Protect journalists' sources or give up on British democracy

By Tim Crook

The World Association of Newspapers has begun an investigation into the condition of Press freedom in Britain. Meanwhile, national newspapers have reported that a chief constable wants Channel 4 to hand over material about undercover officers spying on Stephen Lawrence's family.

A typical week in Britain, where whistleblowers and journalists' sources are criminalised, persecuted and socially demonised; where journalism is styled by academia and politicians as “ruining people’s lives”; where the main political parties are bullying the print and online media to accept state approval and supervision of content regulation; where journalists and sources have been arrested, charged and prosecuted at a shocking rate for a democratic country; where media institutions are effectively at war with each other, each claiming the moral high ground. After 40 years in British journalism, I am ashamed.

My late father fought totalitarian fascism and communism, and never stopped mourning his fellow infantry soldiers whose blood soaked the fields and hedgerows of Normandy in 1944 in the cause of freedom and democracy. In his dying days, he told me to carry on the fight, and that tyranny could always be recognised when journalists are stopped from asking unpopular questions and lawyers from representing unpopular causes. I never thought that these conditions would be with us in 2014.

Yet it still has to be stated over and over again that the state must not use the law to deter sources from contacting journalists, nor punish journalists and their sources for talking to each other. Protection of sources, even when they veer into moral and legal ambiguity, is the lifeblood of democracy and liberty. Without it, journalists are kept from being the watchdogs of democracy.

It is shameful that politicians, the judiciary and academia have apparently declared war on whistleblowers. In

Institute President Charlie Harris dies

Charlie Harris, President of the Chartered Institute of Journalists, has died, aged 60.

He passed away peacefully on the evening of Saturday January 4, 2014, in St Luke’s Hospice, Harrow, Middlesex, where he had been admitted just after Christmas suffering from the advanced effects of bowel and liver cancer.

Charlie worked in journalism for more than 40 years and was a member of the Institute for over 30 of those years. He served as President of the Institute twice – firstly in 1991 and again from February 2013 until his death.

Charlie’s career in journalism was firmly rooted in local newspapers and he worked for a number of different weekly titles in London and the Home Counties from the 1980s onwards.

When the Harrow Times was launched in 1997 he became its first Editor.

As well as his active involvement in the CIoJ, Charlie had a longstanding involvement with the National Council for the Training of Journalists (NCTJ). He served on the Board of the NCTJ for many years, and taught news-writing, sub-editing and public administration on NCTJ-accredited journalism courses.

Joanne Butcher, NCTJ Chief Executive, said: “Charlie was committed to professional journalism training and editorial standards. He was a stalwart of the NCTJ and he will be very much missed.”

Dominic Cooper, CIoJ General Secretary, said: “Charlie’s loyalty and friendship will be sorely missed by his friends and colleagues and in the Chartered Institute of Journalists. In short, his death is a great loss to us all.”

Charlie’s funeral took place on January 14 at St Matthew’s Roman Catholic Church in Northwood, Middlesex, and was attended by more than 250 friends, relatives and colleagues, including eight Past-Presidents of the CIoJ.

STOP PRESS: Following Charlie Harris’s death, the Council of the Chartered Institute of Journalists has appointed CIoJ Vice-President Paul Leighton as the new President, with immediate effect. Paul was due to succeed to the Presidency of the Institute in February 2015 but this has been brought forward due to Charlie’s tragic death on January 4.
Editor’s Comment

Britain, with a proud heritage of liberty and free speech, has joined a select group of nations – including the likes of China, North Korea, Zimbabwe, Iran and Saudi Arabia. Each one of these regimes has introduced some form of State regulation of the Press. Britain’s variety of suppression – dressed up as an innocuous “Royal Charter” – may seem benevolent by comparison with the sort of Press restrictions that exist in some of these other states. But it is no less sinister for its veneer of accountability and constitutionality.

The Royal Charter, drawn up behind closed doors by a secretive committee of Ministers, is a signal victory for Britain’s would-be totalitarians, including organisations such as the horrendously misnamed “Campaign for Press and Broadcasting Freedom” and, in particular, the self-interested lobby group “Hacked Off”, which, despite claiming to represent “victims”, was little more than a voice for the rich and powerful. This was a coalition of millionaires and Marxists, united only in their hatred of a free Press which they saw as the biggest threat to their interests and aspirations.

The Charter, and the regulatory regime which it will introduce, represents the first serious attempt at State control of the British Press since 1695 when the Government of King William III ended State licensing of newspapers and ushered in three centuries of Press freedom.

A legal challenge to the Charter was dismissed out of hand by a duo of High Court judges, who rejected applications for a judicial review and injunction. The newspaper industry had put forward their own version of the charter, which would require industry-wide approval for any changes, but the version approved by the Privy Council can only be changed by a two-thirds majority in Parliament and the approval of a recognition board which has no Press representation at all. How very democratic!

Let us be clear. The Royal Charter is a licence for politicians to muzzle the Press. It is profoundly un-British. Democracy is not just about electing your Member of Parliament every five years. A free Parliament and a free Press – these are both part of the same political system, and neither can exist in isolation. A strong, free Press is absolutely essential for democracy both at the national and local level.

There is a battle still to come over Press freedom. Which newspaper publishers will sign up to the new regulatory regime and which will stand firmly against it? How will the Government react if, as predicted, virtually the entire national Press tries to remain outside the system? The Chartered Institute of Journalists is the only journalists’ organisation totally opposed to any State regulation. We represent professional journalists at every level of the industry – and, in the interests of our members and the defence of our principles, we will continue to fight for Press freedom in Britain. Will you help us man the barricades?

Andy Smith

“All too often politicians and other public functionaries, who should be the principal defenders of a Free Press, are revealed as our most subtle and determined enemies. And the general public, who depend largely on journalists to sustain their own inherited freedoms, are either apathetic or indifferent or hostile until their individual rights are invaded - then they cry to the Press to rescue them. On the other hand there are men and women of goodwill who in every civilised country have been sufficiently public-spirited to speak and act in our defence, and many besides journalists have been prepared to suffer for the freedom of the written word.”
- H J Anthony French, speaking at the 1955 annual conference of the Institute of Journalists

CIOJ Council

Your Council members for 2013-15 are:

Andy Smith
Mark Croucher
Janice Shillum Bhend
Keith Lockwood
Karen Birch
Ken Brookes

The Ex Officio members of Council for 2013-15 are:
Paul Leighton, President
Norman Bartlett, Immediate Past President
Amanda Brodie, Chairman, Professional Practices Board
Carol service heralds the start of charity’s 150th anniversary year

C arols at St Bride’s Church, just off Fleet Street, never fail to provide a much-loved festive curtain raiser for the Journalists’ Charity (formerly the Newspaper Press Fund).

The service on December 16 was all the more memorable because it was the fourteenth – and the last – to be conducted by the Venerable David Meara, who has been unstinting in his support for journalists in need.

From “the Vicar of Fleet Street” as he has become known, there were words of comfort for journalists and their families facing troubled times and encouragement for those under pressure from news deadlines and schedules or working away from home.

Senior figures from print and broadcasting gave the readings. The first three were by Eleanor Mills, editorial director of The Sunday Times, Ian King, business and city editor of The Times, and Sue Peart, editor of the Mail on Sunday’s YOU magazine.

Laurie Upshon, Chairman of the Journalists’ Charity, told the assembled journalists, friends and families there was no better place than the Cathedral of Fleet Street to celebrate their work.

He reminded the congregation that 2014 was a special year as it was the charity’s 150th anniversary and would be marked by a special service at St Bride’s on February 20, which would again be conducted by David Meara.

Mr Upshon recalled having spent many hours sifting through the archives of what was the Newspaper Press Fund before it changed its name to the Journalists’ Charity a decade ago.

He had been struck by a quote from the author John Buchan in a report on an NPF charity dinner: “I do not think I have ever known better company than pressmen.”

They escape the intellectual pride which is the Nemesis of the scholar, and the irritable vanity which is the curse of men of letters. They have had their corners rubbed off in many rough contacts with the world; they have humour, sagacity, and the best human loyalties.”

David Meara, who is to retire in July 2014, was appointed Rector of St Bride’s in 2000 and is currently Archdeacon of London.

In closing the service he reported on the work to restore and clean the fabric of St Bride’s. The church had been in need of some “TLC” for many years and the first phase of the restoration had just been completed.

The tower and spire of Portland stone, the tallest steeple designed by Sir Christopher Wren, was “gleaming white” again, as Wren would have known it. “But more needs to be done to ensure St Bride’s is fit for purpose for the next 100 years.”

Protect sources

Continued from page 1

The Chartered Institute of Journalists, the oldest professional body for journalists in the world, passed a key resolution last October deploring and condemning the disastrous surrendering and hunting of confidential material given to journalists by their sources.

Confidential information and the identity of sources must only be surrendered under a court order, issued after a hearing in which the sources and individual journalists concerned have exercised their right to independent representation.

Sadly, we cannot even rely on the ability of the judiciary to exercise a proper understanding of open justice, accountability, and privilege in client and legal communication, as the current debacle at the Investigatory Powers Tribunal (IPC) demonstrates so lamentably.

Parliament must pass legislation to ensure that confidential sources who have been identified negligently and without court order by media institutions receiving, using or paying for their information can sue for compensation.

They need a remedy for the breach of their Article 10 Freedom of Expression protection of source rights.

These rights have long been recognised in both English common law and the European Court of Human Rights, and the line of powerful rulings has been asserted as recently as November 2012 in the case of Telegraaf v The Netherlands. This case justified the protection of sources even if they have broken the law in communicating their information.

By contrast, the use of the offence of “misconduct in public office” to criminalise any civil servant for simply talking to a journalist without permission is the work of a police state. It is even worse when any public interest evaluation is reserved for the state’s criminal prosecuting official and authority in the form of the DPP and CPS.

Betrayal

The CloJ has quite rightly called for legal recognition of the right of sources to have a remedy against media publishers that betray their duty of confidentiality. This should also include any failure by the state’s judiciary to protect them. UK journalists sources should be given the same recognition as set out in the US Supreme Court in Cohen v Cowles from 1991.

But alongside all this, our authoritarian political, judicial and academic elite should seriously begin to question their own ethics and political imperatives. Instead of continually demonising a revolting caricature of the journalist stereotype, they must reflect on the need for impartial representation and consideration. Without properly protecting journalists’ sources, we risk the loss of our own democratic dignity.

Professor Tim Crook is Head of Radio and senior lecturer in media law at Goldsmiths, University of London. He is also visiting Professor of Broadcast Journalism at City of Birmingham University. He is a member of the Professional Practices Board of the Chartered Institute of Journalists.
Government “missing a trick” with the media

The Government could be missing a trick by not including the UK’s thriving creative industries sector – including media and advertising – in their eleven priorities for economic growth, according to a new report from the Institute for Public Policy Research (IPPR). The think-tank’s analysis shows that growth in the creative industries was nearly three times the average since the bottom of the crash in 2009 and more than 25 times the average across the flat-lining economy in 2012.

However, as research by the Department for Culture, Media and Sport (DCMS) has highlighted, the pattern of growth in the sector is “patchy” with widely differing results across the country and too much of the focus still on London and the South East. The IPPR is arguing for an industrial strategy for Britain’s creative industries, with measures to support growth outside of London in areas where potential is greatest, such as Manchester for media and advertising.

The IPPR’s Will Straw said: “The government already has a major impact on this industry through Arts Council funding, the BBC licence review, spectrum policy, broadband roll-out, skills policy, tax reliefs, intellectual property regulation, export promotion and so on but the failure to provide a coherent industrial strategy across government departments risks squandering some of the great potential for growth and job creation that the sector has to offer.

“Given the rapid growth of this sector, which has been rapidly outstripping the rest of the economy since the financial crisis, there is a strong case for the creative industries to be prioritised by government. Eleven other sectors have been chosen but there seems to be little rationale for their inclusion while omitting one of Britain’s most thriving and exciting industries.”

BBC’s Newsnight hailed for “well-crafted, balanced” report

A Newsnight film made by Jim Reed and James Clayton on a controversial treatment – “Why are we still using electroconvulsive therapy?” - took a new award for a short medical science film, presented by the Medical Journalists’ Association (MJA) at BMA House in London on January 30. It was a “well-crafted, balanced discussion with good access, fluently told and beautifully shot,” said judge and independent film-maker Dominic Byrne. The event was compered by Colin Blakemore, professor of neuroscience and philosophy in the School of Advanced Study, University of London, and professor of neuroscience at the University of Oxford.

BBC Radio 4 programme, “Surgeons under scrutiny”, from Matthew Hill and Daniel Tetlow, took the award for investigative reporting/scoop (consumer media). The programme had “a strong focus on how things could be improved, and powerful but measured use of first-hand accounts,” said judge Michelle Dixon, director of communications for the BMA.

The award for investigative reporting/scoop (professional media) went to Jamie Kaffash for an article in Pulse: “Leaked report casts doubt over NHS Direct’s ‘overall viability’ in wake of NHS 111 failings”. A new award for a column or opinion piece was taken by Rob Galloway – “The A&E doctor who says bringing the elderly back from death can be cruel and pointless” was written under the pseudonym Dr Nick Edwards for the Daily Mail. The award for excellence in journalistic skills was won by Vivienne Parry with “The Enemy Within – 50 years of fighting cancer”, a film produced for Cancer Research UK and Roche.

Another new award was given for a Local health campaign and was won by Adam Gretton for a campaign called Ambulance Watch in the Eastern Daily Press. “Great tenacity”, said judge and former award-winner Adele Waters. “Just the sort of journalism we should be encouraging.”

Pakistani journalist “first victim of 2014”

There are growing calls for a full investigation into the murder of Pakistani journalist Shan Odhor, a senior reporter for the AaabTak News Channel, who was shot by unidentified assailants on his way home on December 31 and died in hospital in the early hours of New Year’s Day.

Following Odhor’s death, the Pakistan Federal Union of Journalists (PFUJ) held a series of protests across the country calling for the government to step up its efforts to protect the safety of journalists in the country. “We express our deepest sympathies with the family and colleagues of the highly respected journalist Shan Odhor, who we believe is the first journalist to be killed in 2014,” said Jim Boumelha, President of the International Federation of Journalists (IFJ).

“We call for authorities in Pakistan to carry out a thorough investigation into his murder and to take every step necessary to ensure that the perpetrators of this horrific crime face the full weight of justice.”

On December 31, the IFJ released its annual list of journalists and media staff killed in 2013 which showed that Pakistan remains one of the deadliest countries in the world for media workers, with 10 journalists and media staff killed in the country last year.

In response to the continued violence and brutality against journalists, in October the IFJ launched its “End Impunity” campaign, calling on the governments of Pakistan, Iraq and Russia to investigate killings of journalists and bring their perpetrators to justice.

“Our campaign is calling for an end to violence against journalists in Pakistan which has recorded some of the highest journalists’ death tolls in recent years,” said Boumelha. “We believe that the lack of accountability for acts of violence against journalists in Pakistan reinforces the culture of impunity and is the main reason why journalists in the country remain in the firing line.

“Authorities in Pakistan must take the action required to ensure that the perpetrators of such extreme acts of violence against journalists answer for their crimes.”
Over 100 journalists killed in 2013  

The International Federation of Journalists (IFJ) has published its full report on the number of journalists and media staff killed across the globe in 2013. The report, entitled “In Mortal Danger”, provides information on the 105 journalists and media staff who lost their lives in targeted attacks, bomb attacks and other cross fire incidents during the year, while also raising awareness of the continued safety crisis around the globe. Documenting the precarious and often brutal situation for journalists reporting in areas of conflict, war and political unrest, the IFJ report shows that the deadliest regions for journalists were Asia Pacific, with 29% of the killings, and the Middle East and Arab World with 27%, while the most dangerous countries for media staff were Syria, the Philippines, Pakistan, Iraq and India. The report features regional insights on the situation of press freedom in the Middle East & Arab World, Asia Pacific, Europe, Africa and Latin American regions. It also highlights the continued security risks to women journalists and the support provided by the IFJ’s International Safety Fund to journalists and media staff in need. The media death toll of 2013 confirms the abject failure of governments to hold accountable those who are responsible for violence against journalists, which has entrenched the culture of impunity for attacks on media professionals,” the report stresses. “There is an urgent need for governments to protect and enforce journalists’ basic right to life. Governments across the world must take drastic action to stem the bloodbath in media.”

Financial journalism and reporting under threat from EU regulations  

European Union regulations designed to restore confidence in financial benchmarks following the LIBOR and EURIBOR scandals could undermine press freedom and journalists’ right to protect their sources. A coalition of leading European publishing and journalists’ associations is calling on MEPs to adopt amendments that would exempt the press, other media and journalists from the new regulation. The European Parliament is expected to vote on the regulation in April. As it currently reads, financial information reported by journalists could fall under the scope of the regulation if this information is subsequently used as a benchmark – even if the journalist researching and reporting this information is unaware that it is being used in this way.

Renate Shroeder of the European Federation of Journalists commented: “As it stands, this Benchmarking Regulation will seriously undermine the relationship between journalists and their market sources and threaten the role that journalists play in bringing transparency to financial and commodity markets by providing independent information to the public.”

IFJ urges “utmost caution” for journalists covering Bangkok protests  

As political unrest grows in Thailand, the International Federation of Journalists (IFJ) is urging journalists covering events in the city’s capital, Bangkok, to “protect their safety and remain vigilant at all times”. On one day alone, seven people were wounded after gunfire and motorcyle bombs were hurled by anti-government protestors in Bangkok. Two foreign reporters were shot dead in political protests in Thailand two years ago, and just last December a photographer was injured by a rubber bullet while covering clashes in Bangkok. Amid the increasing unrest, the IFJ has issued safety guidelines providing practical advice and information for journalists covering events in the capital city. In addition, the IFJ has written to the Prime Minister of Thailand, Yingluck Shinawatra, expressing its fears for the safety of journalists covering developments in Thailand and calling on Thai authorities to introduce a fast-track system so that journalists can legally equip themselves with body armour for their protection while reporting on events.

“As the threat of violence in Bangkok increases, we urge journalists covering the protests to remain mindful of their safety at all times and to ensure they take every step necessary to protect themselves. No story is worth the loss of a life,” said IFJ President Jim Boumelha.

“We reiterate our request to the Thai government to review its stance on body armour and issue permit and possession licences so that the professional, committed journalists covering the events in Bangkok and across Thailand can legally protect themselves.”

Kenya clamps down on journalists  

In the fight over journalistic freedom and state regulation of the Press, Kenya is the latest to pass contentious legislation, reports the Committee to Protect Journalists (CPJ).

Kenya’s National Assembly has passed two pieces of legislation – the Kenya Information and Communication (Amendment) Act and the Media Council Act – which journalists fear will effectively silence critical reporting through a new government-controlled regulator and the threat of hefty fines. “These media laws will force journalists and news outlets to self-censor to survive”, said the CPJ’s East African representative, Tom Rhodes. “They are a severe blow to investigative reporting in Kenya and set a dangerous precedent for other East African countries.”

The legislation will enable a newly formed government-controlled regulatory board to fine journalists up to 500,000 Kenyan shillings (US$5,500) and media companies up to 20 million shillings (US$230,000) if the board finds them in breach of a government-dictated code of conduct, to be penned by legislators.

Kenya Editors’ Guild, the Kenya Correspondents Association, and the Kenya Union of Journalists issued a joint statement saying parliament’s “rubber-stamping” of the new law was “a dark moment for Kenya’s robust media environment”. The legislation, they said, will “reverse gains made on freedom of expression and independence of media from state interference.” The Editors’ Guild plans to challenge the law’s at the Kenyan high court.
Fighting our corner over press regulation

By Amanda Brodie
Chairman, Professional Practices Board

I was recently asked to join the panel of a debate at Essex University, entitled “Is the Press unreformable?” It was not an entirely balanced event. In fact all five of the other panellists were in favour of Press regulation in some form or another, so I was the sole exponent of the CIoJ’s stance, which is fully against statutory regulation.

Among my fellow panel members was none other than the leader of Hacked-Off, Brian Cathcart.

The tone of the meeting was set by Professor of Communications at Goldsmiths College, James Curran. He had the privilege of speaking un-opposed for some 20 minutes before the debate started, much of which time he sadly used to vilify the Press and praise Hacked-Off. A neutral stance from the introductory speech would, to say the least, have been desirable.

Another panellist, from the Campaign for Press and Broadcasting Freedom, alleged that the local media (all of it) only opposed Leveson because “they are all owned by national media groups and are just following their lead.”

In fact three of the five major local newspaper groups (Archant, Johnston and Newsquest) are most certainly not owned by the nationals. And as I pointed out in the debate, local newspaper publishers have genuine concerns around Press regulation. How insulting to imply that en-masse they have not thought the issue through themselves and are following others’ lead without questioning – a stance more applicable to the anti-Press lobby, in my experience.

Old chestnuts

Of course the old chestnuts of Christopher Jefferies and the McCanns were trotted out again. Apparently the Press set out to “monster” Mr Jefferies “just to sell papers”. This assertion neatly overlooks the fact that the papers were in fact told by police that they thought they had got their man. On the strength of this, the papers went ahead and published. It was a judgement call based on information received, not a malicious attempt to smear him. It turned out to be a poor decision as the police decided not to prosecute because they were wrong. This left the papers open to a substantial libel payout which is what (rightly) happened. This from a news website at the time:

“Lawyer Louis Charalambous says Mr Jefferies is ‘satisfied with the outcome.’ The landlord of landscape architect Jo Yeates has accepted ‘substantial damages’ from eight newspapers over libel claims, his lawyer has said. Christopher Jefferies, from Bristol, was suing the papers over articles published when he was arrested on suspicion of her murder.(He was later released without charge.) He accepted an undiscovered sum and public apology, his lawyer said.”

Note that Mr Jefferies was “satisfied with the outcome” – not as suggested by panel members at the debate. It also illustrates the point I made at the meeting, that the law can and does punish transgressors. The papers are not “getting away with it”, as the panel suggested.

Among those who had genuine grievances were the McCanns, who were libelled by the Press in the wake of the disappearance of their daughter Madeleine. Yet the existing laws compensated them to the tune of £50,000 from Express Group newspapers, which also printed front-page apologies in the Express and Daily Star. Further financial compensation and a front-page apology came from the London Evening Standard.

Seven friends who were on holiday with the McCanns also received a total of £275,000 in an out-of-court settlement, while Robert Murat, a witness in the case who was also libelled, received £600,000 in damages and apologies from four newspaper groups and an apology from Sky television.

Hardly “getting away with it”, is it? It underlines the CIoJ’s often-made point that the current laws are sufficient to police such wrong-doings as do occur.

Of course the alleged phone-tapping saga was raised by panel members, which I will not comment on in detail, as there is an on-going trial in progress. Suffice it to say that I pointed out to the meeting that the alleged offences relate to half of one per cent of all journalists working in this country. To which Mr Cathcart conceded that the majority of journalists behave in an ethical manner – so why seek to regulate an entire industry for the alleged misdemeanours of a few?

Appalling behaviour

I further made the point that many other industries, such as the banking sector, have behaved appallingly. And in the Mid-Staffs hospital scandal people died, yet not a single doctor has been prosecuted.

“Whatever means of regulation are designed to reduce the occasions of unacceptable behaviour by elements of the Press, they must not, even if accidentally, diminish or dilute the ability and power of the Press to reveal and highlight true public scandals or misconduct.”

In contrast, some 22 journalists have been charged under bribery laws through Operation Elveden, but only one police officer faces charges – it takes two to make a bribe work, so are we to believe that all 22 journalists bribed the same police officer? So why have other officers not been charged? There are double standards at work here.

I also flagged up the CIoJ’s campaign in support of the local press, and at least one panel member praised his local paper, which was heartening. And I hammered home our central argument on Press regulation: that the alleged malpractices which led to the Leveson Inquiry and the arrest of dozens of journalists are criminal offences, not ethical misdemeanours. The problem is not a failure of the regulatory system but the failure of the police to enforce the law.

I was asked to briefly sum up our case at the end. I made the point that any form of regulation creates a paper-chain of command which ultimately leads back somewhere, no matter how many tiers of regulation you put in between.

I quoted Lord Chief Justice Lord Judge, who said: “Whatever means of regulation are designed to reduce the occasions of unacceptable behaviour by elements of the Press, they must not, even if accidentally, diminish or dilute the ability and power of the Press to reveal and highlight true public scandals or misconduct.”

In all I was both angered and saddened to hear my profession – which having worked in for 32 years I am very proud of – being derided in such a sweeping way. As I left I could not decide whether my overwhelming feeling was that of anger or sadness – a touch of both I suppose. But it is a lesson to us all that if we believe in our profession and in the rights of a Press that is truly free, then we need to get out there and argue our case in the glare of public forums, and not just complain about it behind the scenes.

Anyone fancy a protest march to Parliament the next time Hacked-Off sit down to pizzas with Maria Miller? I do hope so.
Charlie Harris (1953-2014)

Charlie Harris, the President of the Chartered Institute of Journalists, who has been described as “part of the bedrock of British journalism”, died on January 4. Charlie, 60, had been suffering from advanced bowel and liver cancer and had been admitted to the St Luke’s Hospice, Harrow, just after Christmas. His funeral took place at St Matthew’s Catholic Church, Northwood, Middlesex on January 14 and was followed by burial at the Carpender’s Park Lawn Cemetery, Watford. Many Institute members, including an unprecedented eight past-presidents, attended his funeral, along with many of Charlie’s former colleagues on North London newspapers. His death is a great loss to the Institute at a time when it is facing a challenging future. Like many of us, Charlie hankered for the good old days where a hack felt that he, or she, was providing a vital service to his fellow citizens. It was his deliberate choice to label himself with the sobriquet ‘Hot Metal Hack’ on his social media sites in fond memory of those challenging days.

Charlie hated injustice and saw in the trade union situation that infected the news industry in the 1970s major injustices created by politically-motivated members of the National Union of Journalists. He found kindred spirits in the smaller Institute of Journalists and quickly involved himself in its affairs. Charlie has been a faithful and valued servant of the Institute, providing invaluable input to our many debates affecting journalists. His experience and sage advice has shaped much of Institute policy since the 1970s. His contribution to training aspects was immense and he served on the Council of the NCTJ as our representative for many years. In 1991-92 he became one of our youngest-ever presidents and served us with distinction.

Unlike others who serve and disappear, Charlie re-dedicated his enthusiasm for the Institute, and three years ago, when he was again elected Vice-President en route to becoming our President just 11 months ago, he came into his own. Our profession was entering its greatest-ever crisis, the phone hacking scandal, which really only involved a handful of rogue reporters and editors but reverberated throughout our industry and damned all who practised within it. Charlie appointed himself chief of intelligence, spending hours each day trawling the internet to keep everyone up to date and in a position to shape our response to government and Leveson and challenging the bitter and twisted arguments of people like Hacked Off. He was a major contributor to our contention that these were criminals and the overwhelming number of journalists in Britain were honourable and ethical people. It was a reflection of his life-long beliefs and he was saddened when siren voices twisted the truth.

Born and educated in Harrow, he remained in that north London town throughout his life and was the founding editor of the Harrow Times, part of the Newsquest Group, which he developed from a start-up into a hard-hitting, campaigning local title in opposition to the established Harrow Observer. He began his journalistic career in the 1970s with traditional basic training on the Palmers Green and Southgate Gazette, later becoming chief reporter of the Enfield Gazette and subsequently the editor of the free Harrow-Wembley Independent before going to the Borehamwood Times (then called the Post).

He was producing excellent local newspapers and moved to High Wycombe as deputy editor of The Star, returning later to Hendon as editorial manager. When the Hendon Times group was acquired by Newsquest and created the Harrow Times, Harris was the natural choice as its editor. Journalist colleague Bill Montgomery, who wrote “Bill’s Notebook”, a sometimes scathing, behind-the-screens check on what Harrow Council was doing, said: “I have happy memories of working in Harrow for him. He had the ability of not taking himself or other people too seriously – great gifts when dealing with a council as humourless as Harrow or a management which made clear that hanging on to the council advertising was the priority.”

Tireless campaigner

Colleague and local councillor James Bond paid tribute to Charlie’s campaigning journalism: “Ten years, or so, ago, he made an editorial decision as Harrow Times editor to oppose a twenty per cent rise in council tax that was being proposed by the council. Charlie backed the Harrow Council Tax Campaign, a pressure group set up to oppose the draconian increase. Following the backing of the Harrow Times the petition collected more than 25,000 signatures. The council found themselves ‘on the back foot’ and partially caved in over such an increase. That’s the stuff local papers are made of.”

An Institute colleague said: “His devotion to local journalism and its causes made Charlie part of the bedrock of British journalism. During the recent crises that have hit our profession he devoted himself tirelessly to defending the undoubted honour and ethical professionalism of local journalism in making many representations to government and leading the organisation in meeting with other interested parties.

“He was shocked at the antics of a few national journalists whose behaviour had, he felt, besmirched the good name of our profession.”

It was Charlie’s frustration with Newsquest management attitudes that prompted him to resign from the group and turn his energies into training new entrants to the profession. His specialisation was the workings of government at all levels which he believed required a thorough understanding for journalists to function efficiently. Among schools he taught at were Brunel University and Press Association’s training establishment. For many years he was the Chartered Institute’s representative on the National Council for the Training of Journalists.

Last February he was elected president of the Chartered Institute – for the second time, having first served as its leader in 1991-92. He was only the second person in the Institute’s history to have served twice as President, the first being Algernon Borthwick, of the Morning Post (which merged with the Daily Telegraph in 1937), who served between 1886-88 and 1890-91. Charlie became poorly during the summer months and by October was severely ill but he still managed to conduct the Institute’s annual meeting on mid-October.

On Boxing Day he was admitted to St Luke’s Hospice, Harrow – an organisation for which he had raised large funds while editor of the Harrow Times – and died there at 8.50pm on Saturday, January 4.

Robin Morgan

Newsy and floozy... Award-winning journalist Charlie Harris takes the issue to the people! For the Edgware Week carnival in 1981, Charlie and colleagues on the Hendon-Edgware Independent re-located their office to the back of a lorry to present a not-too-serious image of local journalism in the parade. They won first prize!
A Fitting Memorial – Journalists at the National Memorial Arboretum

By Norman Bartlett

Those who attended the Presidential handover in 2013 will recall our President, Charlie Harris, setting out his aspirations for his period in office. One of them was to initiate a memorial to journalists who have sacrificed their lives in carrying out their professional duties whether in time of war or peace.

An obvious place where such a memorial might be placed is the National Memorial Arboretum in Staffordshire.

The idea for the Arboretum was advanced by historian Commander David Charles but inspired by Group Captain Leonard Cheshire. At about the same time the idea of a National Forest was conceived by the then Countryside Commission in 1987.

At the time concerns had been raised about the low level of afforestation in the UK compared to other European countries. At the same time there were areas in the Midlands that had suffered from mineral exploitation – particularly coal mining – in earlier decades and were now derelict.

These and similar trends came together as a proposal to create a forest, on a similar scale to the New Forest, in the middle of the country to demonstrate the benefits of woodland. The area selected was a 200 sq. mile band of country from the old Leicestershire and South Derbyshire coalfield around Coalville, westwards taking in Burton on Trent and into Staffordshire.

The government set up a company, the National Forest Company, to deliver the concept. It would work in partnership with landowners on a voluntary basis and without any compulsory purchase powers.

The area then had only 6% of woodland. The aim was to have a full third of it planted with trees within thirty years. It was to be a new resource for recreation and tourism, creating wildlife habitats, restoring damaged landscapes and offering an alternative, productive use of farmland.

One relatively small area in the southwest of the National Forest, near Alrewas, was given over to the Arboretum. As it turned out, National Forest and National Memorial Arboretum coming together was a brilliant stroke. The area illustrates two key aspects of the project: restoration of derelict land and tree planting – over 50,000 already on the 150 acre site and the programme is continuing.

The Arboretum is a fascinating place to visit. For the tree huggers among you, there are over forty different species planted, some quite rare. Not only are there spinneys and copses but lawns, formal gardens, parkland, a river and meadows filled with wild flowers to abundance.

Overwhelming

By far the greater proportion of the site is for service memorials; unsurprising as the place is run by a charity associated with the Royal British Legion. At the centre of the site is a huge raised mound on which stands the Armed Forces Memorial where the names of all those who have lost their lives since the 1939-45 World War are inscribed. It is rather overwhelming and I found the many other memorials more intriguing and sometimes moving. Short stretches of rusting railway track are the memorials to the prisoners-of-war from the Far East. A plain granite slab commemorates the Bevin Boys, men who were drafted to the mines instead of the armed forces.

Memorials are there for campaigns like the South Atlantic while others are for regiments or individual ships. An old memorial to the employees of the Lancashire and London Insurance is just one of several similar that have been rescued from destruction as offices have been pulled down. How many people know of the Loch Class Frigates Association? Well there is the memorial showing its existence. A pair of barbed wire-topped open gates recalls the liberation of prisoners-of-war in Europe.
There are no preconceived notions of the type of memorial. Should it be a ‘hard’ memorial of stone and sculpture? Or should it be an organic one of trees or plants? Or could it be something else entirely? Should it carry the names of individual journalists?

Should the Institute try and get other journalistic institutions or associations involved? Should it try and get sponsorship from publishers, broadcasters, media organisations? If so would they expect to be mentioned on the memorial?

Or should the Institute go it alone – just as it did a century ago when it raised the funds for memorials to the great W. T. Stead on Victoria Embankment and in Central Park, New York?

If you have ideas, observations and suggestions, Head Office would be delighted to hear from you.

Charlie Harris: primus inter pares – first among equals

Former colleague and long-time friend Bill Todd recalls happier days with Charlie Harris

IP Charlie Harris. We first met as teenage reporters on police calls at Southgate nick long before Leveson, when the Bill was a Force, not a Service.

We’d sit down in an interview room with the desk sergeant and go through the crime books: Burglary, robbery, TDA, names, addresses, facts.

We’d walk out agreeing there was nothing exciting then part and sprint for our cars – his a knackered old Skoda, mine a creaking Cortina Mk1 – to be first to the address that offered the best hope of a decent follow-up.

Whoever parked nearest the nick usually won.

Later, when Charlie took charge at the Borehamwood Times (nee Post), he gathered his nervous staff to ask what they had for a front page lead. Spotting a rape story buried on an inside page he enthusiastically proposed splashing on it until someone pointed out it was an oil seed rape crop report.

The two of us had a memorable visit to New York City when Ground Zero was still smouldering, making new friends in an Irish bar and having a long chat with a cop named Mick McManus.

Then there was the time we humped the newsroom onto the back of a flat-bed lorry and dressed in trench coats and hats for the Edgware Carnival parade. That extra touch of authenticity by filling the desk drawers with beers was probably what won us the best float trophy.

My daughter Zoe’s entire life was mapped out in enthusiastic detail by Charlie, me and a few other friends in The Nelson in Barnet just hours after she was born.

Down the years Charlie was a journalist, teacher and food lover, a teller of stories, a patriot and Chief Constable of the Grammar Police. God help anyone who muddled their apostrophes (apologies to him if I’ve mashed my syntax here).

He was also a lover of Guinness and women, ferocious defender of the freedom of the Press and of the individual. His views on any and every subject turned into a blizzard of Facebook posts.

Charlie made friends easily and kept them for life. He had a phenomenal memory for anecdotes of events decades ago that I’d forgotten the following morning.

He spent most of his career in local papers where the bulk of the proper spade work is done - zebra crossings, damp council flats, charity appeals, eccentric one-theme campaigners. All good fun and open all hours, evenings, weekends. Go for a quiet pint in your local and someone will always come up with “Have you heard...?”

Bread and butter stuff but sometimes you struck lucky with an armed robbery or murder. The pay was rubbish but it wasn’t a job, it was a lifestyle.

Charlie was just 60, the first of my life-long circle of friends to die. That concentrates the mind.

It was a cruelly early deadline to meet but he did a lot with his time. I hope I do the same.

Our careers trundled along in tandem for quite a few years. Once we were both editors - and the entire staff - of neighbouring free weeklies, me on the Hendon-Edgware Independent, Charlie on the Harrow-Wembley edition.

As he’d been in journalism a year or so longer than me he kept insisting that he was primus inter pares - first among equals.

He would keep banging on about it and, at the time, it niggled. Now it sounds like quite a decent epitaph.

Farewell Charlie, first among equals.

OTHER TRIBUTES TO CHARLIE HARRIS

“What a tragic start to the year we have had. I miss Charlie every day. I have so many good memories of him, and I especially admired him for the way he led the Institute over the past year. He was fearless in his pursuit of Hacked Off and raised our profile greatly in his use of social media. He didn’t just talk about things but put them into action. He was a strong character yet always treated others with respect, even when he disagreed with them. I can’t recall him being nasty or back-biting with anyone, a rare thing. And I admired, too, his sense of humour and fun – I shall miss that very much. We shared a love of subbing and even worked on the same paper in North London, although at different times. He was a fine journalist and a true friend.” – Amanda Brodie, Chairman, Professional Practices Board.
“Charlie was there for the birth of the Chiltern edition and the Thame & Chinnor edition. He steered the ship in those key days when pagination went up from 48 pages to over 100. I couldn’t believe I was so lucky to get a deputy of such experience and ability. He was particularly good helping wannabe journalists to “write proper” and gave us so much of his own time willingly. His legacy will be the many people who are now journalists - or better journalists - who he guided into the profession.” – Alan Cleaver, who ran Westminster Press’s Wycombe newspaper

“When Pearson’s sold its provincial Westminster Press to Newsquest Charlie Harris was about to achieve his dream: The launch of a newspaper in his beloved town of Harrow. We had just two weeks to get a Harrow Times on the streets. Charlie Harris – who else? – would be editor. Apart from Charlie, no-one else even knew the name of Harrow’s mayor. That place was foreign territory! Amazingly the Harrow Times appeared on time, two weeks later, The Harrow Times faced up to a battle with the long-established Harrow Observer - a formidable task. But Charlie Harris knew what his paper should do and should be. It was a success, and for years he enjoyed running his paper in his town until, finally, commercial pressures ground him down and he resigned abruptly.” – Barry Brennan, group editor of the Hendon Times Group

“I can’t remember any particular anecdotes about Charlie, but that in a way WAS Charlie. That was his quality. He was self-effacing without being shy. He was very good at his job and was always cheerful, possessing a very sense of humour. He never talked down to anyone. He was never a prima donna and I never saw him throw a wobble. That, in journalism, deserves our admiration.” – Rick Partidge, former Hendon Times journalist

“I am sure that becoming the founding editor of his home borough newspaper was the proudest moment of Charlie’s career, and his main ambition in life fulfilled. We should be celebrating a life lived to its fullest but sadly ended too soon.” – David Brown, The Times

“Having a great sense of humour, Charlie delighted in telling amusing stories about his work and journalism experiences. He had been giving a day-long media training course to newsroom staff of the Limerick Leader and all were gathered for refreshments in a nearby hotel afterwards. It was in the very early days of mobile phones, few had much experience of them, and the day before the newsroom staff had each been given a new one. The new phone of one of the journalists rang. It was his wife. “Ah, Patricia, we’re in the hotel having a bite to eat. How did you know I was here?” the Irish journalist told her. Charlie got a lot of mileage out of that, usually repeating the words in his best Irish accent.” – James Wims, long-time friend

“Charlie gave me my first break in journalism. He was Editor of the Borehamwood Times when I did a week’s work experience as a 16-year-old. I never left! With his encouragement I took up a place on the Westminster Press training scheme in Hastings and never looked back. I owe my career to him. Charlie was a passionate, dedicated journalist and a lovely guy.” – Lisa Minot.

“Charlie was committed to professional journalism training and editorial standards and is a great loss to journalism and journalism training. He was a stalwart of the NCTJ and he will be very much missed by me and my team who knew him and appreciated his loyalty, kindness and good humour.” – Joanne Butcher, Chief executive of the NCTJ

“He was a lovely man, great to work with and a wonderful colleague. He will be sorely missed.” – Rod Brewster, former Borehamwood Times editor

“Charlie was old school, obsessed about punctuation and grammar and always fighting for the underdog. He had a great instinct for a news story and was a fantastic mentor.” – Odette Forbes, former colleague

“Charlie was a people person. He had time to nurture trainee journalists, he really believed in them. He inspired hundreds of people to never give up. He was caring, bright and funny – someone who was easy going. He had a wicked sense of humour and was always cracking jokes. He was a one off. We formed such a strong friendship over 17 years. He took a chance on me, I am his legacy. I owe him everything.” – James Bond

“Charlie was a warm-hearted and kind man who took many under his wing and helped them excel beyond their own expectations. His method of teaching involved questioning judgments and allowing you to discover the best way of presenting a written piece, which in turn was a masterclass in editing. He was more than the President of the CIoJ; he was my first editor and a friend. Proud of his heritage, curious of the world and never afraid to tell it as it is.” – Fuad Omar.

“Charlie and I shared a Russian love interest after Cupid’s arrow struck him at an Institute conference in Cyprus. It meant that from time to time we were in Moscow together and on one occasion we were returning to our flats after dinner out in that city. His friend’s flat had been designed by Beria (head of the secret police) to house Stalin’s cronies in the 1930s and fringed a massive square whose centrepiece was a magnificent chromed statue of Yuri Gagarin. On the way home we found the main road was lined by army tanks – dozens of them. Very strange. We dropped Charlie and his squeeze off at their flat and returned to ours. Twenty minutes later Charlie rang up in some consternation. “All those tanks are in the square with their guns pointing at the flat. Do you think it’s a revolution?” he said. It turned out it was an elaborate and expensive night location shooting for a Russian feature film... and Charlie managed a relatively restful night’s sleep.” – Robin Morgan, Past President

“Hard-nosed hack he may have been, but that lonely heart of Charlie’s was decidedly squishy. He was among the handful of staff who understood my unpredictable urge to break into tap dance routines mid-newsroom. One frantic press day, I was slavering away at the keyboard when a very smiley Charlie waltzed in, saying he had just what I needed “to hammer away on”. Anticipating something boring like a new computer, imagine my delight when he produced a whopping great lump of chipboard on which to satisfy even my most spontaneous of shuffles. What a sweetie!” – Helen Crawford, Charlie’s chief reporter, Borehamwood Times

“I remember Charlie always used to proclaim that one way of knowing how good a journalist you were was by the quality of your tea-making. Of course we all strove to excel at this to show him what pedigree journalists we were.” – Tony Leliw, former Hendon Times Group reporter and feature writer

“From Charlie, I learned that the way to get the best from your reporters is to enthuse them, a philosophy that flew in the face of the “toys out of the pram” management style of the Harrow Observer at that time. It was wonderful to work for someone who cared so deeply about journalism, and who wasn’t afraid to be subservice. Sad he’s gone, too early.” – Simon Rogerson, Editor, SCUBA magazine
A Libel Revolution? The Defamation Act 2013 explained

By Simon McIlwaine

One of the issues that has so troubled editors of newspapers and business publications is the impact of the strict English libel laws. These have allowed claimants with little evident connection to the United Kingdom to select the London courts as a favourable forum on the basis of technical or “bare” publication in the UK. Readers may be aware of the case of Mahfouz and Others v Ehrenfeld & Bonus Books Inc, which concerned counter-terrorism scholar Dr Rachel Ehrenfeld’s book “Funding Evil: How Terrorism is Financed – and How to Stop It.” Because a default judgement was entered and Dr Ehrenfeld did not apply to set it aside, no clear principles could be deduced from the case: 23 copies of her book had been sold in England and Wales, and neither party was domiciled in the UK or could be said to have a particular connection with this jurisdiction.

The new Defamation Act, which came into force on January 1, 2014, will, it is to be hoped, help combat the phenomenon of “libel tourism” and assist researchers, editors and investigative journalists by clarifying the law of defamation and by requiring claimants to prove that a statement has caused or is likely to cause “serious harm” to the claimant’s reputation. Profit entities must prove it “has caused or is likely to cause “serious harm” to the claimant’s reputation. These have allowed claimants with little evident connection to the United Kingdom to select the London courts as a favourable forum on the basis of technical or “bare” publication in the UK.

For the first time the defence of truth is explicitly set out in statute. A publisher has a defence now if a statement is “substantially true”. Even if it is not, the imputations which are not shown to be “substantially true” will lead to no finding of liability if they do not “seriously harm” the claimant’s reputation. For-profit entities must prove it “has caused or is likely to cause the body serious financial loss” – meaning that aggrieved companies will need to obtain (expensive) forensic accountancy evidence if they intend to pursue a claim.

Propagators of hatred

This does not, however, give licence to write whatever one likes about someone merely because of political differences, but it should make it more difficult for egregious extremists and propagators of hatred to use the legal system to stifle honest criticism.

Other welcome news is that the Act introduces a new defence of “honest opinion”. This should protect statements of opinion (as opposed to fact) about issues of public interest if an honest person could have come to the same conclusion on the basis of the available facts when the statement was published or if it is made on the basis of anything alleged to be factually true in a “privileged” statement (such as court or parliamentary proceedings). The opinion must be the ACTUAL opinion of the publisher.

Crucially, for users of the internet and social media, Section 8 replaces the old rule that every publication of a defamatory statement on a website is a “fresh” publication. Now the one year limitation period runs from the date of first publication. It is as yet unclear what will happen if material is added to Facebook links or Twitter: “tweets” could be treated as republication in a different medium or manner as provided by Section 8(4).

Website operators are no longer automatically liable for posts or comments made by others on their site. However, while it is a defence for the operator to show that they were not the ones who posted the statement on the website, the defence is defeated if the claimant shows that—

(a) it was not possible for the claimant to identify the person who posted the statement,
(b) the claimant gave the operator a notice of complaint in relation to the statement, and
(c) the operator failed to respond to the notice of complaint in accordance with any provision contained in regulations.

Any notice of complaint is a notice which—

(a) specifies the complainant’s name,
(b) sets out the statement concerned and explains why it is defamatory of the complainant,
(c) specifies where on the website the statement was posted, and
(d) contains such other information as may be specified in regulations. (The regulations have yet to be published.)

Other welcome news from the Defamation Act is that statements in peer-reviewed academic journals are now privileged, provided responsible editorial control and actual peer review are maintained as described in section 6 (3). The privilege created by this Section is, however, restricted to statements relating to “a scientific or academic matter” and it remains to be seen how the courts will classify a matter as “academic”. Malice, unsurprisingly, defeats the privilege.

The good news for journalists and commentators is that the privilege extends to publication of a fair and accurate copy of, extract from or summary of the statement or assessment.

Although this Act tilts the balance in favour of free speech and frank but honest discussion, a major issue is that the new statute does not apply to Scotland (which has its own libel law and doctrine) or Northern Ireland, where the old law will still apply.

Belfast the new libel capital?

This opens up the possibility that Belfast could become the libel capital of the UK as claimants argue that publication in the UK constitutes publication in Northern Ireland, with the issues of jurisdictional suitability still relatively less settled in the NI Courts. There is, however, a strong chance that the NI Assembly will act so as to extend the Act’s provisions to the Province, as there is a strong public interest in candid investigative journalism in the light of continuing paramilitary/criminal activity such as fuel laundering and other manifestations of organised wrongdoing.

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Partisan, Sectarian and Fractional – Iraq’s media today

Extracted from “Iraqi Media Ten Years after the Invasion” by Oday Hatem, President of the Press Freedom Advocacy Association in Iraq (Translated from Arabic by Geoffrey King)

Ten years after the fall of Saddam’s regime, Iraqi media pluralism reflects the partisan scene of ethnic and sectarian conflict. Even though the situation is better than most countries in the region, Iraq still lacks basic media freedoms such as the freedom of access to information and the ability to publish opinions without fear of reprisal or intervention. Most media outlets in the country are little more than advertising or propaganda pieces in support of particular political parties or individuals. Whereas under the previous regime, Iraqi media lauded one person and one party only, today the media collectively promote the agendas of a variety of political parties and individuals. On balance, however, the Iraqi media still shuns its primary responsibility of transmitting objective news and the truth to the public. Iraq lacks a robust and influential independent media sector. Most independent media projects collapse due to lack of funding, and the few independent media outlets that do exist are weak.

After 2003, Iraqi media took advantage of available space to launch dozens of new newspapers, magazines, television channels, and radio stations. However, it is crucial to understand that this space was due primarily to the chaos that swept the country during the first few years of occupation and the preoccupation of successive governments, political parties, and the public with increasing violence. Successive governments did little to encourage the press freedom until late 2008. Limited exceptions included brief closings of Al-Jazeera, Al-Arabia, and Al-Sharqiya satellite channels under the pretext of inciting violence and sectarianism. However, this press flowering during the early years of occupation did not spring from the political elite’s belief in freedom of the press itself. In early 2009, journalists began facing systematic government violations of press freedoms. These included arrests, assaults, strict limits and procedures restricting press coverage, and barring journalists from practising their work. Journalists needed the approval of the security forces before covering any substantive activities and events.

The government uses a variety of methods to control the news. The official Commission of Media and Communications (CMC) monitors the editorial policy of media outlets and collects information about journalists and their coverage. The CMC threatens media outlets with closure and withdrawal of their licences if they surpass certain red lines while criticising the government. The state also leverages professional organisations to issue false testimonies about their peers in return for financial payments and other rewards. This method of bribery not only punishes dissenting voices but has caused those journalists that slander others for being critical of the government to compromise their principles on constitutionally enshrined press rights.

Legislative challenges

The state’s systematic legislative campaign to restrict constitutionally guaranteed freedoms represents the greatest danger to media freedom in Iraq. These efforts include the passage of the Journalist Rights Law in August 2012 and the preparation of seven other draft laws that restrict the press. This campaign indicates partisans’ desire to evade constitutional guarantees of freedom of the press and freedom of expression in Iraq in order to control the flow of information and re-open a state-controlled media sector. The majority of political blocs that control parliament and state institutions exhibit authoritarian ideological backgrounds that oppose fundamental freedoms, whether of the Islamist or secular-nationalist variety.

This body of inherited laws allows the state to nationalise private media outlets because this legal architecture does not permit private media and specifically states that all media must be owned by the state. For these reasons, the PFAA, hundreds of journalists, and dozens of Iraqi and international civil society organizations—in particular the Iraqi Civil Society Solidarity Initiative—see the Journalist Rights Law as a major threat to press freedom and a step towards the resurrection of a state-controlled media sector.

“Worst country in the world”

Journalists risk their own lives and that of their families every day in the face of constant threats from a variety of sources. Many have been targeted for uncovering facts relating to the involvement of political leaders in administrative or financial corruption; for covering stories of violence and terror related to religious leaders or extremist groups; and for investigating cases of human trafficking and sex slavery. More than 300 journalists have been killed in Iraq since 2003. According to the Committee to Protect Journalists, Iraq is the worst country in the world in criminal impunity for media-related offenses. Since 2003, Iraqi authorities have not charged a single person with killing a journalist. The authorities’ failure to bring these killers to justice has encouraged ongoing violence against media professionals. Seven parties are responsible for targeting or threatening media workers in Iraq: Al-Qaeda; other armed Sunni groups; remnants of the dissolved Baath Party and related armed groups; Shiite militias; political parties; government and official security forces; and tribal sheikhs and leaders.

International and Iraqi organisations must redouble efforts to pressure the government and political parties to respect press freedoms. This can be done through professional monitoring, reporting, and analysing instances of violations of media freedoms and freedom of expression. Activate the roles of the UN Mission in Iraq and other international organisations to amplify their voice and to advocate on issues relating to press freedom, freedom of expression, and human rights.

The skills of Iraqi journalists, activists and civil society organisations should be developed to enable them to confront legislative challenges to press freedoms and other rights more effectively. This should include their exposure to civil society experts, successful models of advocacy, and examples of legal frameworks in other countries.

Lawyers, judges and others working in the judicial sector should be trained on how to approach cases of press freedom violations in order to ensure a judiciary respectful of freedoms and a body of lawyers adept at litigation in this area.
Buczacki scoops Lifetime Achievement Award

The Garden Media Guild’s annual awards ceremony was held at the InterContinental London Park Lane hotel. The awards recognise the very best communicators and media professionals across the gardening and horticultural industries. Professor Stefan Buczacki was presented with the Lifetime Achievement Award at this year’s awards ceremony.

The Garden Media Guild works to raise the quality of writing, photography and broadcasting in the gardening and horticultural world and works with professionals across all communication disciplines. Stefan Buczacki, from Duffield in Derbyshire, was awarded the Lifetime Achievement Award after showing the judges his excellence and rigour in all areas of garden communication and a wide ranging expertise in gardening, natural history, plant pathology and garden design.

Buczacki has been one the most trusted people to provide horticultural advice for more than two decades. With his academic excellence, professional standing and a portfolio of nearly two thousand radio and television appearances, countless newspaper and magazine articles and over 50 books, he has an unrivalled grasp of what British gardeners need and want from their gardens.

Alan Titchmarsh, English gardener, broadcaster and novelist, said: “Spreading the word about the value of horticulture is vital, but so too is the way in which it is done. Infectious enthusiasm and a passion for what we do is so important, as is generosity of spirit towards young people keen to join the crusade. We must fire up the next generation of gardening writers and broadcasters, passing on our enthusiasm, knowledge and experience without boring them rigid or being afraid that they will one day take over.”

INTERVIEW

SHERLOCK RETURNS!

Stuart Millson interviews journalist and author Tim Symonds about his new novel, Sherlock Holmes and the Mystery of Einstein’s Daughter.

What is your view on the BBC series, Sherlock, set in modern London?

It’s great that Holmes can be reworked and presented to a whole new audience, including a generation that may not have been brought up on the Conan Doyle ‘canon’. Apparently this has caused a considerable worldwide resurgence of sales of the original Conan Doyle stories.

What, in your view, distinguishes Holmes from all other detectives?

There is a very cool and dispassionate atmosphere about Holmes as he bites hard into a new case. He benefits from Watson at his side with his trust service revolver, brave, loyal, ready to die for his much-admired companion. Holmes doesn’t make deep friendships outside Watson but this may be an essential aspect of his character – certainly criminals and ne’er-do-wells tremble at the very thought this human bloodhound is on their trail.

Are you a fan of Chesterton’s Father Brown?

I have just been reading an excellent new book titled The Scientific Holmes by an American, James O’Brien. He recounts the various likely influences on Conan Doyle which led to the creation of the famous character. But in turn, Sherlock Holmes has had a tremendous effect on other crime fiction novelists, including GK Chesterton and Father Brown, and on the character sometimes called “the poor man’s Holmes”, namely Sexton Blake and his scent hound Pedro – and Hornung’s invention, A. J. Raffles, the “gentleman thief”, whose criminal exploits promoted the sales of Cassell’s Magazine.

What advice do you have for aspiring new authors – especially those who are seeking to re-create, or perpetuate, a genre?

It’s completely possible to take characters originated by other authors, often decades or centuries earlier, and add differing dimensions or relationships to them. In my case, I stay in the Edwardian period, between 1900 and 1906, and have to do a lot of research to ensure my facts are right (or readers from nearby Tunbridge Wells really do complain!) but I give Watson a larger and I hope more rounded role while still complaining! (but I give Watson a larger role while still complaining!)

The Journal - Spring 2014 edition
Defending our liberties: A 100-year perspective

By Roger Bush

In the years just before the First World War the Daily News, beginning to prosper on the tide of liberalism that followed the South African War, employed G K Chesterton (1874 - 1936) as a columnist. In the words of his contemporary, Sir Philip Gibbs of the Daily Chronicle, he "defended the freedom of the soul against all tyrannies and falsities... and like a very fat knight-errant, like Don Quixote in the flesh of Sancho Panza, set out to kill the dragons of ignorance, bigotry and spiritual pessimism".

One hundred years ago, in 1914, Chesterton had a short novel published. The Flying Inn is perhaps best known today for its author's light verse, with which the book is liberally seasoned. "Before the Romans came to Rye, or out to Severn strode..." and "The Song Against Grocers" have often appeared in anthologies without reference to their context. But just now it is worth taking a closer look at Chesterton's fantasy – as we find in his book some uncomfortable parallels with what is happening in the United Kingdom today. When one remembers that Chesterton was writing at a time when Britain still had an Empire, before women had a vote, and well before the day when the state started to involve itself in health and welfare, the novel contains some remarkable flights of clairvoyance.

The inn of the book's title is The Old Ship at Pebbleswick-on-Sea, proprietor Humphrey Pump. It is under threat of closure because the political power of the time has come under the influence of Islam. The local Lord of the Manor is Lord Ivywood, the English minister who has been responsible for negotiating a "Peace with Honour", ending war with the Ottoman Empire. He has convinced himself that what England needs is an agenda which includes, among other things, the ban on drink. Meanwhile, a semi-comical prophet named Misyrsa Ammon is being taken by society and by societies, and is proposing all kinds of religion-based changes, from polygamy to replacing the cross on St Pauls with a sort of double emblem combing cross and crescent ("and called the Croscent" mutters Dalroy).

Patronising attitude

It is when one gets to the explanation given by Lord Ivywood for the legislation that has outlawed The Old Ship that the comedy becomes seriously modern-sounding. "The Act is specially designed in the interests of relief from poverty, and its final advantages will accrue to all citizens alike", and "the purpose of the Act is to protect the savings of the more humble and necessitous classes". This is the patronising attitude that has been a feature of much legislation of the past few decades. Think of the welter of Health and Safety legislation, the bans first on the advertising of tobacco products and then on smoking "except in such places as the Government may specially exempt for Parliamentary or other public reasons." Think too of the "good-of-the-public" reasoning put forward to justify each new encroachment on traditional liberties. Hardly a month passes without some new official report telling us of the number of lives that could be saved by the criminalising of this or that activity previously regarded as a matter the public itself could decide on.

An early and amusing example of political correctness appears in the later pages of the book with the mention of the Ballot Paper Amendment Act. "Look at our universities with their Mohammedan students", says Lord Ivywood; "soon they may be a majority... If we are to give Moslem Britain representative government... we must not ask them to make a cross on their ballot papers; for though it seems a small thing, it may offend them." Anything familiar there?

Well, Chesterton was never much of a pessimist. The novel ends with a rebellion of the masses against the totalitarian tendencies that are driving the country towards a different kind of culture. There is a march on Parliament. As Patrick Dalroy's concluding song has it:

"In the city set upon slime and loam
They cry in their Parliament 'Who goes home?'
And there comes no answer in arch or dome,
For none in the city of graves goes home.
Yet these shall perish and understand,
For God has pity on this great land.
Men that are men again; who goes home?
Tocsin and trumpet! Who goes home?
And a voice valedictory... Who is for Victory?
Who is for Liberty? Who goes home?"

One hundred years after the publication of The Flying Inn we supposedly live in a much more liberal society. Yet I can't help wondering if a book like Chesterton's would even get published today? "Much too risky, I'm afraid... There is too much in it that is politically incorrect" would be the tone of the rejection letters. So how liberal are we, if we have lost so much, including freedom of expression? There are plenty of dragons of ignorance and bigotry still to be slain. Today they are mostly represented by the fanatical single-issue lobbyists whose gods are the National Health Service, feminism, homosexuality, animal rights, anti-smoking paranoia, and so on. Figures like Rod Liddle and James Delingpole do their best, but God grant us another GKC to take up the cudgels on behalf of tradition and culture.
My Personal Story – In and Out of Europe

BY ANDREW PEARCE
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This well-written book, by a former Conservative Member of the European Parliament, Andrew Pearce, gives readers a first-hand account of the work of MEPs. The author, who served for 10 years as an MEP, writes frankly and bluntly as an ordinary Englishman who was lucky enough to secure a job with the European Commission and then subsequently to be elected to the European Parliament.

He had no special training to be an MEP, nor did he have any secret backers who opened doors to further his career. “I wanted to represent Britain and British people as they really were, especially those in my part of the country,” says Pearce.

The book highlights the failure of British industry and politicians to take the European Union seriously. As Pearce points out, it is not possible for the Commission staff to be familiar with the situation in every field in all the EU’s 27 (now 28) member states, so good lobbying is essential in fields where the Commission is either considering or preparing policies and legislation. But most UK industries do not bother to brief Commission staff or MEPs, and it is unsurprising that sometimes proposed policy or legislation does not take into consideration the UK’s particular needs.

In his time in the European Parliament, writes Pearce, British industry “did not match the ‘clout’ of German industry lobbying Brussels as well as Bonn.” He believes that this failure may have contributed to the decline of British manufacturing industry. On general legislation it was the French who were best prepared and most effective. This is because the French political parties met regularly before sessions of the European Parliament and its committees, and they agreed the line to take on the matters coming up for discussion and decision.

The French civil service always ensured that their MEPs were well briefed on matters on the agenda, while British civil servants often did not even answer questions and requests for briefings. Ministers – in both Labour and Conservative governments – neither asked MEPs for advice on matters on which they were well informed nor gave them advice on the line to take on matters they knew were coming up. The result, claims Pearce, was that French MEPs spoke as a team, which helped them get their way, while British MEPs spoke as individuals, sometimes contradicting one another.

Pearce also criticises the British Parliament for not setting up a system of contacts between MEPs and MPs. “The history of Britain’s membership of the European Union would have been different if there had been a proper and amicable system of contacts between MEPs and MPs,” says Pearce.

However, Pearce believes that he was at least able to influence European legislation himself. He gives the example of a Dutch member of the European Commission, Frans Andriessen, who was responsible for legislation on drink outlets, and who was completely opposed to the “tied pubs” system as being unfair competition. This was because Andriessen did not know what the system was, and had not been properly briefed on it. So Pearce dropped in to Andriessen’s office in Strasbourg and explained how the system works in Britain. This discussion led to the draft legislation being relaxed so that the tie could continue, but with the stipulation that it should only apply to draught beer and not to all drinks (such as bottled beer, soft drinks, wine and spirits). So, as a result, breweries’ outlets are safeguarded, but pubs can now offer a wider range of drinks – all of which is of direct benefit to the general public.

As Pearce explains, “the advice given by MEPs would have been better if British business had taken more effort to inform Commission staff and MEPs of their needs.”

John Szemery

SIGINT: The Secret History of Signals Intelligence, 1941-45.

BY PETER MATTHEWS

An eye-catching cover is something that often captures the imagination of the browsing book-buyer. But in the case of this fascinating new study by journalist and broadcaster Peter Matthews (an expert on European military history, who served with the British Army in Berlin) a remarkable picture appears on the back cover: an image of ruined, decayed machinery – the advanced German wireless equipment of its time, hurled into Lake Schliersee by its operators, just prior to the Wehrmacht’s surrender in 1945. Haunted from the murky depths of the lake in 1950, these rusting machines – inscrutable, disabled, and silent witnesses now – were displayed at the Rothenbuchen Military Museum – ghostly remnants of a war, the outcome of which depended upon intelligence as much as the rare brute force of armies. Peter Matthews explains why.

His book is a treasury of information: a brilliantly researched and eloquently recorded journey through the labyrinth of wartime intelligence departments: from Room 40 at the World War One Admiralty, to the cryptographers, codebreakers and keepers of secrets of Bletchley Park – by way of the secret and sinister Horchstelle (listening post) at Lauf, Nuremberg. The author makes us understand how this chess-game of double-bluff warfare is as compelling as the physical action on the battlefields. In the chapter, Intelligent Warfare, the ranks of the secret army are revealed: “Teams of operators sat in rows to listen to an array of co-ordinated receivers tuned into specific wavelengths allocated to each operator that would be on continuous alert for the first burst of Morse code cracking in their ears as an enemy operator began their transmission.”

By the vivid use of sensory language, Matthews brings the scene to life. This is from the world of 1914-18, but the principle of this warfare hardly changed – even at the advent of the Cold War. The reader begins to feel that he, or she, is eavesdropping on a clandestine and deeply-sensitive world.

“By the end of the war in 1945, the Allies decided to assess the progress of German research and technical progress in nuclear physics, rocketry and jet propulsion. The findings were well-documented... An operation that was less well-known was the Target Intelligence Committee (TICOM), concerned with the evaluation of German signals intelligence... The project was an Anglo-American effort using staff from Bletchley Park to establish the progress that German cryptographers had made in breaking Allied codes.”

TICOM is not the only acronym to emerge into the smoky haze of small back rooms, or through the crackling airwaves across the ether of Western Europe and the Atlantic: look out for the NEMA – the MILID WASH, the GAF Red Key, SIGABA, and ELINT, too!

SIGINT is a title that also contains many excellent colour plates: maps which, like meteorological charts, plot the course of the world-shaping events of the last conflict-filled century.

Stuart Millson
Turning back the clock

When words come back to haunt...

How often do we hear cries from politicians that they were misquoted after some foot-in-mouth gaffe has held them up to ridicule? Nothing changes.

Back in 1914 the Scottish Liberal Whip was hoist by his own petard and forced to concede – but not fulsomely.

The Journal of February, 1914, reported: ‘Politicians who are in the habit of raising the cry ‘inaccurate reporting’ when they get into trouble over their public utterances, ought to take warning from what has befallen the Scottish Liberal Whip. On being brought to book for some statements made during the Wick election campaign, Mr J W Gulland tried to screen himself after a fashion that has of late become far too common.

He could not, he declared, have used the words imputed to him; the reporter must have touched them up. But he found no safety in this disclaimer.

The speech appeared in a Liberal newspaper, The Northern Earsign, whose editor, as it happened, was also the reporter, and when this journalist hunted up his notebook and transcribed in full the sentence in question, it turned out to have been rather toned down than touched up.

However much his action may have warred against his political feelings, the editor-reporter published his verbatim transcript, adding, with a saving sense of humour, “We don’t think the extended sentence will help Mr Gulland any.”

And it didn’t, as the Liberal Whip found it expedient to express deep regret in the House of Commons for having used such language, The Journal reported, adding: ‘Whilst, however, this ‘error of judgement’ now rests on the proper shoulders, it would have been well had Mr Gulland extended to the journalist as complete an apology as he tendered to the House. Unfortunately, he does not appear to have thought of this.”

“It is to be hoped the lesson he has helped rub in will tend to check the growing custom of blaming the reporter,” added The Journal’s editor.

…and words to be posted!

The Postmaster-General, who was the principal guest at the annual dinner of the Northern Society of Journalists at Middlesbrough, said he was not one of those who in any serious spirit decried the British Press, or said its standing was a low one.

Fifty or up to ninety years ago the standard of journalism was far below what it was today. They who had travelled abroad knew that we had no reason to be ashamed of our Press at home.

He personally felt quite convinced that the best of our newspapers today were better than those of years ago, and better than those of foreign countries; whilst the worst of our newspapers not so bad as those of years ago, or so bad as the worst of foreign newspapers, and our average papers were certainly better than the average papers of the past and the average papers published elsewhere.

Reaping the benefit

One hundred years ago the Institute had the welfare of its members well to the fore and was keen to point out the benefits. Speaking at a Yorkshire district meeting, the President-elect, James Sykes, assured members that the Institute had never been in a more healthy and progressive condition.

To show the value of the unemployment benefit scheme, he mentioned that bricklayers would pay 2½d (1p) a week for unemployment benefit of 7s (35p) a week for 13 weeks in the year, whilst for the guinea (£1.05) annual subscription which members of the Institute paid, which was less than 5d (2p) a week, they were entitled to 25s (£1.25) for 13 weeks in the year.

Own goal! Soccer players beware!

The April 1914 edition of The Journal reported:

“William Birch, outside left for the Grimsby Town Football Club, pleaded guilty at Grimsby on 21st April, to assaulting Mr Ernest Tunbridge, a local journalist.

Birch, who had been suspended by the club, forced his way into the Press box and struck Mr Tunbridge several blows.

“He said he had been annoyed by certain newspaper comments written by Mr Tunbridge.

Birch was fined three guineas and costs, with the alternative of one month’s imprisonment, the Bench stating that the Press must be protected in the discharge of its duties.”

Ticket to ride

Congratulations were showered on the Institute’s Glasgow district for its persistence in campaigning to have the city run late night trams.

“For many years they have hammered at the subject, and only a couple of years ago they met with disappointed. But they were not discouraged, and the topic was raised again, and a deputation selected to wait upon the Tramways Committee.

“To strengthen the delegation representatives of the National Union and the printing departments of local newspapers were invited, and the united appeal apparently was impressive, as the Corporation have now definitely agreed to have an experimental service in the autumn.

“This is a decided achievement on the part of our Glasgow colleagues, and one which will be beneficial to all departments of those engaged upon morning newspapers.

“Incidentally, many citizens will also benefit,” the article begrudgingly conceded.

Footnote: In 1914 there was very little personal transport and night-working newspaper workers faced a long walk or bicycle ride home at the end of their shift.

Robin Morgan