

## 'Anyone should be allowed to publish their memoirs' – Benn

The former Labour cabinet minister and memoirist talks to **Julie-ann Davies** about how whistleblowers should be protected and why the public has a right to know

**O**n 25 July 2006 the Public Administration Select Committee published a new report *Whitehall Confidential? The Publication of Political Memoirs*. The document marked the first review of the issues surrounding the publication of memoirs for 30 years.

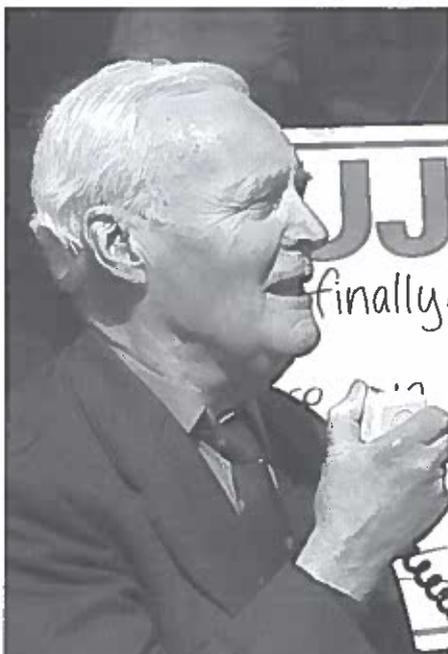
The report recommends new guidelines and procedures and was prompted by a spate of recent controversial cases including those of Sir Jeremy Greenstock, Sir Christopher Meyer and Lance Price. Tony Benn, who gave evidence to the committee, believes that a radical overhaul of the system could have a profound impact on British secrecy laws. He says:

"Firstly, I have been interested in freedom of information for a very, very long time and as a Minister I tried to get the Government to do something about it. My argument was that it is in the public interest that everything should come out.

"Secondly I have always been interested in the security services and, without being paranoid, I know perfectly well my phone was bugged and my black sacks were collected every day in a car. Now, Kensington Borough Council is very efficient but they don't normally send a Rover car to collect my rubbish.

"Anybody should be able to publish their memoirs. If ministers can write memoirs, if advisers can write memoirs, why shouldn't civil servants be allowed to write memoirs? Because quite a number have been stopped. If this principle can be established then the whole Official Secrets Act will be broken down."

Another area of great concern to Benn is the protection of whistleblowers. Unlike those in commercial sector, disclosures made by workers in the security and intelligence services are not covered by the Public Interest Disclosure Act.



**Tony Benn: 'I know my phone was bugged'**

Additionally, civil servants wishing to expose wrong-doing or illegality within Government departments or agencies may soon find themselves facing even greater hardship. It is believed the Government intends to restrict, yet further, the extremely limited legal protections available to whistleblowers and increase prison sentences for some offences under the Official Secrets Act.

However, Benn believes there is a frequently overlooked course of action that could offer some protection to all whistleblowers. He says: "If someone submits a petition with evidence to the House of Commons and asks them to look at it then they are protected by Parliamentary Privilege. The Commons is a court so it is an offence for anyone to tamper with witnesses.

"I went through this carefully, and I did once get the Birmingham City Council condemned for breach of privilege. An employee of the council had

objected to the Birmingham Road Race and they sacked him—so he petitioned the House. I was on the Privilege Committee at the time and said this dismissal was tampering with a witness and the council was found guilty of breach of privilege.

"So, when anyone asks me about whistleblowing I always tell them to put their evidence in a document and get a Member of Parliament to introduce a petition that their evidence is looked at and recorded in the Proceedings of the House. Then the whistleblower is covered and the media can report on it because their coverage is also privileged. But, as yet, this has never been tested on a security case.

"If they ever tried to reverse this protection they would be going back hundreds of years. People think Parliamentary Privilege is just there to protect Members of Parliament, but it isn't. It is there to protect people who give evidence to MPs. It is a cloak of protection that extends to anyone who comes to an MP and petitions the House."

Seeking the legal protection offered by petitioning the House of Commons may seem a somewhat convoluted way for whistleblowers to get information into the public domain. However, if the Government does succeed in passing a strengthened version of the Official Secrets Act, Parliamentary Privilege may offer the possibility of some legal protection to civil servants including those denied a public interest defence.

**In the light of the Government's intent to tighten the Official Secrets Act, SpinWatch and like-minded organisations and individuals are preparing the launch of a national campaign to enshrine in law, the right to a clearly defined public interest defence for all whistleblowers. For further information please contact: [campaign@officialsecretsact.org](mailto:campaign@officialsecretsact.org)**

# Press is new campaign focus

By Barry White, National Organiser, and Jim Corrigan

This year's annual general meeting, held in London on 9 July, agreed to shift the Campaign's focus from public service broadcasting to the UK press.

It approved a paper presented by the Campaign's co-Chair, Julian Petley, entitled *Future Work Programme* which put forward plans for a greater focus in the coming year on the Press and the acute problems facing it. In particular: concentration of ownership—especially at the local and regional level; changes to the distribution chain—which could force thousands of newsagents and smaller circulation magazines to close if supermarkets get greater control over the supply chain; the failure of self-regulation; the use of laws of libel, official secrecy and confidentiality to stifle serious investigative journalism and the negative role played by the press in the political process.

It was pointed out that campaigning around these issues would dovetail neatly with work being undertaken by the NUJ and their 'Journalism Matters' campaign. Julian Petley expressed a strong interest in this and discussed the

possibility of meeting the NUJ's General Secretary and/or President to discuss how the two organisations might co-operate on this campaign.

In reviewing the work of the Campaign, the meeting was told that the bulk of its work 2005 and into 2006 involved campaigning around the issues of public service broadcasting in general and the renewal of the BBC's Charter in particular. A detailed report was received on a successful conference organised by the CPBF, supported by the TUC and the Federation of Entertainment Unions, which took place in London on 1 April 2006, shortly after the Department of Culture, Media and Sport's (DCMS) White Paper on BBC Charter Renewal was published.

The report also highlighted evidence given by the Campaign to Parliamentary Committees, the DCMS and the regulator Ofcom on public service broadcasting consultations. European work, particularly on the debate on the European "Television Without Frontiers" directive, was also discussed. The Campaign is responding to the DCMS consultation on the revision of the Directive and details will be placed on the Campaign's web site in

late September.

The meeting agreed that details of the Greg Palast Investigative Fund should be placed on the CPBF web site. The fund, a non-profit organisation, supports those investigations, which are too risky, costly, controversial or difficult for American newspapers, radio and television to attempt. These are pursued and then disseminated through traditional and new media, with an emphasis on reaching individuals and organisations whose goal it is to affect systemic change. Visit <http://www.gregpalast.com/premiums.htm> for more information and on how to make a donation.

The annual meeting also elected a new national council for the next 12 months. The council, which directs the work of Campaign between annual general meetings, meets next on 25 September at 6.30pm at UNISON headquarters 1 Mabledon Place, London WC1. Meetings are also open to any paid up CPBF supporter. Ring the National Office (0208 521 5932) for further details.

Details of the report of work undertaken in 2005 and presented to the annual meeting may be found on the CPBF web site at: [www.cpb.org.uk](http://www.cpb.org.uk)

## Promoting public service values in Sri Lanka

Patricia Holland reports on the future for public service media in Sri Lanka

In the United Kingdom, campaigners including the CPBF have been struggling to oppose attacks on the idea that media should be a public service—neither a propaganda voice nor a commercial enterprise.

This is despite the long-standing recognition that broadcasting, in particular, has a duty to serve the interests of the public, in all its diversity, over and above the interests of commerce or the state. As we know all too well, the attacks on our public service media have chiefly come from powerful commercial interests—many of whom can express their views through the newspapers they control.

In Sri Lanka things are very different. The challenge comes less from commerce, than from oppressive state control. Some newspapers, radio and television stations are privately owned, but "public media" in Sri Lanka means media which are the mouthpiece of the government of the day. The "public"

companies are run by government placemen, and independent reporting could mean losing your job. This means press releases are reproduced verbatim and the President appears on the front pages almost daily.

So when the Sri Lankan Centre for Policy Alternatives (CPA) launched a project to promote public service values, it campaigned for measures which would transform government owned media into public service media. But at the same time they needed to combat discrimination and prejudice within a divided media and a divided nation.

Sri Lanka is an uneasy society which has been close to civil war, and where tensions are rising. Even the question of who the "public" is, is complicated by deep divisions of ethnicity and language. Tamil and Sinhala speakers read different papers and watch different television channels. Even the journalists cannot speak each other's language. The divided media give their own sectarian version of events such as the recent assassination of an army general, and the rumours of planned bomb attacks on schools in the capital

Colombo—both of which occurred in the first few days of my trip to Colombo representing the NUJ and the CPBF.

The trip was part of the CPA's year-long project. Co-ordinated by Sunanda Deshapriya, it included research reports, training sessions, and a conference which linked journalists' unions and civil society groups. It also included an EU-sponsored mission, led by Chris Warren, President of the International Federation of Journalists, on which I represented the NUJ.

We set out to promote the civic importance of public service media, and met with journalists' unions, the Directors of the state-owned broadcasters and newspapers, government advisers who had worked on proposals for media reform, as well as prominent politicians.

One measure of success was that the deputy leader of the opposition and the Prime Minister, Ratnasiri Wickremnayaka, are now on record as agreeing that the proposed reforms are in line with their party's policy. An independent media commission is planned. It remains to be seen what the outcome will be.



Katherine Gun: whistleblower

Jazeera were "outlandish and inconceivable"; an anonymous Downing Street official suggested Bush's remark was simply a joke.

Whatever was being said publicly, the Government's law officers responded with alacrity. The next day the Attorney General, Lord Goldsmith, warned editors they would be liable for prosecution under the Official Secrets Act if they published "any further details" from a document which had been "unlawfully disclosed by a Crown servant".

At a court appearance in July 2006, in preparation for the start of the trial of Keogh and O'Connor, an Old Bailey judge, Mr Justice Aikens, ruled that any discussion about the leaked transcript would have to take place behind closed doors; the public and news media would be banned from hearing the prosecution's arguments on the grounds of national security.

The conduct and outcome of the case could have a direct bearing on future legislation. What campaigners against the secrecy laws are waiting to discover is whether lawyers for Keogh and O'Connor try to take advantage of the so-called "defence of necessity".

This was established as a result of an appeal to the House of Lords by the former MI5 Intelligence Officer, David Shayler, who was sentenced to six months' imprisonment in 2002 for leaking classified information. Liberty would have used the same line of defence in support of Katharine Gun had the case against her not been abandoned by the prosecution.

Ms Gun, a translator at the GCHQ eavesdropping centre, was charged with disclosing classified security and intelligence information, revealing that the US was planning a "dirty tricks" campaign to swing a United Nations vote in the lead-up to the war against Iraq.

Although relieved the case against her was dropped, she has subsequently said she regrets missing the opportunity to argue, in court, that her action had been "necessary to prevent an illegal war". If the case had gone to trial she feels she may have set a precedent which would make it harder for the Government to amend the Law Lords' ruling.

It is the "defence of necessity" which would be curtailed by the proposed tightening of the secrecy laws. According to the annual report of Intelligence and Security Committee, published in June 2006, the Home Office intends to "remove the common law defence of duress of circumstance". This is considered to be the only way to clamp down on the growing number of illicit disclosures by members and former members of the intelligence and security agencies.

## Official Secrets Act plans revealed

By Nicholas Jones

Find a way to "gag the blabbers" was the blunt instruction issued by David Blunkett in his day as Home Secretary when he struggled to stem the flow of unauthorised disclosures about the conduct of the war in Iraq and the response to terrorist attacks in Britain.

Two years later Blunkett's edict has finally produced a response and the Home Office has now revealed how the Government intends to tighten the Official Secrets Act. A bill to crack-down on security and intelligence officials who breach the secrecy laws is expected to be announced in the Queen's Speech on 15 November 2006.

Ministers want to close a loophole which the Government believes might be used to defend future whistleblowers. There would be also be tougher penalties: the maximum jail sentence for such disclosures is to be increased from two to possibly four years.

Moves to tighten the secrecy laws look like coinciding with the first significant prosecution under the Official Secrets Act since February 2004 when the case against the GCHQ whistleblower Katharine Gun collapsed.

In the latest case, due to start at the Old Bailey on 9 October, very little is

likely to emerge publicly because the judge has already indicated that reporting restrictions will apply during the trial 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 President Bush appeared to suggest bombing the headquarters of the Arabic TV channel Al Jazeera.

David Keogh and Leo O'Connor have both pleaded not guilty to the unauthorised disclosure of a memo in which Bush was apparently only talked out of bombing Al Jazeera after Tony Blair warned it would "spark horrific revenge".

Keogh, who had been a communications officer at the Cabinet Office, is accused of passing the document to O'Connor who was, at that time, a political researcher for Tony Clark, Labour MP for Northampton South.

In November 2005, five days after the pair were remanded on bail by Bow Street magistrates, it emerged the leaked document containing the transcript was stamped "top secret".

Scott McClellan, the White House spokesman, did his best to play down the story, insisting the news reports saying the President wanted to bomb Al

# The price of freedom



The government's proposed changes to the Freedom of Information Act will seriously reduce the effectiveness of the legislation, says **Maurice Frankel**

**T**he amount of information released under the Freedom of Information (FOI) Act could be severely cut back, according to a leaked cabinet committee paper that proposes significant changes to the Act's charging arrangements.

At the moment, FOI requests are normally answered without charge. Authorities can charge for photocopies but not for the time they spend dealing with requests. However, they can refuse to answer altogether if the cost of searching for the information exceeds a set amount. For government depart-

ments this is £600, equivalent to 24 hours of staff time. For others the figure is £450 or 18 hours.

The leaked paper, obtained by the *Sunday Times*, reveals that a cabinet committee is considering three changes. The first is a standard application fee for all requests. The second is to allow multiple requests by the same person on different subjects to be refused if their total cost exceeds the limit. The third is to allow all the time officials spend working on a request, not just the search time, to count towards this limit. The idea is said to

be to reduce the cost of the legislation by deterring "serial requesters" and allowing "the most difficult requests" to be refused. But the proposals are clearly intended to produce substantial overall cuts in the numbers of requests.

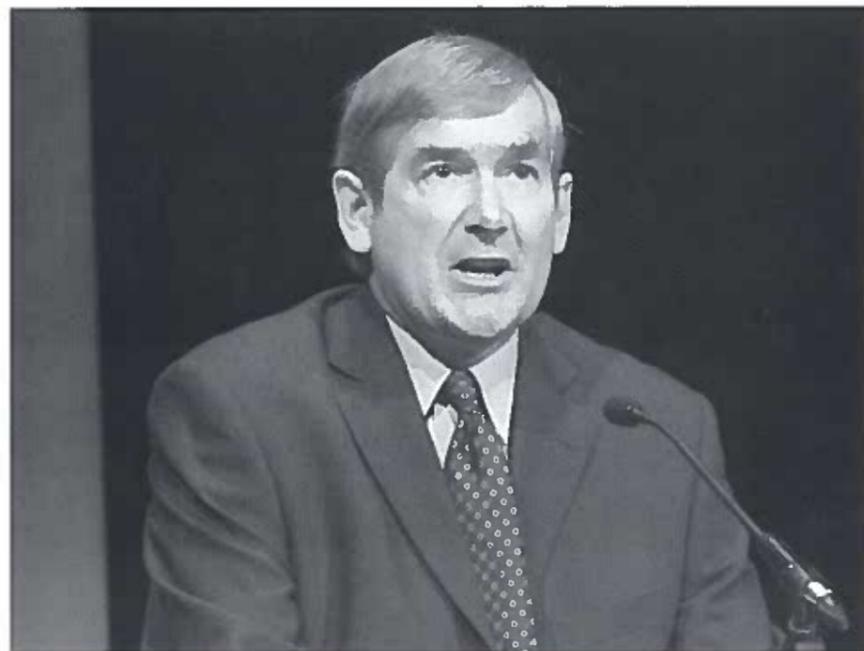
A flat fee would hit all requesters indiscriminately, deterring people on low incomes as much as high volume requesters. It could also lead to charges for routine information. Any written request is automatically an FOI application, even if the applicant doesn't mention the Act. The new fees could allow authorities to demand a cheque before responding to queries of the "when did you last empty my bin?" kind.

Ireland's experience suggests that application fees could be devastating. In 2003, a £10 up-front application fee was introduced under Ireland's FOI Act. The number of requests instantly collapsed to one quarter the previous year's level. That is the last thing we need to happen in the United Kingdom.

The second proposal is to aggregate the costs of requests on different subjects made by the same applicant. This can already be done for multiple requests on the same subject. Allowing unrelated requests to be treated the same way could severely ration the use of the Act by newspapers and campaigning organisations.

The third proposal would be to take account of the time officials spend considering requests. Currently the cost limits apply to the time spent looking for information. A single report raising complex issues under the Act's exemptions could be refused because of the time needed to think about it. The longer officials scratched their heads the greater the chance of a refusal. If ministers got involved in the decision, as they often do, their time might be enough to sink the request. The opportunities for abuse are obvious.

The cost limits are inflexible and make no allowance for the importance of the information. Although the Act has a public interest test which can require authorities to disclose exempt information in the public interest this



Information commissioner Richard Thomas already refuses 'vexatious' FOI requests

**Any one of the government's new proposals could seriously limit the flow of information, making it harder for requesters to ask penetrating questions and easier for authorities to avoid scrutiny**

does not apply to cost refusals. It would not matter if the report described an overwhelming risk to public safety or a blatant abuse of public office—the material would be withheld.

What's behind all this? Some departments do receive large numbers of requests, but publicly ministers have said it is only the "frivolous" or "vexatious" requests which concern them. In fact, the number of frivolous requests seems tiny. As for "vexatious" requests, the Act already allows these to be refused. The Information Commissioner, who enforces the Act, has interpreted this test broadly, and supported authorities which have

refused unreasonably high volumes of requests from the same individual.

The Act has just begun to chip away at the system's deep seated secrecy. An indication of the great range of information now being disclosed can be seen from summaries of 500 FOI press stories at [www.cfoi.org.uk](http://www.cfoi.org.uk). Any one of the government's new proposals could seriously limit this flow of information, making it harder for requesters to ask penetrating questions and easier for authorities to avoid scrutiny. All three would be a massive blow.

*Maurice Frankel is director of the Campaign for Freedom of Information [www.cfoi.org.uk](http://www.cfoi.org.uk)*

## Opening the files

Some of the stories broken under the Freedom of Information Act

### Secret minutes reveal how Sky boss pressed for Ofcom to oversee BBC

Satellite group BSkyB urged the government to give media regulator Ofcom the powers to monitor the BBC, documents disclosed under the FOI Act reveal. Minutes of a meeting between James Murdoch, the Sky chief executive, and Tessa Jowell, the culture secretary, show that the government promised to look at how the BBC cross-promoted its services as part of its review of the corporation's charter. A briefing note for the culture secretary revealed that the satellite group "strongly believes the BBC should be brought within the ambit of regulation by Ofcom".

*The Guardian*

### Police G8 overtime bill more than £11m

Policing the G8 summit in Perthshire cost Scotland's police forces more than £11m in overtime. The figures were obtained from five of Scotland's eight forces under the FOI (Scotland) Act, but do not include Tayside, which led the policing of the event. Strathclyde Police spent £6.39m while Lothian and Borders Police's bill was £2.69m. However, forces expect the figures to rise as some officers have yet to put in their claims.

*The Herald*

### Spun-believable!

Figures showing the amount spent on public relations by the Welsh Assembly

Government, councils and quangos have been disclosed under the Freedom of Information Act. The costs range from the Assembly Government's spend of almost £750,000 to Conwy Council's £28,000. The bill for Swansea Council is £314,000 and for the Welsh Development Agency £590,000.

*Wales on Sunday*



### Jowell and Murdoch talked cricket before deal

Culture secretary Tessa Jowell met James Murdoch Sky's chief executive, three weeks before the satellite broadcaster won exclusive rights to cover Test cricket. Minutes of the meeting held on 23 November 2004, disclosed under the FOI Act, reveal that Murdoch "said he wanted to discuss sports, the ECB [England and Wales Cricket Board] and the broadcast of Test cricket matches."

But details of the discussion were withheld. Sky's four-year £220m deal to screen all domestic test matches and one day internationals from summer 2006, was announced three weeks later.

*The Guardian*

### MoD dumped munitions in the Irish sea

The Ministry of Defence has dumped more than a million tons of munitions into the Irish Sea since the 1920s, according to a disclosure made under the FOI Act. The program of disposal, which included 14,600 tons of phosgene-filled artillery rockets and "small quantities" of radioactive laboratory waste, ended in 1973 after which dumping on the UK continental shelf became illegal.

*The Daily Telegraph*

### Hush up food scares, industry says

Food manufacturers asked the Food Standards Agency to consider keeping information about unsafe foods from the public. Minutes of an FSA meeting with the Food and Drink Federation, released under the FOI Act, state "The FDF commented that the publicity surrounding a recall was a key concern and suggested that the FSA needed to ... secure removal of products from the food chain without the type of media headlines seen during the Worcester sauce incident".

*The Sunday Times*

### Labour and Tories united to foil BBC

Labour ministers worked with the Conservative leadership to try to block a series of BBC programmes seen as encouraging support for the Scottish National Party. The five programmes were made in 1977 to examine how Scotland might look by 1980 if it became independent.

At the time, Labour and the Conservatives feared a surge in SNP support in district council elections. The documents show Labour Minister Harry Ewing, now Lord Ewing, feared the implications were "serious enough to warrant intervention by the government at the most senior level".

*The Herald*

*The above is a selection taken from a list of 500 summaries of stories broken under the Freedom of Information Act, the full document can be downloaded at the Campaign's website <http://www.cfoi.org.uk>*

# The BBC ain't half homophobic, Mum

Some of the attitudes given free rein on TV and radio are a complete disgrace, argues Mark Lilly

Earlier this year, Stonewall published its report on BBC homophobia, *Tuned Out* (available free, on Stonewall's website). As it lists in great detail the daily stream of hate broadcasting I shall not repeat its findings here, but consider one issue not fully explored there: the so-called "double standard".

I began my BBC campaigning in the late 70s, and still have extensive documentation, mainly letters from senior executives, from then. The position until 1995 was this: racism was unacceptable; anti-Semitism was unacceptable; there would be no jokes about disability. However, uniquely in the case of gay people, the BBC felt it had to pander to the bigotry of the public, and said so unashamedly. In BBC-speak, there was "a need to reflect the sometimes regrettably unsympathetic views of the general public". (Mark Bonham-Carter, Vice-Chair 1982). In 1995, the BBC decided to deny the existence of the double-standard, but continued to implement it. This produced and continues to produce some bizarre results; for example the Navratilova rule.

At televised sports events, only partners of heterosexual sportspersons are identified and filmed. Gay partners are

left in compulsory anonymity. Wimbledon offers the most examples, with thousands of "snips" over the fortnight. The post-1995 explanation given to me for the absence of gay snips is that it is purely accidental. Now, if you are an employer with 10,000 workers who all happened to be white men, you wouldn't get far with this "accidental" explanation!

The most extreme example was dancehall "murder music". Lyrics already broadcast include encouragement to pour acid on the faces of gay men before beating them to death. Until June 2005, BBC Chairman Michael Grade fought to continue these broadcasts, and was only forced to retreat as a combined result of the intervention—

**At televised sports events, only partners of heterosexual sportspersons are identified and filmed**

after a meeting with me—of Secretary of State Peter Hain, and the timely comments of the Director of Public Prosecutions who threatened criminal sanctions against media incitement to hatred.

Recently, the BBC website published a document on it "Religion and Ethics" pages (note they assume a connection between the two) about same-sex marriage. There are reasons "for" such marriages, and reasons "against". The latter includes claims that gay people are, *inter alia*, unnatural, immoral and promiscuous. It is inconceivable that they would publish an "against" list of reasons to reject racial equality, on grounds, for example, that certain ethnic groups are inferior, stupid or criminal; or an "against" page on gender equality, arguing that women have smaller brains, and are mendacious, hysterical and unreliable.

This example illustrates the link between BBC homophobia and its support for, and spectacular over-representation of, Christianity. The BBC refuses all religions except Christianity the right to broadcast services. Disaffected Muslims have quite legitimately cited this as a grievance against the British establishment; the latter sees no danger in the status quo.

Light entertainment also deploys the double standard. The *Catherine Tate Show* and *Little Britain* constitute an endless stream of negative stereotyping. Soaps like *East Enders* use the vilest kind of homophobic abuse through characters' mouths, while showing sensitivity to other minorities. As Michael Ehsé noted in *Gay Times* in 2005, "would *East Enders* equally reflect anti-Semitic prejudice in explicit jokes about 'yids' and gas ovens?" Lionel Rich of the Anti-Nazi League complains about, "the continual, insidious jibes churned out by the BBC, day in and day out... TV programmes such as *East Enders* along with their producers and promoters stand guilty of aiding and abetting the persecution of minorities... [they are] churning out anti-gay propaganda.

The double standard also applies to the treatment of staff. If Mr Kilroy-Silk and others can be "terminated" after "inappropriate" remarks about race, why should Ann Robinson be allowed on *The Weakest Link* to use homophobic abuse? For Robert Robinson, all gay people are "horrific and paranoid". Eddie Mayer, Radio 4's *PM* presenter commented in January 2004 that the mental image of two men kissing each other "is something you'll be trying to expunge from [your] minds all evening". What would happen if someone complaining about two black people kissing?

The BBC must accept the Macpherson Report finding, that there is "a clear and demonstrable link" between the media's portrayal of minorities, and bigoted violence. Every rape and murder and bullying and victimisation is at least in part the result of the general culture, within which mass media are key.

The BBC Charter requires the corporation to offer a full service to all sections of the public; and its own Producers' Guidelines insist that gay people "have the same rights as others". Both these injunctions are currently being flouted.

Mark Lilly researches and campaigns on media homophobia. He is an author whose publications include *Lesbian and Gay Writing*, *Gay Men's Literature in the Twentieth Century* and *The NCCL: The First Fifty Year*. He has served on the National Committee of Liberty and the National Council of the CPBF.



Gay pride march in London: ignored by the BBC

PAUL MATTISSON

## No dirt on the Digger



THE HISTORY OF THE TIMES VOL VII 1981-2002: THE MURDOCH YEARS  
Graham Stewart  
HarperCollins £30.00

By Granville Williams

Blair should not have bothered to make a trip to speak at Rupert Murdoch's July 2006 jamboree on the Monterey peninsula in California. In this official history of *The Times* Graham Stewart authoritatively states that: 'It would have been hard to find a more politically "hands-off" proprietor in all Fleet Street.'

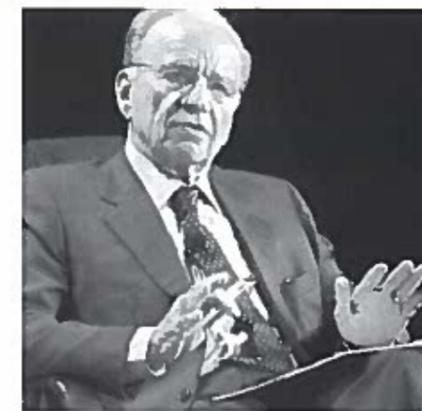
It is a surprising statement about the role of the proprietor of a paper which was once, rightly, given the alternative title of "The Thunderer". But under Murdoch *The Times* has become an enfeebled journalistic product kept afloat by his financial support. Stewart does deal briefly with the paper's losses but it appears his access to *The Times* archive stopped at the door of the paper's financial director.

The paper's finances (like much of News International/ News Corporation's accounting) lack transparency. In 2005 *The Times* and the *Sunday Times* (which are lumped together in the accounts) lost £46.9 million but as the *Sunday Times* is highly profitable it means *The Times* is losing a staggering amount of money and the key question is why Murdoch, since he acquired the

paper, has been willing to throw such enormous sums at the paper for 21 years. Again Graham Stewart is reassuring—Murdoch did not acquire the paper "as a ticket into the British establishment and nor was it deployed effectively as his prime weapon in exerting political power... Rather, Murdoch's motivating interest in *The Times* seemed to relate to its central place in the history and development of his first and greatest hobby—newspapers".

Stewart puts a favourable gloss on the series of financial and editorial crises which form the core of the book—the sacking of Harold Evans, the fake Hitler diaries, the predatory price war, the controversy surrounding the departure of China correspondent Jonathan Mirsky, the Ashcroft affair and, of course, the bitter dispute at Wapping. But it is still worth reading, even if you sometimes need to stop and question some of the author's pronouncements, because it covers a crucial period in the history of English newspapers. It contains new information and insights, and provides as a clear sense of the political and economic context of these turbulent years. One revealing example is the background to Robert Fisk's departure in November 1988 from *The Times* to work for *The Independent*. At a meeting the paper's editor, Charles Wilson, pleaded with Fisk to stay: "You have to do your duty to *The Times*." Fisk replied, "I cannot do duty to a paper which I no longer respect."

On 9 January 1981, Sir Denis



Murdoch: 'hands-off' proprietor?

Hamilton sent a memo to Sir Gordon Brunton, Chief Executive of Times Newspaper Limited, supporting Murdoch against Lord Rothermere who had "a strong and consistent bias towards the Conservative Party" whereas Murdoch was "neither greatly to the left or greatly to the right". It may not have been the best advice, but it does contain an essential truth which is that, for Murdoch, politics is totally subordinate to commercial imperatives.

Finally the big question is addressed. Jonathan Mirsky thought his articles were spiked because of "the general junkification of the paper". The circulation of *The Times* has increased, but the charge is that the paper has long since lost its reputation for publishing serious and well-written journalism. Graham Stewart attempts to refute criticisms that the paper has "dumbed down" in an effort to win a wider readership. Read a few issues of the paper and judge for yourself.

## The uses and abuses of anonymity



TRADING INFORMATION: LEAKS, LIES AND TIP-OFFS  
Nicholas Jones  
Politico's Publishing £18.99

By Julie-ann Davies

*Trading Information* investigates the shadowy, labyrinthine world of leaks and leakers. Nicholas Jones traces the history of unauthorised disclosures and their role in influencing political and public debate. However, he reveals most of these revelations are not all that they may, at first, appear. The majority of leaks, Jones argues, do not originate from the actions of publicly-minded whistleblowers but are sanctioned at a high level.

These pseudo-leaks are often reported, unquestioningly, by the media and the motivation of the source, or the origin of the information is rarely revealed to the

public. All too often what is presented as a leak is merely another piece of party propaganda or political point-scoring. The arrangement is mutually beneficial to the main parties involved. The journalist gets a juicy exclusive and the pseudo-leaker is guaranteed favourable coverage—but in the process, the public is misled.

Jones offers a masterly analysis of the leading pseudo-leakers. He illustrates the rank hypocrisy of a political culture that uses pseudo-leaks to further its own agendas yet conspires to silence and punish genuine whistleblowers. The reality is, to paraphrase Orwell, that if all leakers are equal, then some are certainly more equal than others.

Drawing from decades of experience as a journalist and BBC Political Correspondent Jones traced several of his own sources who were serial, unsanctioned and undiscovered leakers and interviewed them. Through this painstaking research he found that although their

motivations differed many grew to enjoy the adrenaline rush provided by their actions.

This is contrasted starkly by his examination of the case of Katharine Gun, a GCHQ whistleblower. Gun revealed that, during the run-up to the Iraq war, the American National Security Agency asked the British Government to intercept the communications of key United Nations delegations. Gun believed that if this was made public the war might be prevented. When her revelations were published she informed her employers that she was the source of the leak, was arrested and found herself, very reluctantly, in the media spotlight.

*Trading Information* offers a holistic, timely, but long overdue, examination of the use and abuse of anonymity in political reporting. Jones offers a precise and penetrating critique of how leaks and pseudo-leaks can either serve or corrupt the public interest and the media's fourth-estate role.

# IFJ alarmed by crackdown on investigative reporting

By Julie-ann Davies

**T**he International Federation of Journalists (IFJ) has expressed alarm at the growing number of attacks on the media and whistleblowers by Western governments seeking to conceal illegal, embarrassing or potentially damaging actions and information.

Aidan White, the General Secretary of the IFJ said in a media release: "It is unacceptable to see countries like the United States, Great Britain, and Denmark trying to intimidate and stifle independent journalism, while others, like Germany and the Netherlands, are caught out snooping on media and tapping the telephones of journalists."

The IFJ says this crackdown upon investigative journalism deprives people of a basic right, "the right of citizens to know what their government is doing." There have been numerous attacks on the American and European media in recent months. Governments have often justified these by saying they are necessary to ensure public safety or to fight terrorism.

*The New York Times* has endured an onslaught of criticism from President Bush and other Republicans for reporting how the US security services keeps hundreds of thousands of international bank transactions under surveillance. The British Government, angered by leaks that have bought into question the

legitimacy of the Iraq invasion is planning new secrecy legislation to prevent further disclosures.

In Denmark Michael Bjerre and Jesper Larsen of the daily newspaper *Berlingske Tidende*, are facing two years in prison. They reported the Danish Government was informed there was no solid evidence of banned weapons in Iraq before they agreed to participate in the invasion.

Bjerre and Larsen have been formally charged with "publishing information illegally obtained by a third party". Their source, a former Intelligence Officer, was jailed for four months last year.

The communications of Dutch journalists have been intercepted by the security services. In Germany the media was infiltrated by spies attempting to prevent leaks to the press. Aidan White says: "When governments bully their journalists, censor the media and persecute whistleblowers, they seriously damage the watchdog role of journalism."

"In turbulent times we need more informed, professional and accurate reporting about the work of government, not gags and intimidation. The United States and Europe need to lead by example. The enemies of press freedom and open government are the only winners when journalists are put under pressure in this way."

## Shayler silenced

By Julie-ann Davies

**O**n 28 July 2006 in London's High Court Mr Justice Eady granted a permanent injunction against MI5 whistleblower David Shayler.

Shayler was not allowed to present any evidence or cross-examine his accusers. Judge Eady's ruling means that Shayler is now banned from talking about some of his previous disclosures.

In a statement, Shayler's partner, Annie Machon, said: "With this ruling, the judge has also abolished, at one stroke, the media's right to publish whistleblowers testimony if they can argue it caused no damage to national security."

Shayler was already the subject of a temporary injunction which was issued in September 1997, the terms and conditions of that injunction have now been made permanent. Machon asked:

"Why is an injunction necessary anyway? There already exists a criminal sanction under the Official Secret Act. The judge said that the injunction was for David's own good and would stop him having to break the Official Secrets Act again."

The gag on Shayler means that he can no longer discuss, for example, his allegation of an MI6 plot to assassinate President Gaddafi—although this information has already been published and is firmly in the public domain.

Free Press is edited by Julie-ann Davies on behalf of the National Council

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