Leaking is just one of the many means by which information is traded with journalists and when we look at that relationship - as I will later in my remarks - we have to come to terms with two very important factors. First the balance of power has shifted in favour of the information traders. Increasingly it is the providers of information such as public relations consultants, in both the commercial and public sectors, sports and celebrity agents, political publicists and so on who are gaining the upper hand and extending their stranglehold over journalism.

We all know some of the reasons why: the media is far more competitive than it was and it is the journalists whose resources are being squeezed ever more tightly. And it is the journalists too who are having to juggle with the task of having to fill ever more space and air time and yet meet tighter and tighter deadlines. So it is all of us - newspapers, magazines, television, radio and increasingly web sites on the internet - who have become ever more dependent on the information traders. There have been a whole range of consequences. And I fear it is our standards as journalists - our ethics - which are increasingly under threat.

Lots of question needs answering. In our desperation to get exclusives, are some of the newspapers beginning to rely too much on cheque-book journalism rather than proper investigative reporting? Are we all being forced to stand up stories which don't quite make it but which are helped along through the use of anonymous quotes? Indeed are we now seeing the emergence of a generation of journalists who think there is nothing wrong in manufacturing anonymous quotes: an onlooker said this, an insider hinted at that, a friend revealed this, another anonymous source disclosed that.

Look: I am not here to criticise journalism. I come from a family of journalists. I am a recidivist, I cannot help myself. It's our job to be awkward and a nuisance. The rebuke I cherish most of all was from a BBC controller of editorial policy. He said I had become "excitable and untrustworthy". That of course is what the management thought of me, not I hope the opinion of readers, viewers and listeners.

After 46 years as a reporter - I started out on a trade newspaper after leaving school at sixteen - I am anxious to do all I can now to encourage and support those joining our profession. One way to help the next generation is to have the kind of debate which doesn't often take place in the UK. Among British journalists there is nothing like the kind of soul searching over ethics and standards which takes place in America and most other European countries. And the editors of Britain's popular papers are delighted we don't indulge in such anguished navel gazing. But let me just compare and contrast for a moment. In March this year I was in Norway at the annual SKUP conference. Over 600 Norwegian journalists met for a weekend to hear results of their awards for the best investigative journalists of the year. They're judged on the effectiveness of their investigative techniques, on the accuracy of their stories, not just on sensational headlines.

Let's remind ourselves who got the top awards here in the UK this year: Scoop of the Year was for the *Daily Mirror's* exclusive: "Cocaine Kate", pictures of the "supermodel Kate Moss snorting line after line". And the award for Front Page of the Year went to the *Sun* for its picture "Harry the Nazi", the shot of "Prince Harry's swastika outfit" at a fancy dress party. Both sensational stories; I know, for most of us, a must read. But what was so significant about those two stories was they both involved cheque-book journalism. Both pictures were taken by insiders and sold to the press. We now enter the murky world of who did the deal and how much were they paid. It was the *Sunday Mirror* which later unmasked "Harry's traitor" the "student who sold the Nazi picture" for ten, was it twelve, thousand pounds.

Believe me this is a whole new world for journalists of my generation. In just a few years we have seen a burgeoning trade not only in what might be considered genuine citizen journalism but also the kind of deals made infamous by the publicist Max Clifford and which have a price tag of hundreds of thousands of pounds. The pace of change is very rapid: for example, it is now quite common in the press and on television to see pictures of events caught on mobile phones, sometimes even mobile phone video footage. Agencies have been established to help these citizen journalists place their pictures and get the best possible price.

But it is not just disasters, fires, accidents and the like which excite today's picture editors. The *News of the World* is encouraging readers to engage in a degree of intrusion which would have been unheard of a few years ago. Every Sunday they offer "big money for stories and pictures". The offer couldn't be more enticing: "Send us your camera phone photos of celebs and we'll flash you the cash...sizzling shots of showbiz love-cheats doing what they shouldn't ought to".

I know there is nothing new in newspapers buying stories. But where will this end? And whatever you might think about the news value of such stories, this is becoming quite a serious ethical issue, raising concerns about intrusion and the protection of information about us which is held by the state and public authorities. In May this year the Information Commissioner Richard Thomas revealed that his office had established the names of 305 journalists who have been identified as having purchased literally thousands of items of unlawfully obtained data. Their haul includes confidential information held in the Police National Computer, personal details from the Driver and Vehicle Licensing Agency, ex directory telephone numbers -- what the Information Commissioner describes as just the tip of the iceberg in the illegal market in personal information. He has issued a pretty stern warning about what will happen if those individuals become repeat offenders.

We are not talking just about data, there are pictures as well. I keep a file of photos taken on the inside without authority: A *News of the World* "world exclusive" of Ian Huntley in his cell at Woodhill prison; the *Daily Mirror's* exclusive mobile phone picture of the prison cell in Belmarsh of the terrorist suspect Abu Hamza; a nightclub's closed circuit television pictures,

sold to the *News of the World*, claiming to show "Mick Jagger's girl caught having sex on cctv". So, as we see, the electronic revolution is continually opening up new opportunities for journalists. And for the right kind of money it is possible to get insiders to take exclusive pictures. I know there are all sorts of ways in which we can outwit the authorities and obtain information; I have used many of the techniques myself. But should we draw a line? Can we go too far?

The very latest twist involves allegations of royal telephone tapping. Clive Goodman, the *News of the World's* royal editor, has been suspended pending the outcome of the prosecution against him for intercepting voicemail messages on mobile phones in the Prince of Wales' household. Goodman has been charged along with a private investigator who is the director of a crisis management company. Bugging the mobile phone of Prince William: there could hardly be a more sensational allegation.

Way back in the early 1990s, in my days as a BBC political correspondent, I did have a stab at investigating the illicit trade in personal information about politicians. How was it that newspapers like the *Sun* could obtain so quickly such hot and accurate information from the Police? Needless to say I didn't get far: it was clear pretty early on that this was the kind of story which the BBC found too uncomfortable to handle; after all dog doesn't eat dog; journalists always think very carefully, and perhaps rightly so, about washing in public the dirty linen of their colleagues. Prying into the ways reporters prize information out of the police is almost invariably a no go area because different sections of the media know the pitfalls of attacking each other's news gathering techniques.

My venture in 1991 involved finding out how the *Sun* got inside information from the fraud squad about a long-forgotten and much disputed story involving Neil Kinnock and his alleged relationship with a fugitive fashion tycoon, Charilaos Costa. I have no intention reheating the original story lines. But what was significant was that Trevor Kavanagh, the *Sun's* political editor, confirmed to me on tape that the information about Costa had come directly from the *Sun's* contacts in the fraud squad. However, Scotland Yard had insisted previously that this couldn't be the case; there had been no comment from the Metropolitan Police bureau. I was convinced I had stood up the story. And it did get one outing on the Today programme. In complaining to me subsequently, Kavanagh said I had upset his mother and that when the *Sun's* editor, Kelvin MacKenzie, heard my broadcast that Saturday morning on his car radio as he was driving to his golf club, he nearly hit a roundabout. Not bad I thought.

But what was the BBC's reaction? I was told from a very great height to lay off and drop the story; I was in danger of putting the BBC's relationship with Scotland Yard at risk. Thankfully there is a much more robust approach today and in recent years the conduct of editors and journalists has been coming under far greater scrutiny. Indeed, much to her own subsequent discomfort, the *Sun's* editor Rebekah Wade admitted to MPs in 2003 that the *Sun* had "paid the police for information in the past". Her surprise admission caused quite a stir at the time but came as no great revelation to me.

A few years earlier my local MP in High Barnet, Sir Sydney Chapman, asked me what he should do about a leak to the *Sun* that he had been stopped by the Police and breathalysed. Sir Sydney was cleared later after a blood test proved negative and there was no charge but the fact that he had been stopped and breathalysed was in the *Sun* next day. At the time Chapman was the Conservative whip on royal duty for John Major government, having the title Vice Chamberlain to Her Majesty's household. So it was quite a coup for the *Sun*. I advised him not to complain as that would only encourage the paper to come up with yet more stories to embarrass him. However, an inquiry by the local police superintendent revealed that the call to the *Sun* had come from the North London traffic division in Finchley. So yet again a hotline direct from the Police direct to the Currant Bun.

I do find myself in something of a dilemma when it comes to stories of that kind. I admit I am an avid reader of sensational disclosures but on the other hand I do feel increasingly uncomfortable about some of the techniques which are being used. Perhaps I should be keeping my concerns to myself because increasingly the public does seem to have an inner understanding of what excites and interests the media -- I am pretty sure this is probably a 21st. Century genome -- and it is this awareness of our needs which has done so much to benefit journalists, especially when it comes to getting leaks, tip offs and confidential documents. With so much data being stored electronically, prying eyes are everywhere, be they of the merely curious, those with a malicious intent or perhaps of a genuine whistleblower.

What has transformed the trade in other people's secrets is not just the insatiable appetite of journalists for exclusive stories but also a growing tendency by aggrieved workers to expose abuses and shame their employers and the political party in power. As Margaret Thatcher, John Major and Tony Blair all discovered to their cost, a fairly accurate indicator of rising political unpopularity can be the level of hostile leaking against the government of the day. Each found the longer they were in power, the more they became the target for damaging disclosures.

In Blair's case, opposition to the war with Iraq was without doubt the key factor in motivating the leaks which gave him the greatest political difficulty. Disarray within the police and the intelligence services over the response to recent terrorist attacks has only served to accelerate the flow of leaked documents and correspondence. Mrs Thatcher had been there before Blair: most of the illicit disclosures which caused her so much grief in the 1980s related to what were also perceived to have been acts of aggression by the state, whether it was the delivery of Cruise missiles, the Falklands War or the programme of pit closures which precipitated the 1984-5 miners' strike. The more controversial the policies, the greater the temptation for civil servants and others in the know to slip out information in the hope of embarrassing their political masters or of assisting in campaigns to challenge contentious decisions.

As I can readily testify, the journalistic pulse quickens on spotting a strange looking letter in the post and then finding that it contains a set of confidential documents. I also have to admit that in criminal parlance, I too have "form", having been the journalist who in 1993 leaked John Major's off-the-record reference, at the height of his dispute with Conservative Euro sceptics, about his fears of having to sack yet more cabinet ministers and of not wanting "three more of the bastards out there". I had ear wiggled the Prime Minister's private conversation with ITN's political editor, Michael Brunson, and despite being ordered by the BBC's management not to make use of what I had heard, I leaked the text of my shorthand note to the Observer. That triggered what became known as Bastardgate.

By offering a mea culpa for the briefest of mentions in the roll call of infamous leaks, I was struck by how my reactions followed a pattern which I subsequently found was common among those who have been responsible for illicit disclosures of far greater significance. I too had felt frustrated by authority, in my case the management of the BBC; like many other leakers, I could not resist seizing an opportunity to publicise information which I considered was being suppressed; and once my story was out in the newspapers and all over the airwaves, I felt a sense of empowerment through having had the satisfaction of knowing that I had succeeded in causing quite a stir yet had escaped unscathed.

My insights mirrored those of a group of anonymous serial leakers whom I have interviewed for my book and who gave me vivid first-hand accounts of the sense of fulfilment they experienced. Over a period of years they had each supplied confidential documents to journalists, politicians and trade unionists, a level of illicit behaviour which underlines the

long-standing failure of the civil service to stem the flow of secret papers leaking out from government departments.

Unauthorised disclosures about the conduct of the war in Iraq and the response to terrorist attacks in Britain have infuriated ministers and attempts are being made to both enforce and tighten the secrecy laws. The trial is due to begin in October of a former civil servant and a political researcher who have both been charged under the Official Secrets Act with offences relating to the leaking of a transcript of a conversation in April 2004 in which George Bush appeared to suggest to Tony Blair that the US was thinking of bombing the headquarters of the Arabic television channel Aljazeera.

It is the first prosecution for two years since the case against the whistleblower Katharine Gun was dropped. She worked at the government's eavesdropping centre GCHQ at Cheltenham and disclosed to the Observer classified information which revealed the US was planning a "dirty tricks" campaign to swing a United Nations vote in the lead-up to the war against Iraq. At the last minute, the law officers decided to abandon the case.

Bearing in mind my long association with the BBC, let me give you my take on Lord Hutton's inquiry into the death in July 2003 of Dr David Kelly, then our most experienced weapons inspector, whose off-the-record insights about inaccuracies in the dossiers on Iraq's military might rocked the government when they were broadcast by the BBC. Whenever I look back at the newspaper front pages from the day after his suicide, I find them a constant reminder of the dangers which an informant can face when there is a collective failure within the news media to protect a confidential source. The headlines tell the story. *The Guardian*: "Dossiers and denials. Spin and subterfuge. Now...The Vendetta's victim". *The Daily Telegraph*: "Death of the dossier fall guy". *The Times*: "David Kelly, victim of another war".

What in retrospect was so significant for the BBC about the Hutton inquiry was the way it exposed a lack of editorial control and direction. I seek to make no criticism of Andrew Gilligan himself, my target is the inadequacy of the BBC's management. Who can question Gilligan's nose for a good story? He realised the weak point in the government's case for justifying the war against Iraq, that the weapons of mass destruction did not exist. Gilligan undoubtedly had considerable freedom as a defence correspondent; he was allowed to report in primary colours.

The question which has to be asked in retrospect is whether the BBC threw the story away in Gilligan's rush to get out an exclusive on the Today programme. He was one of three correspondents who spoke to Dr Kelly, along with Gavin Hewitt of the Ten O'clock News and Susan Watts of Newsnight. Kelly was without doubt the most significant deep throat for BBC journalists in my thirty years with the Corporation. But Gilligan, Watts and Hewitt worked independently of each other, reporting exclusively for their individual bulletins and programmes; they didn't speak to each other about Kelly, let alone share their information.

My point is that if there had been some overall direction, if the BBC had treated Dr Kelly more seriously, if the story had been done in the same step-by-step methodical way that Bob Woodward and Carl Bernstein reported for the *Washington Post* on Watergate in 1972, then who knows what could have happened. Watergate led eventually to President Nixon's downfall and I would like to argue that if the BBC had treated in the same systematic way the wealth of information which was supplied confidentially to its correspondents by Dr Kelly, then the consequences for the government might have been far more serious. Who knows, his disclosures, his assessment, which no one questions now, might well have brought down Tony Blair.

The BBC's failure to do more to protect Dr Kelly was compounded by a similar failure in the

duty of care on the part of the government and also by an uncontrolled media frenzy in which newspaper journalists, aided and abetted by Alastair Campbell and the Ministry of Defence, engaged in an unseemly contest to see who could be first to expose Gilligan's source. It was not a proud moment for the British news media.

This leads me on to my final and perhaps greatest concern for the future of journalism. Illicit disclosures by genuine whistle blowers are greatly outnumbered by what I call the pseudo leak, the deliberate disclosure of confidential information for political or commercial advantage. Usually the deal is done with a favoured journalist on an exclusive basis. We see examples of this every day with the calculated early release of data and the advance trailing of government decisions and announcements. Increasingly for "leak" we should read "plant" because political spin doctors and the assorted ranks of public relations practitioners have become extremely adept at taking advantage of the competitive pressures which determine so much of the output of newspapers, television, radio and now the web.

Journalists have become willing accomplices, only too eager to exploit this hidden trade in information. Reporters are not always coming clean. Is this a leak from an insider whose job might be on the line or has the journalist accepted on a non-attributable basis a story which a ministerial aide was only too happy to see dressed up as a leak or an exclusive in return for a positive slant?

Is the journalist guilty of implying that this piece of work was the result of exceptional journalistic endeavour when it might have been handed over on a plate? Whenever I hear a newsreader saying "the BBC has learned exclusively..." I fear a planted story and often subsequent events show a bulletin or programme has swallowed the government's spin hook, line and sinker.

Most of these deals are conducted on condition that the source remains anonymous and with that goes the freedom to embellish quotes from Downing Street "insiders", ministerial "aides" and Whitehall "officials", a practice which only hastens a downward slide in editorial standards. In my examination of the dissemination of leaks and other illicitly-acquired data, I was struck by the fact that it was financial journalists who were targeted much earlier than political correspondents.

It was during the era of hostile takeovers in the 1970s that the city desks of Sunday newspapers really began to take advantage of what became known as the "Friday night drop". As soon as the Stock Market had closed for the weekend, financial public relations consultants leaked sensitive commercial information to friendly journalists in the hope of influencing share prices once trading resumed the following Monday. I was intrigued to discover that during the mid 1980s the Labour Party's newly-appointed publicity director Peter Mandelson was advised by a city public relations consultant that he too had to understand that information could be traded like a currency in return for positive coverage.

So great became the concern about insider trading within the City of London that in 2001 the Financial Services Authority acquired the power to prosecute companies which failed to ensure the "full, accurate and timely disclosure" of price-sensitive data. No such sanctions apply at Westminster: there are no disciplinary procedures in Parliament to punish ministers and aides who are implicated in the leaking of their own statements before they have been delivered to the House of Commons. If rules to prevent the leaking of price-sensitive financial data applied to politically-sensitive information then half the cabinet and their spin doctors would probably have ended up in the dock by now.

I am sure many seasoned journalists will say my concerns are groundless but there has been a profound change in the sourcing of stories. When I was cutting my teeth on local

and national papers in the 1960s each quote had to be attributed and could not be altered, an editorial standard which is becoming a casualty of the rapidly expanding trade in information.

Trading Information: Leaks, Lies and Tip-offs is published by Politico's. **Nicholas Jones** was a BBC correspondent for thirty years. He is the current chairman of the Journalists' Charity to which his proceeds from the book are being donated. His previous books include *Soundbites and Spin Doctors*, *Sultans of Spin* and *The Control Freaks*.